

**Child Safety Record Keeping Policy**

1. **Statement of Context & Purpose**

Keeping accurate and complete records is a cornerstone in the College’s management of

Information.

Effective record keeping about Child Safety at the College is one of the College’s key strategies in

the management of its child safe organization and child protection obligations, including

fulfilment of its duty of care.

It is through such record keeping that the College can ensure that, should there ever be a need

for evidence of the College’s child safe culture, including precautions and preventative measure

taken in response to the risk of child abuse or harm, or of the College’s response to particular

child safety incidents or concerns, the College has well documented and easily accessible records.

This policy sets out the College’s expectations, systems and procedures for creating and managing

records relevant to Child Safety. They set out the College’s processes for creating, maintaining

and disposing of those records that are relevant to child safety in accordance with the Public

Records Office Victoria’s ‘Creating, Managing and Retaining Records for Current or Future Child

Sexual Abuse Allegations.’

**2.0 Target Audience**

All Staff, Students, Parents, Visitors, Contractors, Volunteers, Placement students

They apply in all College environments, including physical, virtual and online, on-site and off-site

College grounds (e.g. extra-curricular activities such as sport and other programs, camps and

excursions, interstate and overseas travel) and environments provided by External Education

Providers and other Contractors.

**3.0 Definitions**

*Child-Connected Work*

For the purposes of Ministerial Order 1359, child-connected work is defined as work authorised

by the school governing authority and performed by an adult in a school environment while

children are present or reasonably expected to be present.

Under this definition, **all staff members** are engaged in child-connected work. Under this definition, many, but not all, **Volunteers and Contractors** are engaged in child-connected work. Volunteers and Contractors who are not adults or who do not work when children are present or expected to be present are NOT engaged in child-connected work.

**Child Safety Incident or Concern**

The phrase child safety incident or concern refers to all of the different definitions of child abuse

or other harm in various Victorian legislation, as well as breaches of the Child Safety Code of

Conduct.

For a full definition of exactly what is included as a child safety incident or concern please refer to

the Child Safety Policy.

**Records Relevant to Child Safety**

Records relevant to child safety include not just records of child safety incidents or concerns and

the College’s response, but also a number of other different types of records, such as:

• Human resources record about recruitment, screening, supervision and training of Staff,

Volunteers and Contractors

• Records that can establish the whereabouts of children, Staff, Volunteers and Contractors on

particular dates and times

• Records of reviews/audits of the College’s child safeguarding policies and practices.

***School Staff***

School staff is a particular phrase used in Ministerial Order 1359, and is defined as ‘an individual

working in a school environment who is:

- Directly engaged or employed by a school governing body\*

- A contracted service provider (whether or not a body corporate or any other person is an

intermediary) engaged by a school governing body to perform child-related work; or

- A minister of religion, religious leader or an employee or officer of a religious body

associated with the school”.

**\***The engagement or employment of Staff and Contractors at the College (other than the Principal,

Deputy Principal and the Business Manager) is undertaken by the College on behalf of the College

Board.

This means that, at the College, **all staff members, as well as Direct Contact Contractors** and any

minister of religion, religious leader or an employee or officer of a religious body associated with

the College, are school staff, no matter their age or the frequency of their engagement.

***Staff/Staff Member***

The terms Staff and staff member include all teaching and non-teaching Staff, including the

Principal. They include all those employed by the College on a permanent, temporary or casual

basis.

***Volunteers and Contractors***

A Volunteer is someone who performs work for the College without remuneration or reward.

Volunteers may be family members of students, or from the wider College or local community.

Volunteers are not school staff for the purposes of Ministerial Order 1359.

A Contractor is someone engaged by the College to perform specific tasks. Contractors are not

employees of the College. However, Contractors who have direct contact with children (see

below) are “school staff” for the purposes of Ministerial Order 1359.

**The College categorises Volunteers and Contractors as either:**

• Direct Contact Volunteers/Contractors: Volunteers and Contractors who have direct physical or

face-to-face contact with, or who directly communicate with, students (such as Volunteers and

Contractors who are tutors, provide learning support, work in the Canteen, attend or provide

excursions/incursions, assist in productions and coach sports teams). External Education

Providers are considered Direct Contact Contractors. All Direct Contact Volunteers/Contractors

who are adults are engaged in child-connected work.

• Regular Volunteers/Contractors: Volunteers and Contractors who assist the College in ways that

do not involve direct contact with students (although there could be indirect or incidental

contact), and who do this more than seven times per year (such as Volunteers working in the

College’s administration office, contracted consultants, regular maintenance workers or cleaners,

and caterers for staff events). Regular Contact Volunteers/Contractors are only engaged in “child-connected work” if they are adults and if they work when children are present or expected to be present.

**•** Casual Volunteers/Contractors: Volunteers and Contractors who assist the College in ways that

do not involve direct contact with students (although there could be indirect or incidental contact)

or whose services are aimed at the general public, and who do these seven times or less per year

(such as Volunteers who work on a stall at a College fete or on a barbeque at a sporting event, and one-off emergency maintenance workers). Casual Contact Volunteers/Contractors are only

engaged in child-connected work if they are adults and if they work when children are present or

expected to be present.

***4.0 Implementation***

Records of Child Safety Incidents or Concerns and the College’s Response

1. Where a staff member, Volunteer or Contractor:

• Believes on reasonable grounds that a student needs protection as a result of physical or

sexual abuse, such that a Mandatory Report to child protection has been or will be made

• Believes on reasonable grounds that a student needs protection for any reason or is in need

of therapeutic treatment for sexually abusive behaviour, such that a non-mandatory report to

DHHS has been or will be made

• Has significant concerns for the wellbeing of a student, such that a non-mandatory report to child

protection has been or will be made

• Believes on reasonable grounds that a sexual offence has been committed against a child, or that

student sexual offending has occurred, such that a Mandatory report to police has been or will be

made

• Believes that other circumstances exist such that a non-mandatory report to police is required,

they must make written and dated notes of their observations and concerns to assist in reporting

the concerns to DHHS Child Protection or Police.

For information about when and how to make these external reports, refer to Child Safety Policy.

2. All other observations of and verbal and written communications about child safety incidents

or concerns (including notes of observations, student disclosures, meetings and telephone calls)

must also be properly documented, regardless of whether or not the child safety incident or

concern meets the relevant thresholds for external reporting.

***Reportable Conduct Records***

When a reportable allegation is made, certain information must be documented throughout the

Reportable Conduct investigation process:

* The allegation
* the College’s initial response to the person making the allegation, the alleged victim(s) and the employee who is the subject of the allegation
* Any communication with the Police or other authorities
* The Investigation Plan, detailing how the investigation is to be carried out.
* The Stage One risk assessment
* All interviews including details of questions and responses. Details should also include the location of the interview, who was present and start and finish times.
* Any decisions made, both during and at the conclusion of the investigation, including their rationale, the position and name of the person making the decision and the date the decision was made.
* Any personal contact, discussions or emails with anyone about the matter (including dates, details of discussions, questions, advice, outcomes, the name of the person making the contact, details of their position and, where appropriate, the reason for the contact).
* The Investigation Report.
* The final report for the Commission for Children and Young People (CCYP) that sets out details of the findings in relation to each allegation and the reasons for the findings, the final risk assessment which includes any final decision about the employee and the factors that have been considered and any subsequent action that is to be or has been taken.

For information about the Reportable Conduct Scheme, refer to the Child Safety Policy.

***Other Child Safeguarding Human Resources Management Records***

Al-Taqwa College maintains other records related to human resources management. These

include records in relation to:

o recruitment, screening and suitability assessment

o supervision, performance reviews and professional development

o completion of child safety training

o personnel files.

***Record Keeping about Information Sharing***

The College must record the following information when sharing, or responding to a request to

share, information about the safety, welfare and wellbeing of a student at College (Information):

o Who requested the Information and the date of the request (if any)

o Who shared the Information

**o** Why the Information was shared (e.g. whether it was shared pursuant to a statutory or

other legal obligation)

o Who the Information was shared with

o Whether informed consent was sought from, and if so whether it was provided by, the

student and/or their parent/carer

o The approval of the Principal or his delegate to share the Information

o The date that the Information was shared.

**Record Maintenance**

The College maintains records of these forms indefinitely.

o The Principal is responsible for keeping all records relating to child safety incidents or

concerns, including records of allegations, investigations and findings and to ensure they

up to date and secure.

o Records are located in a folder on the College server and also on the Child Safety email

o When the child safety incident or concern relates to an allegation against a staff member,

Volunteer or Contractor (including incidents, complaints or allegations of a breach of the

Child Safety Codes of Conduct), records may also be maintained as part of our

general personnel file.

*Examples of Records which could form part of the allegation and investigation record are:*

- Letters or emails making allegations or in relation to allegations (if this occurs verbally, a

record of should be made of this).

- Incident reports, witness statements

- Records, including notes of meetings or discussions about the actual or alleged incident

- Investigation records

- Referrals to law enforcement authorities and briefs of evidence supporting cases,

including evidence gathered for cases that do not proceed.

- Reports received from medical practitioners, health professionals, psychologists, teachers,

coaches, social workers, legal officers, counsellors, chaplains and case officers in relation

to actual or alleged incidents

- Records documenting support and remedial action i.e. claims, assessment, support,

counselling, compensation, redress

- Records of cases or decisions by bodies, tribunals, courts

**-** Rosters, sign in sheets, personnel records of employees and volunteers, records detailing

student work placements

- Enrolment, attendance and absence records of children

- Permission forms from parents and carers

- Surveillance images and footage

- Program flyers, location maps, photographs of the environment.

**Al-Taqwa College will:**

- Store the records securely so that they cannot be lost, damaged, altered or tampered with

over time.

- Store the records confidentially so that privacy is protected and only authorised people

are aware of them and can access and use them for legitimate purposes.

- Retain the records for as long as they might be reasonably needed for current or possible

future legal proceedings, in such a way that they can be accessed and used for authorised

purposes.

- Ensure that contextual information is retained with the records, so that future users are

able to understand them and they can be used to provide good evidence.

**OTHER RELATED POLICIES**

- Privacy Policy

- Child Safety Policy

- Child Safety Code of Conduct

- Visitor, Contractor and Volunteer Policy

**5.0 Resources**

- [Creating, Managing and Retaining Records for Current and Future Child Sex Abuse Allegations - Public Record Office Australia](https://prov.vic.gov.au/sites/default/files/files/media/creating_managing_and_retaining_records_of_child_sexual_abuse_final_0.pdf)

- Privacy Act 1988

- Department of Education - [School's Privacy Policy](https://www.education.vic.gov.au/Pages/schoolsprivacypolicy.aspx#link18)

**5.1 Help for Non-English Speakers**

If you require assistance in understanding this policy, please contact Al-Taqwa College (03) 9269 5000.