

Education and Training Reform Act 2006

IMPLEMENTING THE CHILD SAFE STANDARDS – MANAGING THE RISK OF CHILD ABUSE IN SCHOOLS AND SCHOOL BOARDING PREMISES

Ministerial Order No. 1359

PART 1 – PRELIMINARY

1. Objective

1.1 The objective of this Order is to specify the matters regarding which:

- a) a person or body applying for registration of a school or school boarding premises; and
- b) registered schools or registered school boarding premises

must take action for the purposes of:

- c) embedding a culture of ‘no tolerance’ for child abuse; and
- d) complying with the Child Safe Standards as gazetted by the Minister for Child Protection; and
- e) complying with the prescribed minimum standards for the registration of schools in section 4.3.1(6)(d) and school boarding premises in section 4.3.8C(1)(d) of the **Education and Training Reform Act 2006**.

***Explanatory note:** This Order describes a range of outcomes and actions that schools and school boarding premises must undertake to demonstrate compliance with the Child Safe Standards.*

It is important to note that where this Order specifies the creation of a policy, statement, procedure or other document, effective implementation of that policy, statement, procedure or other document is necessary to achieve the outcomes of each Child Safe Standard.

This Order sets the minimum requirements for compliance with the Child Safe Standards for schools and school boarding premises. Schools and school boarding premises are encouraged to consider any additional actions consistent with each clause that will further contribute to the ongoing safety of children and students and the creation of child safe environments.

2. Authorising provisions and commencement

2.1 This Order is made under sections 4.3.1(6)(d), 4.3.8C(1)(d) and 5.10.4 of the **Education and Training Reform Act 2006**.

2.2 This Order comes into operation on 1 July 2022.

3. Revocation

3.1 Ministerial Order 870 – Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises is revoked on 30 June 2022.

4. Definitions

4.1 In this Order:

child has the same meaning as in the **Child Wellbeing and Safety Act 2005**.

child-connected work means:

- a) 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; or
- b) for the purposes of a school boarding premises, work authorised by the provider of school boarding services in a school boarding premises environment while children are present or reasonably expected to be present.

child-related work has the same meaning as in the **Worker Screening Act 2020**.

child abuse has the same meaning as it has in the **Child Wellbeing and Safety Act 2005**.

Child Safe Standards has the same meaning as it has in the **Child Wellbeing and Safety Act 2005**.

child safety includes matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse.

ETR Act means the **Education and Training Reform Act 2006** as amended from time to time.

governing body has the same meaning as it has in the **Education and Training Reform Regulations 2017**.

proprietor has the same meaning as it has in the **Education and Training Reform Regulations 2017**.

school boarding environment means any physical, online or virtual space made available or authorised by the school boarding premises governing authority for a child or student boarding at a school boarding premises to use at any time, including:

- a) online or virtual school boarding environments (including email, intranet systems, software applications, collaboration tools, and online services);
- b) other locations provided by the provider of school boarding services or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - (i) camps;
 - (ii) approved homestay accommodation;
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - (iv) sporting events, excursions, competitions or other events.

school boarding premises governing authority means:

- a) the provider of school boarding services;
- b) the governing body for a school boarding premises (however described) as authorised by the provider of school boarding services or the ETR Act.

Explanatory note: *There are a wide range of governance arrangements among providers of school boarding services. Depending on the way a provider of school boarding services is constituted and operated, the governing body for a provider may be an individual, a group of individuals, a board, a body corporate or some other person or entity. The provider of school boarding services may share or assign responsibility for discharging the requirements imposed by the Order, in accordance with the provider's internal governance arrangements.*

school boarding premises staff means:

- a) in a Government school boarding premises, an individual working in a school boarding premises environment who is:
 - (i) employed by the school boarding premises governing authority; or
 - (ii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school boarding premises governing authority to perform child-related work.
- b) in a non-government school boarding premises, an individual working in a school boarding environment who is:
 - (i) directly engaged or employed by the school boarding premises governing authority;
 - (ii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school boarding premises governing authority to perform child-related work; or
 - (iii) a minister of religion, a religious leader or an employee or officer of a religious body associated with the school.

school environment means any of the following physical, online or virtual places, used during or outside school hours:

- c) A campus of the school;
- d) Online or virtual school environments made available or authorised by the school governing authority for use by a child or student (including email, intranet systems, software applications, collaboration tools, and online services); and
- e) Other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - (i) camps;
 - (ii) approved homestay accommodation;
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school; or
 - (iv) sporting events, excursions, competitions or other events.

school governing authority means:

- a) the proprietor of a school, including a person authorised to act for or on behalf of the proprietor;
- b) the governing body for a school (however described), as authorised by the proprietor of a school or the ETR Act; or
- c) the principal, as authorised by the proprietor of a school, the school governing body, or the ETR Act.

Explanatory note: *There are a wide variety of school governance arrangements. Depending on the way a school is constituted and operated, the governing body for a school may be the school board, the school council, or some other person or entity. The school governing authorities may share or assign responsibility for discharging the requirements imposed by this Order, in accordance with the school's internal governance arrangements.*

school staff means:

- a) in a Government school, an individual working in a school environment who is:
 - (i) employed under Part 2.4 of the **ETR Act** in the Government teaching service;
 - (ii) employed under Part 2.3 of the **ETR Act**; or
 - (iii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work.
- b) in a non-Government school, an individual working in a school environment who is:
 - (i) directly engaged or employed by a school governing authority;
 - (ii) a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work; or
 - (iii) a minister of religion, a religious leader or an employee or officer of a religious body associated with the school.

student means a person who is enrolled at or attends the school or a student at the school boarding premises.

volunteer means a person who performs work without remuneration or reward for the school or school boarding premises in the school environment or school boarding premises environment.

4.2 The following terms have the same meaning as in the **ETR Act**:

- a) Government school;
- b) Government school boarding premises;
- c) Government teaching service;
- d) non-Government school;
- e) non-government school boarding premises;
- f) principal;
- g) provider of school boarding services;
- h) registered school;
- i) registered school boarding premises;
- j) school;
- k) school boarding premises;
- l) school boarding services;
- m) Secretary.

PART 2 – MINIMUM STANDARDS FOR A CHILD SAFE ENVIRONMENT

5. Culturally safe environments

- 5.1 Schools and school boarding premises must establish culturally safe environments in which the diverse and unique identities and experiences of Aboriginal children, young people and students are respected and valued.**
- 5.2 In complying with clause 5.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
- a child or student’s ability to express their culture and enjoy their cultural rights is encouraged and actively supported.
 - strategies are embedded within the school or school boarding premises which equip school staff or school boarding premises staff, students, volunteers and the school community or school boarding premises community to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and students.
 - measures are adopted by the school or school boarding premises to ensure racism is identified, confronted and not tolerated, and any instances of racism within the school environment or school boarding premises environment are addressed with appropriate consequences.
 - the school or school boarding premises actively supports and facilitates participation and inclusion by Aboriginal children and students and their families.
 - all of the policies, procedures, systems and processes of the school or provider of school boarding services, taken together, create a culturally safe and inclusive environment and meet the needs of Aboriginal children and students and their families.
- 5.3 The school governing authority or school boarding premises governing authority must develop and endorse a policy or statement that details the strategies and actions the school or school boarding premises will take to implement clauses 5.1 and 5.2.

Explanatory notes:

- The term ‘Aboriginal’ in this Order includes Aboriginal and Torres Strait Islander peoples. It is important to be respectful of how individual children, students, their families and community refer to themselves, and use appropriate language when referring to individuals or communities.*
- This clause applies even if there are no children or students at a school or school boarding premises that identify as Aboriginal.*
- A statement can take the form of any written record, for example, a documented plan, posted on a website or online communication platform or a statement incorporated into an existing policy or other document.*

6. Child safety and wellbeing is embedded in leadership, governance and culture

- 6.1 Schools and school boarding premises must ensure that child safety and wellbeing is embedded in school or school boarding premises leadership, governance and culture.**
- 6.2 In complying with clause 6.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) develop, endorse and make publicly available a child safety and wellbeing policy that details:
- (i) The commitment of the school or provider of school boarding services to child safety;
 - (ii) the actions the school or school boarding premises proposes to take to ensure a child safe culture is championed and modelled at all levels of the school or school boarding premises;
 - (iii) the governance arrangements in place within the school or school boarding premises for ensuring implementation of the policy at all levels; and
 - (iv) the process by which the school governing authority or school boarding premises governing authority will review its child safe practices.

Explanatory notes:

1. *Making a policy or statement publicly available will generally mean to make it available on a public website. Where schools or school boarding premises are unable to publish the policy or statement on a website, the school or school boarding premises should consider how children, students and families can best access policies or statements (for example, through other methods such as an online communications platform or for inspection at the school or school boarding premises. In these circumstances, the school community or school boarding premises community must be provided with sufficient information on how to access the content (for example through regular school newsletter notices or an online parent platform).*
2. *“Governance arrangements” refers to the specific systems, processes, roles, responsibilities and organisational arrangements that each school or school boarding premises puts in place to operationalise the policy.*

- b) develop, endorse and make publicly available a Child Safety Code of Conduct that:
- (i) has the objectives of promoting child safety and wellbeing in the school environment or school boarding premises environment;
 - (ii) provides guidelines for school staff, school boarding premises staff and volunteers on expected standards of behaviour in relation to child safety and wellbeing;
 - (iii) takes into account the needs of all children and students and is consistent with any relevant professional or occupational codes of conduct; and
 - (iv) is consistent with the child safety and wellbeing strategies, policies and procedures of the school or provider of school boarding services.
- c) develop and implement risk management strategies that:
- (i) focus on preventing, identifying and mitigating risks related to child safety and wellbeing in the school environment or school boarding environment; and
 - (ii) take into account the nature of the school environment or school boarding environment, the activities expected to be conducted in those environments (including the provision of services by contractors or outside organisations), and the characteristics and needs of all children and students expected to be present in those environments.
- d) if the school governing authority or school boarding premises governing authority identifies risks of child abuse occurring in the school environment or school boarding premises environment, make a record of those risks and the actions that are taken or will be taken to reduce or remove the risks (risk controls and risk treatments).

- e) as part of its risk management strategy and practices, monitor and review the risks related to child safety and wellbeing annually, including evaluating the effectiveness of the implementation of its risk controls.

Explanatory notes:

1. *School governing authorities or school boarding premises governing authorities may record risks in various ways. Most commonly this would be through a risk register which describes the risks, and the risk mitigation strategies that will be used to manage the risks.*
 2. *Different risk controls may be necessary for particular groups of children and students depending on the nature of the risk and the characteristics of children and students affected by the risk.*
 3. *Processes to identify and mitigate risk are covered in various clauses in this Order (see clauses 6.2c, 6.2d, 6.2e, 10.2e, 11.3g, 12.2a and 13.2a). Taken together, these clauses help school staff, school boarding premises staff and volunteers to identify and mitigate risks in school environments and school boarding environments without compromising a child or student's right to privacy, access to information, social connections and learning opportunities consistent with Child Safe Standard 9.*
- f) create, maintain and dispose of records relevant to child safety and wellbeing in accordance with Public Record Office Victoria Recordkeeping Standards, including minimum retention periods.
 - g) develop a policy or statement that details the processes the school or school boarding premises has in place to meet Public Record Office Victoria Recordkeeping Standards.
 - h) ensure that school and school boarding premises staff and volunteers understand their obligations on information sharing and recordkeeping.

7. Child and student empowerment

7.1 Schools and school boarding premises must ensure that children, young people and students are empowered about their rights, participate in decisions affecting them and are taken seriously.

7.2 In complying with clause 7.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:

- a) children and students are informed about all of their rights, including to safety, information and participation.
- b) the importance of friendships is recognised and support from peers is encouraged, to help children and students feel safe and be less isolated.
- c) staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children and students to express their views, participate in decision-making and raise their concerns.
- d) schools and school boarding premises have strategies in place to develop a culture that facilitates participation and is responsive to the input of children and students.
- e) schools and school boarding premises provide opportunities for children and students to participate and are responsive to their contributions to strengthen confidence and engagement.

7.3 The school governing authority must ensure students are offered access to sexual abuse prevention programs and to relevant related information in an age-appropriate way.

- 7.4 Where relevant to the setting or context, the school boarding premises governing authority must ensure students are offered access to sexual abuse prevention programs and to relevant related information in an age-appropriate way.
- 7.5 The school governing authority or school boarding premises governing authority must develop curriculum planning documents or other documentation that details the strategies and actions the school or school boarding premises will take to implement clauses 7.1, 7.2, 7.3 and 7.4.

Explanatory note: The [Convention on the Rights of the Child](#) provides guidance on children's rights. For further information see: <https://humanrights.gov.au>.

The Department of Education and Training also provides advice on equal opportunity and human rights for students at <https://www2.education.vic.gov.au/pal/equal-opportunity-human-rights-students/policy>.

8. Family engagement

8.1 Schools and school boarding premises must ensure that families and communities are informed, and involved in promoting child safety and wellbeing.

- 8.2 In complying with clause 8.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
 - a) families participate in decisions related to child safety and wellbeing which affect their child.
 - b) the school or school boarding premises engages and openly communicates with families and the school community or school boarding premises community about its child safe approach and relevant information is accessible.
 - c) families and the school community or school boarding premises community have a say in the development and review of policies and practices of the school or provider of school boarding services related to child safety and wellbeing.
 - d) families, carers and the school community or school boarding premises community are informed about the operations and governance of the school or school boarding premises related to child safety and wellbeing.
- 8.3 The school governing authority or school boarding premises governing authority must develop a policy, statement or other documentation that details the strategies and actions the school or school boarding premises will take to implement clauses 8.1 and 8.2.

9. Diversity and equity

9.1 Schools and school boarding premises must ensure that equity is upheld, and diverse needs respected in policy and practice.

- 9.2 In complying with clause 9.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:
 - a) the school or school boarding premises, including staff and volunteers, understands the diverse circumstances of children and students, and provides support and responds to vulnerable children and students.
 - b) children, students, staff, volunteers and the school community or school boarding premises community have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.

- c) the school or school boarding premises pays particular attention to the needs of students with disability, students from culturally and linguistically diverse backgrounds, students who are unable to live at home, international students, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) students.
- d) the school or school boarding premises pays particular attention to the needs of Aboriginal students and provides and promotes a culturally safe environment for them.

Explanatory note: *There are many ways that school staff or school boarding premises staff can determine if a child or student is vulnerable. Vulnerable children and students may include, but are not limited to, children or students who:*

- a) *are deemed vulnerable by a government agency, funded family service or family violence service, or assessed as requiring education and care outside the family home.*
- b) *are identified as vulnerable as a result of a referral from a government agency, funded family service or family violence service, homeless or youth justice service; or mental health or other health service.*
- c) *self-identify or are identified by school staff or school boarding premises staff as a member of a vulnerable cohort (for example Aboriginal children and students; children and students with disability; children and students from culturally and linguistically diverse backgrounds; children and students who are unable to live at home or are in out-of-home care; international students; and children and students who are lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+)).*

Schools and school boarding premises may also need to consider a range of other factors beyond those listed above when determining whether a child or student is vulnerable.

- 9.3 The school governing authority or school boarding premises governing authority must develop and endorse a policy, statement or curriculum document that details the strategies and actions the school or school boarding premises will take to implement clauses 9.1 and 9.2.

10. Suitable staff and volunteers

10.1 Schools and school boarding premises must ensure that people working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

10.2 In complying with clause 10.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:

- a) recruitment advertisements for school staff or school boarding premises staff who will be engaged in child-connected work have a clear statement that sets out:
 - (i) the job's requirements, duties and responsibilities regarding child safety and wellbeing; and
 - (ii) the job occupant's essential or relevant qualifications, experience and attributes in relation to child safety and wellbeing.
- b) all applicants for jobs that involve child-connected work for the school or school boarding premises must be informed about the child safety practices of the school or provider of school boarding services (including the code of conduct).
- c) when engaging volunteers to undertake child-connected work, volunteers are made aware of the child safety and wellbeing policy and child safety code of conduct of the school or provider of school boarding services.

- d) when engaging school staff or school boarding premises staff to perform child-connected work, the school governing authority or school boarding premises governing authority must:
- (i) sight, verify and record the person's Working with Children clearance, if the person is required to have a clearance in accordance with the **Worker Screening Act 2020**, or any equivalent background check; and
 - (ii) where the person will be engaged in child-related work, collect and record:
 - a. proof of the person's identity;
 - b. information about any essential or relevant professional or other qualifications;
 - c. the person's history of work involving children; and
 - d. references that address the person's suitability for the job and for working with children.

Explanatory note: Please refer to the **Worker Screening Act 2020** which establishes a process to screen persons engaging or intending to engage in child-related work through a screening check, and also sets out exemptions from that requirement for some volunteers, parents and others.

The school or provider of school boarding services may need to gather a range of information, including but not limited to a Working with Children clearance and qualifications relevant to the role being performed, to help ensure only suitable people work with children.

Registration with the Victorian Institute of Teaching is an equivalent background check.

- e) when engaging a volunteer to perform child-connected work, the school governing authority or school boarding premises governing authority must:
- (i) sight, verify and record the person's Working with Children clearance, if the person is required to have a clearance in accordance with the **Worker Screening Act 2020**, or any equivalent background check; and
 - (ii) consider the child safety risks relevant to the volunteer's role and, if reasonable and appropriate, collect and record:
 - a. proof of personal identity;
 - b. information about any essential or relevant professional or other qualifications;
 - c. the person's history of work involving children; and
 - d. references that address the person's suitability for the job and for working with children.

10.3 The school governing authority or school boarding premises governing authority need not comply with the requirements in clauses 10.2(d) and 10.2(e) if it has already undertaken these activities in relation to a particular individual within the previous 12 months.

10.4 In complying with clause 10.1, the school governing authority or school boarding premises governing authority must ensure that:

- a) school staff, school boarding premises staff, members of the governing body, and volunteers engaged in child-connected work, receive an induction regarding child safety and wellbeing that is appropriate to the nature of the role, and which includes:
 - (i) information on the child safety code of conduct; and

- (ii) where relevant to the role, the child safety and wellbeing policy and the procedures for managing complaints and concerns related to child abuse;
- b) school staff, school boarding premises staff, members of the governing body, and volunteers engaged in child-connected work, are aware of their responsibilities to children and students, information sharing and reporting obligations, and record keeping obligations.
- c) ongoing supervision and people management of staff and volunteers focuses on child safety and wellbeing.

11. Complaints processes

11.1 Schools and school boarding premises must ensure that processes for complaints and concerns are child focused.

11.2 In complying with clause 11.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) develop a complaint-handling policy that is made publicly available and that is accessible, child-focused, culturally safe and easily understood by the school community or school boarding premises community, and clearly outlines:
 - (i) the process for making a complaint about the school or school boarding premises or the behaviour of any person within the school or school boarding premises (for example staff, volunteers, contractors, families, children or students);
 - (ii) the roles and responsibilities of leadership, school staff, school boarding premises staff, and volunteers in relation to handling complaints; and
 - (iii) the process for dealing with different types of complaints, breaches of relevant policies or the code of conduct and obligations to act and report.
- b) ensure complaints are taken seriously and responded to promptly and thoroughly.
- c) have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperate with law enforcement.
- d) ensure recordkeeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns.
- e) have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse.

11.3 The procedures referred to in clause 11.2(e) must:

- a) cover all forms of child abuse.
- b) be sensitive to the diversity and characteristics of the school community or school boarding premises community.
- c) be made publicly available.
- d) be accessible to children, students, staff, volunteers and the school community or school boarding premises community.
- e) apply to complaints and concerns relating to child abuse made by or in relation to a child or student, school staff, school boarding premises staff, volunteers, contractors, service providers, visitors, or other persons while connected to a school environment or school boarding premises environment.

- f) identify the roles and responsibilities of school staff or school boarding premises staff and leadership to act and report on complaints and concerns relating to child abuse including:
 - (i) ensuring that the complaint or concern is taken seriously;
 - (ii) promptly and thoroughly managing the response of the school or provider of school boarding services;
 - (iii) responding appropriately to a child or student who raises or is affected by the complaint or concern;
 - (iv) monitoring overall compliance of the school or provider of school boarding services with the procedure; and
 - (v) managing an alternative procedure for responding to the complaint or concern if any person allocated responsibility under clause 11.7(f) cannot perform their role.
- g) include a statement that fulfilling the roles and responsibilities in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
- h) clearly describe the actions the school or provider of school boarding services will take to respond to a complaint or concern relating to child abuse, including actions to:
 - (i) report allegations, suspicions or disclosures to relevant authorities, regardless of whether there is a legal obligation to report;
 - (ii) protect any child or student connected to the complaint or concern relating to child abuse until the complaint or concern is resolved; and
 - (iii) make, secure, and retain records of the complaint or concern and the response of the school or provider of school boarding services.

11.4 The procedures referred to in clause 11.2(e) must not:

- a) prohibit or discourage school staff, school boarding premises staff or volunteers from reporting a complaint or concern relating to child abuse to a person external to the school or school boarding premises.
- b) state or imply that it is the victim's responsibility to inform the police or other authorities of an allegation relating to child abuse.
- c) require school staff, school boarding premises staff or volunteers to make a judgment about the truth of a complaint or concern relating to child abuse.
- d) prohibit school staff, school boarding premises staff or volunteers from making records in relation to a complaint or concern relating to child abuse.

12. Child safety knowledge, skills and awareness

12.1 Schools and school boarding premises must ensure that staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

12.2 In complying with clause 12.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) ensure that, at least annually, school staff or school boarding premises staff engaged in child-connected work receive training and information on child safety that includes:
 - (i) the child safety and wellbeing policy of the school or provider of school boarding services;

- (ii) the child safety code of conduct of the school or provider of school boarding services;
 - (iii) the procedures referred to in clause 11.2(e);
 - (iv) guidance on recognising indicators of child harm including harm caused by other children and students;
 - (v) guidance on responding effectively to issues of child safety and wellbeing and supporting colleagues who disclose harm;
 - (vi) guidance on how to build culturally safe environments for children and students;
 - (vii) guidance on their information sharing and recordkeeping obligations; and
 - (viii) guidance on how to identify and mitigate child safety and wellbeing risks in the school environment without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.
- b) ensure that volunteers engaged in child-connected work receive training and information that will equip them with the knowledge, skills and awareness required to keep children and students safe and that is appropriate to the nature and responsibilities of their role.
- c) when determining the type of training and information to provide to volunteers in accordance with clause 12.2(b), consider whether or not it is reasonable and necessary to include training and information on:
- (i) the child safety and wellbeing policy of the school or provider of school boarding services;
 - (ii) the child safety code of conduct of the school or provider of school boarding services;
 - (iii) guidance on how to recognise indicators of child harm including harm caused by other children and students;
 - (iv) guidance on how to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm;
 - (v) guidance on how they can contribute to building culturally safe environments for children and students;
 - (vi) guidance on any obligations they have relating to information sharing and recordkeeping; and
 - (vii) guidance on how to identify and manage child safety risks relevant to the role the volunteer will undertake, without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.
- d) ensure that school staff, school boarding premises staff and volunteers are supported to implement the child safety and wellbeing policy of the school or provider of school boarding services to the extent that it is applicable to their role and responsibilities.
- e) ensure that, at least annually, appropriate training and guidance is provided to the members of the governing body about:
- (i) individual and collective obligations and responsibilities for implementing the Child Safe Standards and managing the risk of child abuse;
 - (ii) child safety and wellbeing risks in the school environment or school boarding premises environment; and
 - (iii) the child safety policies, procedures and practices of the school or provider of school boarding services.

13. Child safety in physical and online environments

13.1 Schools and school boarding premises must ensure that physical and online environments promote safety and wellbeing while minimising the opportunity for children, young people and students to be harmed.

13.2 In complying with clause 13.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) ensure that the child safety and wellbeing policies, procedures and practices of the school or provider of school boarding services enable school staff, school boarding premises staff, and volunteers to identify and mitigate risks in school environments and school boarding premises environments without compromising a child or student's right to privacy, access to information, social connections and learning opportunities.
- b) develop and endorse a policy or statement on online conduct and online safety that is consistent with the child safety and wellbeing policy and practices and child safety code of conduct of the school or provider of school boarding services.
- c) ensure the procurement policies of the school or provider of school boarding services for facilities and services from third parties ensure the safety of children and students.

***Explanatory note:** Schools and school boarding premises procure a wide range of goods and services, some of which may be obtained at no cost. Child safe procurement policies apply regardless of the value of the product or service.*

14. Review of child safety practices

14.1 Schools and school boarding premises must ensure that implementation of this Order is regularly reviewed and improved.

14.2 In complying with clause 14.1, the school governing authority or school boarding premises governing authority must, at a minimum:

- a) review and evaluate the child safety and wellbeing policies, procedures and practices of the school or provider of school boarding services after any significant child safety incident, or at least every two years, and improve where applicable.
- b) ensure complaints, concerns and safety incidents are analysed to identify causes and systemic failures and inform continuous improvement.
- c) report on the outcomes of relevant reviews to school staff, school boarding premises staff, volunteers, the school community or school boarding premises community, and families and students.

15. Implementation of child safety practices

15.1 Schools and school boarding premises must have policies and procedures that document how schools and school boarding premises are safe for children, young people and students.

15.2 In complying with clause 15.1, the school governing authority or school boarding premises governing authority must, at a minimum, ensure:

- a) that the school or provider of school boarding services implements practices for a child-safe environment in accordance with this Order.
- b) that the policies and procedures and any other statements and records this Order requires:
 - (i) address all Child Safe Standards;

- (ii) are understood and implemented by all relevant school staff, school boarding premises staff, the governing body and volunteers;
- (iii) are championed and modelled by leaders;
- (iv) are documented and easy to understand; and
- (v) are informed by best practice models and stakeholder consultation.

This Order is made on the 31st day of January 2022.

A handwritten signature in blue ink, appearing to read "James Merlino". The signature is written in a cursive, flowing style.

The Hon. James Merlino, MP
Minister for Education