

Student Wellbeing - Student Welfare Policy

Source of Obligation

The Education Training and Reform Regulations 2017 (sch 4 cl 12) require that the school must ensure that the care, safety and welfare of all students attending the school is in accordance with any applicable State and Commonwealth laws, and that all staff are advised of their obligations under those laws.

How We Meet This Obligation

Sidrah Gardens School has a range of student welfare and safety policies designed to ensure the care, safety and welfare of all students at the school. All staff are advised of their obligations under relevant laws, including child protection and occupational health and safety laws, at induction and then on an ongoing basis at least annually or when necessary.

In addition to a high-level Student Duty of Care Policy which explains the duty of care owed to our students and how staff are required to discharge their duty of care, the School has developed a complete Student Duty of Care Program which addresses specific student care, safety and welfare issues at the School.

Student Welfare

Our policies on student welfare are detailed in our Student Duty of Care Program and include:

- ☑ Student Welfare & General Safety Policies
- ☑ Bullying Prevention & Intervention
- ☑ Cyber Safety
- ☑ Harassment Policy (Student against Student)

We also have a dedicated Complaints Handling Program.

Student Safety

Our policies on student safety are detailed in our Student Duty of Care Program and include:

On-Site Supervision

- ☑ Supervision (General)
- ☑ Supervision & Inspection – Playground

Off-Site Supervision

- ☑ Excursions Policy – Master
- ☑ Excursions Policy – Regular Off Campus Activities
- ☑ Excursions Policy – Single Day Excursion
- ☑ Excursions Policy – Overnight Excursion
- ☑ Excursions Policy – Recreation & Outdoor Education

Bushfire Management

- ☑ Emergency Bushfire Management Policy

Student Care

Our policies on student care are detailed in our Student Duty of Care Program and include:

- ☑ First Aid and Medical Treatment
- ☑ Medication Administration
- ☑ Current Register of Staff Trained in First Aid
- ☑ Medical Records
- ☑ Medical Health Care Plans

Child Protection

In accordance with the Victorian Child Safe Standards and Ministerial Order No. 870, the School has developed and implemented a complete Child Protection Program. This Program enables the School to effectively manage the risk of child abuse in all School environments, promptly and appropriately respond to all allegations of child abuse, meet our duty under the Wrongs Act 1958 to take reasonable precautions to prevent the abuse of a child and maintain a zero tolerance approach to child abuse. Refer to the Child Protection: Managing the Risk of Child Abuse Policy for more information.

Additional Student Welfare Policies

Our additional policies on student care, safety and welfare are detailed in our Student Duty of Care Program and include:

- ☒ Accident Management
- ☒ Capturing Records of Student Injuries/Harm and Near Misses
- ☒ First Aid Policy and Procedures
- ☒ Information & Communication Technology (ICT)
- ☒ Critical Incident (Emergency Situations) Response Plan
- ☒ Emergency Management Plan

Students with Special Needs

Students with special needs are afforded the same access to courses in accordance with our Disability Discrimination Policy.

Sidrah Gardens School is committed to making reasonable adjustments for students with special needs. Individualised programs will also be developed for students with disabilities in consultation with parents/carers and relevant experts, to ensure access to courses.

Communication

These policies and procedures are communicated to staff, students, guardians, parents and the school community through:

Assembly

Parent information

Student orientation

the School Website

the Staff Handbook

the Student Diary

announcements in the weekly newsletter.

Managing Student Wellbeing - Bullying Prevention & Intervention

The Hazard – Bullying

Bullying is the repeated and intentional behaviour of causing fear, distress or harm towards another person that involves an imbalance of power. It can involve humiliation, domination, intimidation, victimisation and harassment. In any bullying incident there are likely to be three parties involved: the bully, the person being bullied, and bystanders.

Bullying can take many forms including:

- ☒ Physical bullying which involves physical actions such as hitting, pushing, obstructing or being used to hurt or intimidate someone. Damaging, stealing or hiding personal belongings is also a form of physical bullying.
- ☒ Psychological bullying is when words or actions are used to cause psychological harm. Examples of psychological bullying include name calling, teasing or making fun of someone because of their actions, appearance, physical characteristics or cultural background.
- ☒ Indirect bullying is when deliberate acts of exclusion or spreading of untrue stories are used to hurt or intimidate someone.
- ☒ Cyber bullying is the ongoing abuse of power to threaten or harm another person using technology. Cyber bullying can occur in chat rooms, on social networking sites, through emails or on mobile phones.

What Bullying is Not

There are many negative situations which, whilst being potentially distressing for students, are not bullying. These include:

- ☒ Mutual Conflict Situations which arise where there is disagreement between students but not an imbalance of power. Mutual conflict situations need to be closely monitored as they may evolve into a bullying situation; or
- ☒ One Off Acts (of aggression or meanness) including single incidents of loss of temper, shouting or swearing do not normally constitute bullying.

Signs of Bullying

Major behaviour changes in a student may be indicative of bullying. Such behavioural changes may include:

- ☒ Crying at night and having nightmares;
- ☒ Refusing to talk when asked “What’s wrong?”;
- ☒ Having unexplained bruises, cuts or scratches;
- ☒ An unwillingness or refusal to go to school;
- ☒ Feeling ill in the mornings;

- ☒ A decline in quality of school work;
- ☒ Becoming withdrawn and lacking confidence;
- ☒ Beginning to bully siblings; and
- ☒ Acting unreasonably.

Parents/guardians are encouraged to recognise signs of bullying and notify the school through a trusted staff member immediately (such as a class teacher, coordinator, school counsellor etc), if they suspect their child is a victim of bullying.

Sidrah Gardens School's Policy

Sidrah Gardens School recognises its duty to students to provide a safe and positive learning environment where individual differences and diversity within the school is respected and accepted.

Bullying is not tolerated at Sidrah Gardens School.

It is our policy that:

- ☒ Bullying be managed through a 'whole of school community' approach involving students, staff and parents/guardians;
- ☒ Bullying prevention strategies be implemented within the school on a continuous basis with a focus on teaching age appropriate skills and strategies to empower staff, students and parents/guardians to recognise bullying and respond appropriately;
- ☒ Bullying response strategies be tailored to the circumstances of each incident;
- ☒ Staff establish positive role models emphasising our no-bullying culture; and
- ☒ Bullying prevention and intervention strategies are reviewed on an annual basis against best practice.

Bullying Prevention Strategies

Sidrah Gardens School recognises that the implementation of whole school prevention strategies is the most effective way of eliminating, or at least minimising incidents of bullying within our community.

The following initiatives form part of our overall bullying prevention strategy and our strategy to create a 'no bullying' culture within the school:

- ☒ A structured curriculum and peer group support system, that provides age appropriate information and skills relating to bullying (including cyber bullying) and bullying prevention, to students over the course of the academic year;
- ☒ Education, training and professional development of staff in bullying prevention and response strategies;
- ☒ Regular provision of information to parents/guardians, to raise awareness of bullying as a school community issue to equip them to recognise signs of bullying, as well as to provide them with clear paths for raising any concerns they may have relating to bullying directly with the school;
- ☒ Promotion of a supportive environment that encourages the development of positive relationships and communication between staff, students and parents/guardians;
- ☒ Promotion of responsible bystander behaviour amongst students, staff and parents/guardians;

- ☒ Reporting of incidents of alleged bullying by students, bystanders, parents/guardians and staff are encouraged, and made easy through the establishment of multiple reporting channels (as specified below);
- ☒ Regular risk assessments of bullying within the school are undertaken by surveying students to identify bullying issues that may ordinarily go unnoticed by staff;
- ☒ Records of reported bullying incidents are maintained and analysed, in order to identify persistent bullies and/or victims and to implement targeted prevention strategies where appropriate;
- ☒ Statements supporting bullying prevention are included in students' school diaries;
- ☒ Promotion of student awareness and a 'no bullying' environment by participating in events such as the National Day of Action Against Bullying and Violence.

Reporting Bullying

Students and their parents/guardians are sometimes reluctant to pursue bullying incidents, for fear that it will only make matters worse.

A key part of School's bullying prevention and intervention strategy is to encourage reporting of bullying incidents as well providing assurance to students who experience bullying (and parents/guardians) that:

- Bullying is not tolerated within the school;
- ☒ Bullying is not tolerated within the school;
- ☒ Their concerns will be taken seriously; and
- ☒ The school has a clear strategy for dealing with bullying issues.

Bullying incidents can be advised to the school verbally (or in writing) through any of the following avenues:

- ☒ Informing a trusted teacher;
- ☒
- ☒ Informing the Principal or the Principal or delegate.

Responding to Bullying

Bullying behaviours vary enormously in their extent and intent and, as a consequence, each incident needs to be dealt with on its facts.

In all circumstances the school:

- ☒ Takes bullying incidents seriously;
- ☒ Provides assurance to the victim that they are not at fault and their confidentiality will be respected;
- ☒ Takes time to properly investigate the facts including discussing the incident with the victim, the bully and any bystanders;
- ☒ Takes time to understand any concerns of individuals involved;
- ☒ Maintains records of reported bullying incidents; and
- ☒ Will escalate its response when dealing with persistent bullies and/or severe incidents.

Actions that may be taken when responding to bullying include:

- ☒ The 'Method of Shared Concern' Approach (Pikas);
- ☒ The "No Blame" Approach (Maines & Robinson);

These approaches may be used to intervene in group or relational bullying situations. They are only appropriate during the initial stages. They are not appropriate for persistent or severe bullying incidents.

- ☒ Notification of/Consultation with parents/guardians;
- ☒ Offering counselling to persistent bullies/victims;
- ☒ Implementing effective follow up strategies; and
- ☒ Disciplinary action at the Principal's discretion including suspension and expulsion of persistent bullies, or in cases of severe incidents.

Workers' Responsibility

All workers are responsible to:

- ☒ Model appropriate behaviour at all times;
- ☒ Deal with all reported and observed incidents of bullying in accordance with this policy;
- ☒ Ensure that any incident of bullying that they observe or is reported to them, is recorded appropriately;
- ☒ Be vigilant in monitoring students that have been identified as either persistent bullies or victims; and
- ☒ Acknowledge the right of parents/guardians to speak with school authorities if they believe their child is being bullied.

Signage

Anti-bullying posters may be posted in strategic locations in the school to promote appropriate behaviour and encourage students to respect individual differences and diversity.

Implementation

This policy is implemented through a combination of:

- ☒ Staff training;
- ☒ Student and parent/carer education and information;
- ☒ Effective incident reporting procedures;
- ☒ Effective management of bullying incidents when reported;
- ☒ The creation of a 'no bullying' culture within the school community;
- ☒ Effective record keeping procedures; and
- ☒ Initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy, Sidrah Gardens School will take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

- ☒ Cyber Safety
- ☒ Harassment Policy (Student Against Student)

Student Wellbeing - Harassment Policy (Student against Student)

What is Harassment

Harassment is unwelcome behaviour that intimidates, offends, or humiliates a student because of a particular personal characteristic. Harassment is similar to bullying because someone hurts another person through cruel, offensive and insulting behaviours. Harassment is different from bullying in that it is a form of discrimination and is unlawful where the basis for harassment relates to a personal characteristic which is protected by law, such as:

- ☒ sex and gender identity or sexuality and sexual orientation;
- ☒ race, religion, ethnic background; and
- ☒ disability.

Sidrah Gardens School's Policy

Sidrah Gardens School is committed to providing a safe school learning and working environment that is based on mutual respect and is free from harassment. Harassment is not acceptable in any circumstances and will not be tolerated.

The school is responsible for ensuring that students are treated fairly and with respect, and is committed to ensuring that all staff will:

- ☒ model appropriate standards of behaviour;
- ☒ educate and make students aware of their obligations under this policy and the law;
- ☒ intervene quickly and appropriately when inappropriate behaviour is identified;
- ☒ act fairly to resolve issues and enforce the school's behavioural standards, making sure
- ☒ relevant parties are heard;
- ☒ help students resolve complaints informally; and
- ☒ ensure students who raise an issue or make a complaint are not victimised.

The school will investigate formal complaints about breaches of this policy and take appropriate prompt remedial action,

including counselling, education, medication and disciplinary action up to and including expulsion.

What is Sexual Harassment?

Sexual harassment occurs when a student is subjected to unwelcome and uninvited sexual conduct by another student which could be expected to make a student feel offended, humiliated, or intimidated.

Sexual harassment can also result when a sexually intimidating or offensive environment is created. Sexual harassment can be physical, verbal, written or pictorial, and can range from relatively mild sexual banter to actual physical violence.

It is important to remember that it is the way the victim perceives the behaviour that is important in determining whether or not harassment has taken place, not the intent of a particular individual. Mutual attraction or consenting friendships do not constitute sexual harassment.

Examples of sexual harassment include, but are not limited to:

- ☒ unwanted physical contact, touching, brushing against another student, hugging;
- ☒ persistent jokes or innuendos of a sexual nature;
- ☒ repeated requests to go out;
- ☒ offensive gestures;
- ☒ persistent or intrusive enquiries into another student's private life, sexuality, or physical appearance;
- ☒ sexual propositions;
- ☒ sexually offensive phone calls, messages on email, voicemail or in writing;
- ☒ displaying offensive screen savers, photos, calendars or objects;
- ☒ sexually explicit emails, text messages, or posts on social networking sites
- ☒ stalking; and
- ☒ sexual assault.

What is Racial Harassment?

Racial harassment is also found in many forms. Examples include, but are not limited to:

- ☒ abusive, threatening or insulting words and behaviour;
- ☒ deliberate exclusion from conversations;
- ☒ displaying abusive writing and pictures;
- ☒ insensitive jokes related to race; and
- ☒ pranks.

What is Disability Harassment?

Examples of disability harassment include:

- ☒ humiliating comments or insults about a student's disability;
- ☒ disparaging remarks to students who have received learning adjustments;
- ☒ comments or actions which create a hostile environment for a student with a
- ☒ disability; and
- ☒ deliberately excluding a student where the disability is not an issue.

Victimisation

Action will be taken against anyone who victimises a student who makes a complaint of harassment in good faith.

Student Responsibility

All students are required to:

- ☒ treat all students, staff and any other person at the school professionally and with respect;
- ☒ avoid behaviour that could be interpreted as harassing and act to prevent other students from engaging in harassment, where this is
- ☒ reasonably practicable; and
- ☒ where students have witnessed harassment at the school they are encouraged to report this to a staff member.

Harassment Response Procedures

A key part of Sidrah Gardens School harassment prevention and intervention strategy is to encourage reporting of harassment incidents as well providing assurance to students who experience harassment (and parents/carers) that harassment is not tolerated within the school.

Students who believe that they are being harassed should make it known that the comments, contact or behaviour is unwelcome and offensive.

If the student does not feel comfortable in talking directly to the perpetrators or if they seek advice on how to proceed they should contact any of the following:

- ☒ a teacher;
- ☒ the school counsellor;
- ☒ the student's year co-ordinator or coordinator ; or
- ☒ the Principal or the Delegate

Implementation

This policy is implemented through a combination of:

- ☒ staff training;
- ☒ effective incident notification procedures; and
- ☒ initiation of corrective actions where necessary.

Discipline for Breach of Policy

Depending upon the nature and seriousness of the breach of this policy Sidrah Gardens School may take disciplinary action, including in the case of serious breaches, suspension or expulsion. Engaging in unlawful harassment may result in legal action being taken against the perpetrator and Sidrah Gardens School.

Student Wellbeing - Cyber Safety

The Hazard – Cyber Safety

Cyber safety refers to the safe and responsible use of information and communication technologies. This includes privacy and information protection, respectful communication and knowing how to get help to deal with online issues.

Common cyber safety issues include:

- ☒ Cyber bullying is the ongoing abuse of power to threaten or harm another person through the use of technology (Refer to our Bullying Prevention and Intervention Policy);
- ☒ Sexting is the sending or posting of provocative or sexual photos, messages or videos online;
- ☒ Identity theft is the fraudulent assumption of a person's private information for their personal gain. Students are exposed to these risks as they are often unaware of the safety issues surrounding their digital footprint; and
- ☒ Predatory behaviour where a student is targeted online by a stranger who attempts to arrange a face to face meeting, in an attempt to engage in inappropriate behaviour.

Cyber safety issues most commonly occur through a student's use of their own technology devices (e.g. smart phone, tablet, laptop, home computer).

Safe use of technology whilst at school is managed through our Information and Communication Technology (ICT) Policy.

Sidrah Gardens School's Policy

Sidrah Gardens School recognises its duty to students to provide a safe and positive learning environment which includes the responsible use of information and communication technologies.

It is our policy that:

- ☒ Cyber safety be managed through a 'whole of school community' approach involving students, staff and parents/guardians;
- ☒ Cyber safety and cyber bullying prevention strategies be implemented within the school on a continuous basis with a focus on teaching age appropriate skills and strategies to empower staff, students and parents/guardians to recognise cyber safety issues and respond appropriately;
- ☒ Cyber bullying response strategies be tailored to the circumstances of each incident; and
- ☒ Our bullying prevention, intervention and cyber safety strategies are reviewed on an annual basis against best practice.

Cyber Safety Strategies

Sidrah Gardens School recognises that the implementation of whole of school cyber safety strategies is the most effective way of minimising risks related to our students engaging in online activity.

The following initiatives form part of our overall cyber safety strategy within the school:

- ☑ Establishment of a 'Cyber Safety Team' and appointment of two primary 'Cyber Safety Contact Persons' (refer below for details);
- ☑ A structured curriculum and peer group support system, that provides age appropriate information and skills relating to cyber safety (including cyber bullying) to students over the course of the academic year;
- ☑ Education, training and professional development of staff in cyber safety strategies;
- ☑ Regular provision of information to parents/guardians to raise awareness of cyber safety as a school community issue. This will equip them to recognise signs of cyber safety risks, as well as to provide them with clear paths for raising any concerns they may have relating to cyber safety and/or cyber bullying directly with the school;
- ☑ Promotion of a supportive environment that encourages the development of positive relationships and communication between staff, students and parents/guardians;
- ☑ Promotion of responsible bystander behaviour amongst students, staff and parents/guardians (this may occur where a bystander observes inappropriate online behaviour either being perpetrated by, or targeted at, a student);
- ☑ Reporting of cyber safety incidents is encouraged and made easy through the establishment of multiple reporting channels (as specified below);
- ☑ Regular risk assessments of cyber safety within the school are undertaken by surveying students to identify cyber safety issues;
- ☑ Records of reported cyber safety incidents are maintained and analysed, in order to identify systemic issues and to implement targeted prevention strategies where appropriate;
- ☑ Cyber safety strategies are included in students' school diaries;
- ☑ Cyber safety posters are displayed strategically within the school; and
- ☑ Promotion of student cyber safety awareness by participating in relevant cyber safety related events.

Our Cyber Safety Team & Contact Person

Sidrah Gardens School will establish a Cyber Safety Team whose role it is to:

- ☑ Review the school's cyber safe policy and relevant cyber safety initiatives (such as student education, staff professional development, parent/carer information) on at least an annual basis to ensure that they are effective in minimising cyber safety risks within the school;
- ☑ Maintain up to date knowledge of cyber safety best practice for schools;
- ☑ Maintain up to date knowledge of available cyber safety resources that may be utilised by the school and/or integrated in the school's cyber safety program;
- ☑ Review and analyse data obtained from school surveys that deal with cyber safety issues;
- ☑ Conduct regular risk assessments with respect to cyber safety issues within the school;
- ☑ Make recommendations to the Principal with respect to improvements to the school's cyber safety policies and procedures; and

☒ Appoint a member who shall be the primary point of contact for cyber safety related issues that may arise during the year.

Student Wellbeing- Medical Health Care Plans (High Risk Students)

Health Care Plans

Many students within our school have special health issues that may need to be managed through the development of individualised health care plans. Common examples include students with asthma, diabetes and those that may suffer from anaphylactic shock.

Where these health issues are common within the school, Sidrah Gardens School has developed specific policies dealing with these issues including with:

- ☒ Anaphylactic Shock Management;
- ☒ Asthma Management;
- ☒ Diabetes;
- ☒ Epilepsy
- ☒ Eating Disorders; and
- ☒ Self-Harming Behaviours.

The common feature of each of these policies is that they require the school to develop a health care plan for individual students affected.

The purpose of this policy is to provide some detail as to the development of and management of health care plans.

What is a Health Care Plan?

A health care plan describes:

- ☒ The student's specific health care needs;
- ☒ The agreed actions Sidrah Gardens School will take to meet those needs;
- ☒ The procedures to be followed in emergencies; and
- ☒ Parent/guardian notification procedures.

Health care plans should be agreed between the school, the student (depending on their age), their parents/guardians and any relevant medical advisors (where applicable).

Health care plans should be reviewed regularly as a student's health care needs change.

When Should an Individual Health Care Plan be Developed?

Individual health care plans must be developed for students diagnosed with severe asthma, type 1 diabetes, epilepsy, anaphylaxis, eating disorders and self-harming behaviours where the individual students are considered to be at high risk of requiring emergency medical intervention or require the regular supervised administration of medication.

The school Principal has discretion as to whether a written health care plan is developed in other cases.

Communication of Health Care Plans

It is the responsibility of the school Principal to ensure that key elements of a student's health care plan is effectively communicated to any staff who have responsibility, or are likely to have responsibility, for the supervision of the student.

Storage of Health Care Plans

All student health care plans are stored securely in the nurse's office.

Confidentiality

Student medical information will be communicated to relevant staff in a confidential manner on an as needed basis. Health care plans must always be stored securely.

Prescription Medication

Where the health care plan indicates that a student requires assistance with administering prescription medication, administration is to be conducted in accordance with the school's Medication Administration Policy.

Parents/guardians Responsibility

Parents/guardians must notify the school upon enrolment, if a student has been diagnosed with any health conditions which require the development of a health care plan.

Parents/guardians must inform the school of any changes to their child's medical conditions, medication requirements or emergency contact details to ensure all records are kept up to date.

Workers' Responsibility

All workers are responsible to ensure that they:

- ☑ Assist in the development of individual health care plans where they are requested to do so;
- ☑ Be aware of the specific health care plans for students in their care especially where an emergency medical response may be required; and
- ☑ Cooperate in the implementation of health care plans for students in their care.

Implementation

This policy is implemented through a combination of:

- ☑ The development of specific policies for medical conditions that may require emergency responses;
- ☑ The development of individual health care plans through effective communication between the school, parents/guardians, health professionals and teaching staff;
- ☑ Staff training;
- ☑ Effective maintenance of medical records;
- ☑ Effective incident notification procedures;
- ☑ Effective communication procedures; and
- ☑ Initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Sidrah Gardens School may take disciplinary action. Page **89** of **297**

Student Wellbeing - First Aid Policies and Procedures

First Aid

The Hazard – First Aid

First aid is the immediate treatment or care given to a person suffering from an injury or illness and, in extreme cases, a quick first aid response could mean the difference between life and death.

In many cases first aid can reduce the severity of the injury or illness, as quick and competent first aid calms the injured person and reduces unnecessary stress and anxiety. By law every workplace is required to provide appropriate first aid facilities.

Sidrah Gardens School's Policy

Sidrah Gardens School has developed our first aid plan based upon the size, location and nature of our workplace, the number and composition of workers and students we have, the nature of the hazards we have identified through our OHS Program, and our assessment of our likely first aid requirements, which may include the treatment of cuts, bruises, loss of consciousness, sprains, strains, fractures, shock, burns, and cardiac arrest.

Our first aid plan is set out in detail in our Injury Management Program.

DRSABCD Action Plan

In an emergency every second counts. The DRSABCD Action Plan is a seven step guide that will help save lives:

D check for DANGER:

- ☑ To you;
- ☑ To others; and
- ☑ To the casualty.

R check for RESPONSE:

- ☑ Ask name or squeeze shoulders; and
- ☑ If there is a response, make the casualty comfortable, check them for injuries and monitor their response; or
- ☑ If there is no response, send for help.

SEND for help:

- ☑ Call Triple Zero (000) for an ambulance or ask another person to make the call.

A check AIRWAY:

- ☑ Open mouth - if foreign material is present place the casualty in recovery position and clear airway with fingers; and
- ☑ Open airway by tilting head with chin lift.

B check for BREATHING:

- ☑ Look, listen and feel; and
- ☑ Normal breathing - place in recovery position, monitor breathing, managing injuries and treat for shock; or
- ☑ Not normal breathing - start CPR.

C give CPR:

- ☑ If no signs of life (unconscious not breathing, not moving) - start CPR;
- ☑ CPR involves giving 30 compressions at a rate of approximately 100 compressions per minute followed by 2 breaths;
- ☑ Continue CPR until help arrives or casualty recovers.

D apply a DEFIBRILLATOR (if available):

- ☑ Follow voice prompts.

Workers' Responsibility

All workers are responsible to ensure that:

- ☑ They take reasonable care for their own health and safety;
- ☑ Comply with any reasonable instruction given to them relating to health and safety in the workplace; and
- ☑ Co-operate with and follow first aid procedures and report any injuries or illnesses.

Implementation

This policy is implemented through a combination of:

- ☑ Staff training and supervision;
- ☑ Maintenance of medical records;
- ☑ Appropriate signage;
- ☑ Effective incident notification procedures;
- ☑ Initiation of corrective actions where necessary; and
- ☑ Effective communication procedures with the student's parents/guardians.

Discipline for Breach of Policy

Where a person breaches this policy Sidrah Gardens School may take disciplinary action.

Related Policies

- ☑ Accident Management
- ☑ Allergy Awareness
- ☑ Anaphylactic Shock Management
- ☑ Asthma Management
- ☑ Bites and Stings
- ☑ Snakes
- ☑ Medical Records (Student) Policy
- ☑ Medication Administration Policy
- ☑ Seizures and Epilepsy Policy

Key References

Safe Work Australia – Model Code of Practice - First Aid in the Workplace

First Aid Personnel

According to the Victorian WorkSafe Compliance Code for First Aid in the Workplace there is no minimum or maximum number of first aid personnel required in a workplace. It is up to the employer to determine what are appropriate first aid facilities and how many suitably trained people are required. In doing so, employers need to consider:

- ☐ The size and layout of the workplace;
- ☐ The number and distribution of employees, including shift arrangements, overtime and flexible hours;
- ☐ The nature of the hazards and the severity of any risks;
- ☐ The location of the workplace; and
- ☐ Known occurrences of accidents or illnesses.

The Code suggests that any assessment will determine that at least one first aider is required.

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- ☐ The nature of the hazards and the severity of any risks;
- ☐ The location of the workplace; and
- ☐ Known occurrences of accidents or illnesses.

The Code suggests that any assessment will determine that at least one first aider is required.

We have appointed the following individuals as first aid personnel:

Sidrah Gardens School maintain first aid kits in accordance with the following recommendations. First aid kits are checked after treatments and in any event on a regular basis to ensure that their content complies with relevant legal regulations.

First Aid Kit Recommendations

The WorkSafe Victoria Compliance Code for First Aid in the Workplace provides the following guidelines.

Required Kit Contents

A basic first aid kit in the workplace needs to include:

- ☐ Emergency Services telephone numbers and addresses;
- ☐ Name and telephone number of workplace first aid personnel;
- ☐ Basic First Aid notes;
- ☐ Individually wrapped sterile adhesive dressing;
- ☐ Sterile eye pads (packet);
- ☐ Sterile covering for serious wounds;
- ☐ Resuscitation mask;
- ☐ Triangular bandages;
- ☐ Safety pins;

- ☒ Small sterile un-medicated wound dressing;
- ☒ Medium sterile un-medicated wound dressing;
- ☒ Large sterile un-medicated wound dressing;
- ☒ Non-allergenic tape;
- ☒ Rubber thread or crepe bandage;
- ☒ Tweezers;
- ☒ Scissors;
- ☒ Sterile saline solution;
- ☒ Disposable gloves;
- ☒ Plastic bags for disposal; and
- ☒ Suitable book for recording details of first aid provided.

The quantities of these items and contents of first aid kits which are required will depend on the individual workplace's requirements and the particular hazards present in the workplace. The Code of Practice suggests additional modules, such as eye modules, burn modules and remote areas modules where particular hazards are present.

First Aid Room

The first aid room is located in Building Area A.

As Sidrah Gardens School will accommodate a combined total of 160 or more staff and students, it has a room set aside for staff or students who are ill or injured.

The room contains or has near access to the following:

- ☑ resuscitation mask
- ☑ work bench or dressing trolley
- ☑ cupboard for storing medicaments, dressings and linen
- ☑ a container for soiled dressing
- ☑ a sharps disposal system
- ☑ electric power points
- ☑ a couch with blankets and pillows
- ☑ signage indicating emergency telephone numbers
- ☑ signage indicating emergency first aid procedures
- ☑ a stretcher
- ☑ a first aid kit appropriate for the workplace.
- ☑ an upright chair, desk and telephone

Any student who becomes ill during the school day and unable to attend classes, should be sent, or report to the First Aid Room. They will be supervised in the First Aid Room until the student's parents/guardians arrive and can take their child home.

Student Wellbeing- Information & Communication Technology (ICT)

The Hazard - Information and Communication Technology

Information and Communication Technology (ICT) includes any electronic device or application used to communicate, create, disseminate, store or manage information such as text, images, audio or video.

Examples include:

- ☑ Personal computers and laptops;
- ☑ Mobile devices such as mobile phones and tablets;
- ☑ Applications such as email and the internet;
- ☑ Web-based tools such as social networking sites, chat rooms, blogs, podcasts and instant messaging systems;
- ☑ Imaging tools such as video, still or web cameras and related software;
- ☑ Audio tools such as audio recording devices, iPods, mp3 players and related software; and
- ☑ Fax, scanning and copying machines.

ICTs can create potentially hazardous situations in the event they are used inappropriately and/or illegally.

Sidrah Gardens School's Policy

Students have the right to learn in a safe environment, including when they have access to ICTs to enhance their learning. Sidrah Gardens School is committed to the responsible and educational use of ICTs and to the protection of students by providing secure access to these services as part of their learning experience.

It is our policy that:

The use of ICTs be managed through a 'whole of school community' approach involving students, staff and parents/guardians;

- ☑ ICT education strategies be implemented within the school on a continuous basis with a focus on teaching age appropriate skills and strategies to empower staff, students and parents/guardians to ensure appropriate use;
- ☑ Staff establish positive role models in use of ICTs;
- ☑ Appropriate use of ICTs; and
- ☑ Our ICT policy is reviewed on an annual basis against best practice.

ICT Misuse Prevention Strategies

Sidrah Gardens School recognises that the implementation of whole of school prevention strategies is the most effective way of eliminating, or at least minimising incidents of misuse of ICTs within our community.

The following initiatives form part of our overall ICT strategy:

- ☒ A structured curriculum and peer group support system, that provides age appropriate information and skills relating to ICT use to students over the course of the academic year;
- ☒ Education, training and professional development of staff in appropriate ICT use;

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- ☒ The regular provision of information to parents/guardians to raise awareness of inappropriate use of ICTs as a school community issue;
- ☒ The promotion of a supportive environment that encourages the development of positive relationships and communication between staff, students and parents/guardians;
- ☒ All student login details and passwords are to be kept confidential to prevent others accessing their accounts;
- ☒ Access to school networks is provided through a filtered service. The filter is designed to restrict access of inappropriate material as well as providing spam and virus protection;
- ☒ Approval must be sought before connecting privately owned ICT equipment and devices to school networks to avoid the risk of malware;
- ☒ Students are required to sign and abide by Sidrah Gardens School's Information and Communication Technology Use Agreements which specify details of inappropriate usage in age appropriate language. No student may use school owned ICT equipment and devices unless the agreement has been signed and returned to the school. All signed agreements will be kept on file at the school;
- ☒ Inappropriate usage by students includes:
 - ☒ Participation in non-educational activities such as the purchase and/or sale of products or services;
 - ☒ Illegal activities such as threatening the safety of others or engaging in criminal activity;
 - ☒ Tampering with or damaging computer hardware or software; and
 - ☒ Making, installing or downloading copies of software that is not licensed by the school.
- ☒ Any inappropriate internet sites accidentally accessed, incidents where students are offended by another person's use of ICTs and suspected technical security breaches must be immediately reported for investigation;
- ☒ Appropriate copyright clearance is sought and the source of any information used or published is acknowledged, to avoid plagiarism;
- ☒ The school reserves the right to monitor, traffic and review all content sent and received on the school systems;
- ☒ Breaches of acceptable usage of ICTs will result in disciplinary action;
- ☒ Regular risk assessments of inappropriate ICT use within the school;
- ☒ Records of reported incidents of ICT misuse are maintained and analysed in order to identify persistent offenders and to implement targeted prevention strategies where appropriate;
- ☒ Statements supporting appropriate ICT use are included in students' school diaries; and
- ☒ Posters promoting appropriate ICT use are displayed strategically within the school.

Worker's Responsibility

All teachers and staff are responsible to:

- ☒ Model appropriate behaviour at all times;
- ☒ Ensure all students are provided with ICT Agreements in age appropriate language, that students understand them, and that there will be consequences in the event of the misuse of ICT equipment and devices;
- ☒ Monitor students who have not returned their ICT Agreements and determine if the use of ICT equipment and devices should be restricted;
- ☒ Be vigilant in monitoring students when using ICT equipment and devices;
- ☒ Reinforce to students the importance of privacy and safeguarding their login details, personal information and the personal information of others;

- ☒ Assist students in the event that they have inadvertently accessed inappropriate material, received inappropriate messages or if they have been offended by another person's use of ICTs;
- ☒ Deal with all reported and observed incidents of inappropriate ICT use in accordance with this policy; and
- ☒ Ensure that any incident of inappropriate ICT use that they observe or is reported to them, is recorded appropriately.

Implementation

This policy is implemented through a combination of:

- ☒ Staff training;
- ☒ Student and parent/carer education and information;
- ☒ Student ICT Agreements;
- ☒ Signage promoting appropriate ICT usage;
- ☒ Effective student supervision;
- ☒ Effective supervision and monitoring of school networks;
- ☒ Regular inspection of ICT equipment;
- ☒ Effective incident reporting procedures;
- ☒ Effective management of incidents of inappropriate ICT usage when reported and/or observed;
- ☒ Regular risk assessments with respect to inappropriate ICT usage;
- ☒ Effective record keeping procedures; and
- ☒ Initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Sidrah Gardens School may take disciplinary action.

Care, safety and welfare of students – Complaints Handling Policy

Sidrah Gardens School welcomes feedback from all members of the school community and takes all complaints or concerns that may be raised seriously. This Complaints Handling Guide is designed to assist you to understand our complaints handling process.

What is a Complaint?

A complaint is an expression of dissatisfaction made to Sidrah Gardens School, related to our services or operations, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

Purpose

Encouraging feedback from parties external to Sidrah Gardens School including complaints from parents/carers, parents/carers of former students, or members of the wider School community, can offer opportunities to improve our service levels and operations. This Complaints Handling Policy is designed to encourage feedback, and to make it easy for people to lodge a complaint.

Sidrah Gardens School's Commitment

Sidrah Gardens School is committed to handling complaints effectively and efficiently. To manage complaints effectively, we have established a Complaints Handling Program in line with both the international complaints handling standard (ISO 10002:2014 Quality management – Customer satisfaction – Guidelines for complaints handling in organizations), and the Australian/New Zealand complaints handling standard (AS/NZS 10002:2014 Guidelines for complaint management in organizations).

Our program includes the establishment of an online complaints management system which allows us to effectively capture, manage and report on complaints. Regular analysis of complaints received and the implementation of rectification action, where deficiencies are identified, are key to the School's commitment. Our internal complaints handling process are available at no cost.

Informal Complaints Resolution

The vast majority of issues causing concern in schools can be handled quickly and in an informal manner. In most cases these issues can be resolved through informal discussions with appropriate staff members. Even if an issue is able to be resolved informally, all staff are required to log issues through our complaints management system so we are able to identify any systemic issues arising, and take appropriate rectification action.

How Do I Make a Formal Complaint?

If you have been unable to resolve a matter informally, or simply wish to make a formal complaint you can do so by any of the following means:

1. Sending an email to complaints@sidrahgardens.com.au.
2. Writing a letter to the School addressed to "The Principal".
3. Telephoning the School and asking to speak to your child's Teacher.

All formal complaints will be logged into our online complaints management system and managed in accordance with the following procedure. The School has implemented the following steps to encourage feedback, and to make it easy for people to lodge a complaint.

☑ A short form Complaints Policy with information on how to make a complaint is available on our public website.

☑ All staff are made aware of the importance of capturing and recording critical feedback. Many complaints are received via telephone, in person, or via email, and the ability of our staff to recognise a complaint, and to capture it effectively, is a central feature of our Complaints Handling Program.

Our Internal Complaints Handling Process

Step 1 - All formal complaints are logged through our online complaints management system where they are screened by one of our staff or in the case of complaints against the Principal by the Chair of the Board of Directors.

Step 2 – All valid complaints will be acknowledged in writing, as soon as practicable, and allocated a status, priority and target resolution date. It is our policy, where possible, to resolve all disputes within 14 days.

Step 3 – The Complaints Officer shall conduct an investigation into the issues raised, following principles of procedural fairness, and make a determination.

Step 4 - Following the determination, if appropriate, the Complaints Officer shall formulate a resolution and provide a written response to the complainant. The matter will be closed if this response is accepted.

Step 5 - If the initial response is not acceptable the matter will be reviewed internally by the Principal or the Principal's delegate, who may seek additional information or submissions from the relevant parties. The Principal or their delegate seek to resolve all disputes within 14 days from the date that the review process is initiated. The matter will be closed if the response of the Principal, or their delegate, is accepted.

Step 6 - All complaints received will be entered into our Complaints Register and, where appropriate, a corrective action request will be made to address any underlying processes which the complaints investigation revealed may require improvement.

Step 7 - If the matter remains unresolved, the complainant may pursue external resolution alternatives by contacting VRQA.

Procedural Fairness in Complaints Handling

It is critically important that throughout the entire complaints handling process, procedural fairness is accorded to the complainant and the person/s who are the subject of the complaint.

Procedural fairness in complaints handling requires:

- ☐ both the complainant and the person against whom the complaint is made to have the opportunity to be heard, in person or in writing as appropriate, and to respond to the allegations and/or evidence offered by the other

- ☐ an objective investigation of issues or facts which are in dispute

- ☐ that the investigator is free from bias, or the perception of bias, and is not 'judge in his or her own cause'

- ☐ that any complaint outcome is supported by the evidence, necessitating a finding on the balance of probabilities in the event of a dispute of fact

- ☐ that the complaint outcome is finalised by an adjudicator, who may also be the investigator, who is free from bias or the perception of bias

- ☐ that the outcome is consistent with the School's established policies and/or procedures relevant to the complaint.

While it is the School's policy that these elements of procedural fairness are to be applied to each complaint received by the School, procedural fairness should not otherwise dictate the outcome of a complaint.

Responsibilities for Complaints Handling at Sidrah Gardens School Complaints

We will appoint an officer who's responsible for:

- ☐ ensuring that all staff are educated about our Complaints Handling Program

- ☐ investigating and, where necessary, escalating complaints when requested by the complainant

- ☐ liaising with complainants and Complaints Officers

- ☐ maintaining accurate records in the Complaints Register

- ☐ regularly reporting to the Management Team about complaints

- ☐ ensuring systemic complaints are identified and rectified

- ☐ monitoring the effectiveness of, and continually improving, our Complaints Handling Program.

Our Complaints Officer

We will appoint a staff members to act as Complaints Officer. This individuals is authorised to investigate and manage Formal Complaints once they have been logged.

Complaints Officer is responsible for:

☑ investigating and, where necessary, escalating complaints to the Principal and/or Board of Directors .

C.4.2.i & ii – Child Protection Program

Sidrah Gardens School’s Child Protection Program

Sidrah Gardens School is committed to providing a child safe and child friendly environment, where children and young people are safe and feel safe, and are able to actively participate in decisions that affect their lives. This Child Protection Program is made up of work systems, practices, policies and procedures designed to maintain a child safe environment and to embed an organisational culture of child safety within the School community. The Program deals specifically with child protection issues and is designed to ensure compliance with the Victorian Child Safe Standards and related child protection laws. Broader child safety issues arising from our common law duty of care are dealt with through our **Student Duty of Care** policies and procedures. If you have a belief or suspicion that a child is being, or has been, subjected to any form of abuse you must contact **DHHS Child Protection** or, where you need guidance on making a report or have questions regarding child safety, contact one of the School's appointed Child Safety Officers. Click **here** for full contact details. Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Key Definitions in Our Child Protection Program

Direct Contact Volunteers are volunteers who are involved in providing support, guidance and supervision directly to students and could potentially have direct contact with students during the normal course of providing the volunteer service.

The Working with Children Act 2005 defines “**direct contact**” in section 3 as any contact between a person and a child (aged under 18) that involves:

- ☑ physical contact; or
- ☑ face to face contact; or
- ☑ contact by post or other written communication; or
- ☑ contact by telephone or other oral communication; or
- ☑ contact by email or other electronic communication.

Direct Contact Volunteers may have:

- ☑ limited supervision by School staff in their role
- ☑ significant amounts of 1:1 time with students
- ☑ supervisory responsibility for a group of students with only broad and indirect oversight of a School staff member
- ☑ full supervisory responsibility for one or more students, such as in a sports coaching role or learning support role.

Examples of Direct Contact Volunteer activities may include volunteers involved in School camps and excursions, coaching sporting teams, assisting in learning activities or administrative roles.

Refer to **Direct Contact Volunteers’ Responsibilities** for more information. Page **131** of **297**

Indirect Contact Volunteers are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students.

Examples of Indirect Contact Volunteer activities may include assisting with School administrative functions. Refer to **Indirect Contact Volunteers' Responsibilities** for more information.

Where the term "**Volunteer**" is used, it captures both "Direct Contact Volunteers" and "Indirect Contact Volunteers".

Direct Contact Contractors are third party contractors who have direct contact with students during the normal course of their work or contractors who may be in a position to establish a relationship of trust. This also includes any contractors that the School is legally required to screen.

The definition of "**direct contact**" included under Direct Contact Volunteers applies to Direct Contact Contractors.

Examples of Direct Contact Contractor activities may include tutors, sports coaches and casual teachers. Refer to **Third Party Contractors' Responsibilities** for more information.

Indirect Contact Contractors are third party contractors who are not Direct Contact Contractors. Refer to **Third Party Contractors' Responsibilities** for more information.

Where the term "**Third Party Contractor**" is used, it captures both "Direct Contact Contractors" and "Indirect Contact Contractors". Refer to **Third Party Contractors' Responsibilities** for more information.

School Environment means any physical or virtual place made available or authorised by the Board of Directors for use by a child during or outside school hours, including:

- ☒ a campus of the School
- ☒ online School environments (including email and intranet systems)
- ☒ other locations provided by the School for a child's use (including, without limitation, locations used for School camps, sporting events, excursions, competitions and other events).

Our Child Safety Officers - Make a Report

Sidrah Gardens School has appointed the people listed below as the School's Child Safety Officers. Each Child Safety Officer is available to answer any questions that you may have with respect to our Child Safe Policy and the Child Protection Program.

Child Safety Officers are selected based on a number of considerations, namely:

- ☒ their personal attitudes, experiences and beliefs, for example, a person who is non-judgmental, calm, resilient and demonstrates a high degree of integrity and respect for confidentiality.

☒ their role within the School, for example, a person who has seniority and experience working with complex student and family issues at the School and someone who is readily accessible and available to all members of the School community

☒ their personal profile within the School, for example, a person who is approachable, who students and staff trust and who is willing and able to respond to issues personally and sensitively.

The School's Child Safety Officers can be your first point of contact for reporting child protection issues within the School.

If you have any concern that a child may be experiencing any form of **abuse**, whether or not you have formed a belief on reasonable grounds that the abuse has occurred, you should immediately raise your concerns with one of our Child Safety Officers. Please be aware that consulting with a Child Safety Officer does not change any obligation you have under legislation to report to an external authority. Refer to our **Procedures for Responding to and Reporting Allegations of Child Abuse**.

The welfare and best interests of the child are paramount.

Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Our Senior Child Safety Officer

Sidrah Gardens School has appointed **the Principal CPO** as the School's Senior Child Safety Officer. The Senior Child Safety Officer has an important role in the promotion and maintenance of our child protection culture at the School.

The Senior Child Safety Officer is identified in our publicly available **Child Safe Policy** as a contact for the wider community when they have child protection concerns relating to the School.

Definition of Care, Supervision or Authority

It is important to understand the definition of the legal phrase "care, supervision or authority" and its applicability to staff. The phrase is central to several offences under the Crimes Act 1958 .

Under section 37 of the Crimes Act the circumstances in which a person will have a child (under 18) under their care, supervision or authority include if the person is:

☒ the child's parent or step-parent;

☒ the child's teacher;

☒ the child's employer;

☒ the child's youth worker;

☒ the child's sports coach;

☒ the child's counsellor;

☒ the child's health professional;

☒ a person with parental responsibility for the child;

☒ a religious or spiritual guide, or a leader or official (including a lay member) of a church or religious body, however any such guide, leader, official, church or body is described who provides care, advice or instruction to the child or has authority over the child; or

☒ a police officer acting in the course of their duty in respect of the child.

At the School persons in positions of care, supervision or authority over a child will include teaching staff, sports coaches, youth workers, counsellors, registered nurses and religious leaders or officials.

All members of the School community must be aware that if they engage in certain conduct in breach of this Program, their conduct may constitute a sexual offence under the Crimes Act. For those persons who have a

child under their care, supervision or authority, additional offences may apply. Refer to our **Child Safe Code of Conduct** and **Staff and Student Professional Boundaries** policy.

Sexual Offences

A sexual offence occurs when a person involves a child (under 18) in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child's age and development. Children may be bribed or threatened physically or psychologically to make them participate in the activity. Sexual offences are outlined in section 35 of the Crimes Act 1958 .

Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution.

This Program addresses in more detail certain sexual offences which involve behaviour that is intended to prepare or facilitate a child's involvement in sexual activity or conduct. These are **grooming behaviour** and the **encouragement of a child** to engage in, or be involved in, sexual activity. This is because the breadth of these offences and the nature of professional boundaries between School staff and students means that staff must be aware that certain behaviours will not only breach **Staff and Student Professional Boundaries**, but may also amount to a criminal offence.

Possible Physical Indicators that a Sexual Offence Has Occurred

- ☐ injury to the genital or rectal areas, such as bruising or bleeding
- ☐ vaginal or anal bleeding or discharge
- ☐ discomfort in urinating or defecating

- ☒ presence of foreign bodies in the vagina and/or the rectum
- ☒ inflammation or infection of genital area
- ☒ sexually transmitted diseases
- ☒ pregnancy, especially in very young adolescents
- ☒ bruising and other injury to breasts, buttocks or thighs
- ☒ anxiety related illnesses such as anorexia or bulimia
- ☒ frequent urinary tract infections

Possible Behavioural Indicators that a Sexual Offence Has Occurred

- ☒ the student discloses sexual abuse
- ☒ persistent and age-inappropriate sexual activity, including excessive masturbation, masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event
- ☒ drawings or descriptions in stories that are sexually explicit and not age appropriate
- ☒ a fear of home, a specific place, a particular adult, or excessive fear of men or of women
- ☒ poor or deteriorating relationships with adults and peers
- ☒ poor self-care/personal hygiene
- ☒ regularly arriving early at school and leaving late
- ☒ complaining of headaches, stomach pains or nausea without physiological basis
- ☒ frequent rocking, sucking or biting
- ☒ sleeping difficulties
- ☒ reluctance to participate in physical or recreational activities
- ☒ regressive behaviour, such as bedwetting or speech loss
- ☒ the sudden accumulation of money or gifts
- ☒ unplanned absences or running away from home
- ☒ delinquent or aggressive behaviour
- ☒ depression
- ☒ self-injurious behaviour, including drug/alcohol abuse, prostitution, self-mutilation, or attempted suicide
- ☒ the sudden decline in academic performance, poor memory and concentration
- ☒ wearing of provocative clothing, or layers of clothes to hide injuries
- ☒ promiscuity

Student Sexual Offending

Unwanted sexual behaviour towards a student by a child 10 years or over can constitute a sexual offence and is referred to as student sexual offending. All incidents, suspicions and disclosures of student sexual offending must be responded to in accordance with the School's **Student Sexual Offending** procedures.

Encouragement to Engage in Sexual Activity

It is a criminal offence for an adult to encourage a child to engage in, or to be involved in, sexual activity where the adult seeks or gets sexual arousal or sexual gratification from the encouragement or the sexual activity.

There are two "encouragement" offences in the Crimes Act 1958 :

☒ section 49K: encouraging a child under the age of 16 to engage in, or be involved in, sexual activity

☒ section 49L: encouraging a child aged 16 or 17 under **care, supervision or authority** to engage in, or be involved in, sexual activity

A section 49K offence carries a maximum 10 year term of imprisonment. A section 49L offence carries a maximum five year term of imprisonment.

The Crimes Act 1958 defines “**encourage**” to include suggest, request, urge and demand. Examples of encouragement include offering money or gifts or threatening harm. It can be done in person or by electronic communication. An example of conduct prohibited by these offences is an adult asking a child to watch inappropriate material. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.

The encouragement offences cover conduct that is similar to **grooming** but are broader. Both the encouragement and grooming offences are ‘preparatory’ offences, but encouragement behaviour occurs at a later stage to grooming, or closer to the substantive sexual offence. The encouragement offence applies to sexual activity that would otherwise not be a criminal offence. For example, if a student was encouraged to watch inappropriate material in contravention of sections 49K or 49L, the act of watching is not a sexual offence, but the encouragement would amount to an offence.

Note: Both offences of grooming and encouragement to engage in sexual activity are sexual offences reportable under every adult’s **Obligation to Report a Sexual Offence**.

Possible indicators of adult encouragement behaviour would include those that may indicate **grooming** however the pattern of behaviours would not be required. The encouragement would normally be more sexualised.

Grooming

Grooming is defined by the Royal Commission into Institutional Responses to Child Sexual Abuse as behaviours that manipulate and control a child, their family and other support networks, or institutions with the intent of gaining access to the child, obtaining the child’s compliance, maintaining the child’s silence and avoiding discovery of the sexual abuse.

Grooming by an adult for sexual conduct with a child under the age of 16, or with a person under the **care, supervision or authority** of that adult, is a crime under section 49M of the Crimes Act 1958 .

Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. For example, it may only involve establishing a relationship with a child or a person who has **care, supervision or authority** for a child for the purpose of facilitating sexual activity at a later time. Conduct which occurred outside Victoria or while the child was outside Victoria can still constitute an offence.

Certain behaviours or acts will not in isolation constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

Online Grooming

The sexual offence of grooming under section 49M includes online grooming which occurs when an adult (18 years or over) uses electronic means to communicate with a child under the age of 16 in a predatory fashion to try and lower the child’s inhibitions, or heighten their curiosity regarding