

Compliance Focus

ASQA Standards: Clauses, 5.1, 5.3

Policy

This policy outlines our commitment to zero tolerance to any act that places a young person at risk and strategies in place to eliminate such occurrences. This policy applies to all persons under the age of 18 and all staff and contractors. The General Manager will provide guidance and advice to all staff on this policy. All staff are required to provide a Working with Children check in addition to a National Police check.

This policy abides by the Privacy Principles and relevant Record Keeping Acts in relation to learner files and records.

Definitions

Duty of Care

To take all reasonable steps to ensure the wellbeing of all students and recognise that young learners (under the aged of 18) may require additional care.

Safe environment

A safe environment is one that:

- is free of bullying and harassment
- fosters positive practices contributing to a young person's well being
- includes modelling and teaching positive social skills
- recognises that a young person may need confidential support of staff or referral to a counsellor
- respects the wishes of a young person regarding disclosure of information within the principles of mandatory reporting
- protects the young person from physical injury

Commitment to underage students

Learning Sphere commits to all underage enrolled learners having the right to feel and be safe. The General Manager will undertake the role of being the child safety officer within operations and is the person to contact in the event of any allegations or concerns regarding the safety and wellbeing of underage learners, including any mandatory reporting requirements.

All staff should be aware of their obligation to notify relevant authorities as soon as practicable if they have a reasonable suspicion that an under 18-year-old student has been, or is being, abused or neglected by a staff member, their family, or any other individual and the Learner and Trainer Handbook sets out the expectations of providing a safe learning environment for all students. Students are encouraged to approach any member of staff to voice any concerns.

Legislative Framework

Learning Sphere will adhere to all national, state and applicable territory legislative requirements.

Education and Care Services National Regulations -Clause 2.1

Report wellbeing of under 18-year-olds

The Provider must report concerns about the safety, welfare and well-being of learners protected under the Child Protection (Working with Children) Act 2012, to the relevant state Department of Family and Community Services and Justice in accordance with the legislative requirements.

Education and Care Services National Regulations -Clause 2.2

Child-related screening

The Provider must conduct, as required the appropriate child related employment screening of employees, or individuals engaged by the provider a National Police Check. As part of the recruitment process, potential staff and contractors are required to provide a National Police Check to ensure suitability in meeting legislative and contractual obligations which must be renewed every three years.

Child Safety Standards are incorporated into the learning and assessment culture and all academic and non-academic staff, to abide by the following standards

Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

[Click here for details about Child Safe Standard 1](#)

Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture.

[Click here for details about Child Safe Standard 2](#)

Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.

[Click here for details about Child Safe Standard 3](#)

Standard 4: Families and communities are informed and involved in promoting child safety and wellbeing.

[Click here for details about Child Safe Standard 4](#)

Standard 5: Equity is upheld and diverse needs respected in policy and practice.

[Click here for details about Child Safe Standard 5](#)

Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

[Click here for details about Child Safe Standard 6](#)

Standard 7: Processes for complaints and concerns are child-focused.

[Click here for details about Child Safe Standard 7](#)

Standard 8: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

[Click here for details about Child Safe Standard 8](#)

Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

[Click here for details about Child Safe Standard 9](#)

Standard 10: Implementation of the Child Safe Standards is regularly reviewed and improved.

[Click here for details about Child Safe Standard 10](#)

Standard 11: Policies and procedures document how the organisation is safe for children and young people.

[Click here for details about Child Safe Standard 11](#)

Situation	Staff Responsibility
Attendance or lateness	Monitored and recorded. Contact will be made to the employer.
Bullying	Action to be taken if become aware of bullying
Exclusion from activity or class	For trainee to inform the employer
Illness or injury	Completion of First Aid/Injury form. If serious, follow the <i>Critical Incident Policy</i> .
Police interviewing a learner	Learner representative (parent, guardian or nominated representative) should be in attendance
Pastoral care	Under 18 learners are supported where heightened stress levels are evident. Events such as assessments, disengagement, or inappropriate behaviour. When evidenced staff are to contact the GM immediately.
Mandatory reporting	All staff are required to report to the police and notify the GM, if they know, or believe that a sexual offence has occurred by an adult against a child under the age of 16. It is a criminal offence to fail to comply with this obligation across jurisdictions.
Relationships with students	Staff must always act professionally so that behaviour cannot be misinterpreted as a personal interest in the learner. Staff having an inappropriate relationship with a young student may result in civil action or criminal action and a loss of employment.
Supervision	Learners under the age of 18 should not be left unsupervised
Restricting visitor access to students	Where there is concern for safety of learners, request the visitor to leave. Call the police if necessary.

Processes for responding to and reporting suspected child abuse

Where abuse is suspected, reference the *Critical Incident Policy* that defines abuse and the reporting requirements for staff to follow and contact the Child Safety Officer. All staff and contractors have a responsibility to report an allegation of abuse if there is a reasonable belief that an incident took place. The privacy of personal information is ensured unless there is a risk to someone's safety and safeguards are in place to ensure any personal information is protected. Management will use appropriate tools to inform decision making, such as the online Mandatory Reporter Guide and seek specialist advice when required.

Mandatory Reporter Guide: <https://reporter.childstory.nsw.gov.au/s/>

Responsible Officer

The responsible officer for the implementation of this Policy is the CEO/General Manager.

Publishing details

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