

CHILD PROTECTION POLICY

Purpose

The purpose of this Policy is to:

- Describe the Australian Trades College WA policy in relation to child protection;
- Define what constitutes a 'child protection concern' and 'maltreatment';
- List the legislation to which this policy is relevant to and complies with;
- To raise the awareness of all facilitation and non-facilitation staff of the need to safeguard children;
- Specify other internal documents relevant to this policy; and
- Describe whom the policy relates to.

Policy Statement

The Australian Trades College WA Limited is committed to the care, safety and protection of those who attend the College who are classified legally as children, as per the definition of a child, in attendance at the College and prioritises the need to create a safe learning environment for all students/apprentices. The ATC WA recognises the significant role of schools in the prevention of child abuse and takes responsibility for implementing child protection practices.

All College staff are responsible for the care and protection of students/apprentices of the College and must report any information concerning child maltreatment concerns such as neglect or physical, sexual and emotional maltreatment to the Chief Executive Officer of the College, who will then have the discretion to report the incident to the Department of Child Protection. A Memorandum of Understanding concerning Child Protection may be developed between the ATC WA and the employers associated with the ATC WA who are participating in the employment of ATC WA student/apprentices.

Definitions

A '**child protection concern**' can be defined as physical, emotional or sexual abuse or neglect which arises from any action or inaction which is inconsistent with the care and protection of a child. It can involve repeated or persistent maltreatment, or may arise from a single incident. The concern can arise from observed evidence of risk or indicators (including but not limited to physical marks and emotional reactions), reports of maltreatment by a person without parental responsibility for the child and/or a disclosure of information provided directly by a child or parent/carer that describes or alleges maltreatment.

'**Maltreatment**' refers to the physical, emotional or sexual abuse or neglect of a child where the severity and persistence of the maltreatment has resulted in or is likely to result

in significant harm. It is important to note that a child may be maltreated by a parent or carer, another adult person or another child who may or may not be older. This definition is taken from the Statutory Child Protection document provided by the Department of Child Protection.

‘Emotional maltreatment’ is defined as psychologically or emotionally abusive behaviour which profoundly damages a child’s confidence and self esteem resulting in sustained emotional harm, emotional deprivation or trauma, disturbed behaviour or the impairment of development.

‘Physical maltreatment’ is defined as persistent and/or severe assault, non-accidental injury or physical harm of a child and includes the deliberate deprivation of a child’s basic needs.

‘Sexual maltreatment’ is defined as exposing or subjecting a child to sexual activity, behaviour or threat that is inappropriate to the developmental level or age of the child and/or is an illegal activity.

‘Neglect’ is defined as the failure to provide the basic physical and emotional conditions that are essential for healthy development. It includes a child not receiving food, shelter, medical attention or supervision to such an extent that development is likely to be significantly impaired or injury may occur.

Further definitions and specific examples of maltreatment (emotional, physical and sexual) and neglect are available in the WADET Child Protection Policy, and are further detailed in the *ATC WA Child Protection Strategies and Procedures* document.

‘Child’ is defined as a person who is under the age of 18 years. In the absence of positive evidence as to age, a child is a person who is apparently under 18 years of age.

Key Information

All employees of the ATC WA will be required to provide a Working with Children Check, as required under the Working with Children (Criminal Record Checking) Act 2004.

Employees of the ATC WA must not under any circumstances engage in physical or emotional abuse or engage in sexual conduct of any nature with a student/apprentice of the College. It is irrelevant whether the conduct is consensual or non-consensual or condoned by parents or caregivers.

The ATC WA will respond quickly and diligently to a report of suspected or actual harm, or risk of harm to a student/apprentice.

The procedures and resources to address child protection concerns and the associated responsibilities of the College will be described in a separate *Child Protection Strategies and Procedures* document.

Mandatory Reporting of Child Sexual Abuse

In Western Australia, legislation which governs mandatory reporting of child sexual abuse is defined in the *Children and Community Services Amendment (reporting Sexual Abuse of Children) Act 2008*.

This legislation mandates Doctors, Police Officers, *Teachers*, Nurses and Midwives to report any beliefs, formed on reasonable grounds in the course of their work, paid or unpaid, that a child or young person has been the subject of sexual abuse or is the subject of ongoing sexual abuse, to child protection agencies.

The mandatory reporting legislation focuses on child sexual abuse. However, all forms of child abuse such as physical abuse, emotional and psychological abuse and neglect should still be reported by mandatory reporters and the general public.

All College staff and members of the College community are not to agree to any student/apprentice demands for confidentiality or requests that parents, police or other agencies not be informed when the welfare of the student/apprentice or other students/apprentices may be threatened.

Allegations of Misconduct

Any allegations of serious misconduct of a sexual, physical, or emotional nature against an employee of the College must be referred immediately to the Chief Executive Officer for investigation.

Those to whom the allegation is made should observe confidentiality throughout, which means that there should be no broadening of discussion on the allegation, apart from with those persons specified in these procedures.

A compassionate response to the victim must be the first priority in all cases. However, a balance must be kept between the needs of the victim and the employee's reputation.

The person to whom an allegation is made must document the allegation and his/her action(s).

The CEO/Employer must document the details of the allegation as received, before discussion with relevant authorities.

Referrals to External Agencies

The ATC WA is committed to the professional development of its staff, but recognises that it may not necessarily have the skills or capacities to meet the needs of all students/apprentices and all the circumstances that may arise.

The ATC WA may involve appropriate community personnel to ensure the necessary support is available while working with students/apprentices to keep them connected to their studies at the College through a variety of approaches and arrangements, which may include connecting students/apprentices with the relevant external agencies.

Integrating and sustaining relationships with external agencies such as, but not limited to, Youth Pathways, AISWA and the District Office, forms a core element of the ATC WA practices and initiatives to effectively support and assist in building positive student/apprentice-adult relationships in addition to those fostered by College staff.

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Related Policies / Procedures/ Documents :	School Education Act 1999 Child Protection Act 1999 ATC WA Duty of Care Policy WADET Child Protection Policy DCP Statutory Child Protection Information