

Child Safety Record Keeping (Child Safety) Policy and Procedures

Introduction

Child abuse includes: **sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and a child's exposure to family violence.**

Lakeside College has zero tolerance for child abuse and is committed to the protection of all children from all forms of child abuse.

"In the Lutheran school the gospel is to inform all programs, relationships and activities" (LCA and Its School statement). The love of God in Jesus Christ is to govern all that is done, in response to this love, people in the school community are directed to their fellow human beings. Where they love others, they love him. Christ's promise is that whatever is done for others is done for him. Informed and transformed by God's creative, redemptive and sanctifying love, God's people are concerned with the total needs of their fellow human beings (Industrial Relations and the Lutheran school).

The Child Safe program in place at Lakeside College defines power as the capacity to set and care for boundaries. Boundaries are the structures which support human development within community; boundaries may be personal, communal, spiritual, psychological or physical. In Christ, there is an empowerment by the gospel to recognise boundaries and prevent their destructive crossing and to care for those who have been violated. Our responsibility of leadership is to care for professional boundaries through the establishment of structures that protect them. Structures provide for support, examination, and action to ensure that school leaders, staff and students act according to boundaries that help, protect and uphold the dignity, worth and safety of each individual. (Valuing Safe Communities: Statement of values)"

This Child Protection document 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. Child Safety 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 Program.

If you have a belief or suspicion that a child is being, or has been, subjected to any form of abuse you must contact the Victorian Child Protection Service or, where you need guidance on making

a report or have questions regarding child safety, contact one of the school's appointed Child Protection Officers. Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Quick Access Documents:

Department of Education and Training and Department of Health and Human Services Child Protection, Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse, 2016

Department of Education and Training and Department of Health and Human Services Child Protection, Responding to Suspected Child Abuse: A Template for all Victorian Schools, 2016

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Lakeside College places the safety of students in our care as our highest priority. The College has developed this Child Safe Policy as an overarching document that provides key elements of our approach to protecting children from abuse. It forms the foundation of the School's procedures, practices, decision-making and processes and ultimately the School's culture with respect to child safety.

The policy forms the foundation of the College’s procedures, practices, decision-making processes and ultimately the College’s culture with respect to child safety. It is designed to be published on our public website as well as communicated through other mediums such as newsletters, our annual report and in induction and welcome packs for College Board members,

staff and volunteers. The College's Child Safe Policy has been approved and endorsed by the Lakeside's College Board and is regularly reviewed by the Board.

Statement of Commitment to Child Safety and Wellbeing

All children and young people who come to Lakeside College have a right to feel and be safe. We are committed to providing a child safe and child friendly environment, where children and young people are safe and feel safe, and can actively participate in decisions that affect their lives.

We have zero tolerance for abuse and other harm and are committed to acting in students' best interests and keeping them safe from harm.

Lakeside College regards its child safety responsibilities with the utmost importance and as such, is committed to providing the necessary resources to maintain a child safe culture and ensure compliance with all relevant child safe organisation and child protection laws and regulations.

Each member of Lakeside College community has a responsibility to understand the important and specific role that they play individually and collectively to ensure that the wellbeing and safety of all Students is at the forefront of all that they do and every decision that they make.

Purpose

The Victorian Child Safe Standard 2 requires Lakeside College to ensure that staff and volunteers understand their obligations regarding keeping records related to child safety and wellbeing. In addition, Standard 7 requires Lakeside College to keep certain records about child safety-related complaints.

To implement these Standards, Ministerial Order 1359 (MO 1359) requires Lakeside College Board to:

- create, maintain and dispose of "records relevant to child safety and wellbeing" in accordance with the Public Record Office Victoria Record Keeping Standards
- develop a policy or statement that details the processes that Lakeside College has in place to meet these Standards
- ensure that Staff and relevant Volunteers understand their record keeping obligations.

In addition, multiple Victorian child safety, wellbeing and protection laws and regulations require Lakeside College to create and maintain certain records relevant to child safety.

This policy and its procedures set out:

- Lakeside College Board policies, procedures and expectations about creating and managing records relevant to child safety and wellbeing at Lakeside College
- Lakeside College's processes for creating, maintaining and disposing of these records in accordance with Public Record Office Victoria's Record Keeping Standards.

Of particular importance to this policy and its procedures is the phrase "records relevant to child safety and wellbeing". Records relevant to child safety and wellbeing include, but are not limited to:

- records of child safety incidents or concerns and Lakeside College's response
- human resources records about recruitment, screening, supervision and training of Staff, Volunteers and Contractors
- records that can establish the whereabouts of students, staff, volunteers and contractors on particular dates and times
- records of reviews/audits of Lakeside College's child safety and wellbeing policies and practices.

Scope

If you are a:

- staff member
- Volunteer; or
- Contractor

this Policy and its Procedures apply to you.

However, the terms "staff member" and "volunteer" do not include students who are volunteering with, coaching or tutoring younger students at Lakeside College. If you are a student, you must instead comply with the Student Code of Conduct and other relevant Lakeside College policies.

This policy and its procedures apply in all Lakeside College environments. Lakeside College environments include the following physical, virtual and online places used during or outside school hours:

- a campus of Lakeside College
- online or virtual Lakeside College environments made available or authorised by Lakeside College Board (or the Principal on its behalf) for use by a student (including email, intranet systems, software applications, collaboration tools and online services)
- other locations provided by Lakeside College or through a third-party provider for a student to use, including but not limited to:
 - camps

- approved homestay accommodation
- delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers, another school
- sporting events, excursions, competitions and other events.

The Principal and Executive Team are responsible for the monitoring and review of the policy. _

If you are a staff member, you are responsible for creating and capturing full and accurate records related to child safety and wellbeing as set out in the subsections below.

If you are a Volunteer or Contractor, you are responsible for assisting Lakeside College to create and capture full and accurate records related to child safety and wellbeing as set out in the subsections below.

If you are a Child Protection Officer, you are responsible for assisting staff, volunteers and contractors to comply with this policy and its procedures.

Additional roles and responsibilities are set out in the subsections below.

Policy Statement

Child Safety Record Keeping in General

1. Lakeside College is committed to ensuring that all records, including records related to child safety and wellbeing, are managed in an efficient, systematic and transparent way. It has a framework for managing records, including records related to child safety and wellbeing, explained in the **Procedures** below.

2. When creating, maintaining and disposing of records related to child safety and wellbeing, Lakeside College complies with relevant Public Record Office Victoria Recordkeeping Standards, including minimum retention periods, as set out in the following subsections and the **Procedures** below. Lakeside College does not differentiate between the period of retention required for paper/print records and digital records.

3. Lakeside College's records, including records related to child safety and wellbeing, are:

- kept up-to-date
- indexed in a logical manner that facilitates easy location, retrieval and association of related information; and
- preserved in a suitable physical or digital environment that ensures that records are not subject to degradation, loss, alteration or corruption for the period of time they must be retained.

4. Lakeside College provides all Staff with information about its record management system.

Records of Child Safety Incidents and Concerns and Lakeside College's Response

1. If you:

- have a reasonable belief that a student aged under 17 (or aged 17 and under a child protection order) is in need of protection, and as a result you have made, or will make, a Mandatory or Non-Mandatory Report to the Department of Families, Fairness and Housing (DFFH Child Protection)
- have a reasonable belief that a sexual offence has been committed against a students aged under 16, and as a result you have reported, or will report, the matter to the Police
- believe that other circumstances exist such that a Non-Mandatory Report to Police is required
- become aware of Reportable Conduct by, or a reportable allegation against, an employee; or
- know that any person associated with Lakeside College poses a reasonably foreseeable risk of harm to a student

you **must** make written and dated notes of your observations and concerns to assist in reporting the concerns to DFFH Child Protection, the Police or the Commission for Children and Young People (CCYP).

For information about when and how to meet these reporting and responding obligations, refer to Reporting and Responding Obligations (Child Safety) Policy and Procedures.

2. You **must** also properly document all other observations, beliefs, disclosures or allegations of, and verbal and written communications about, child safety incidents or concerns that occur at or involve Lakeside College or its Students, Staff, Volunteers or Contractors. It does not matter whether or not the child safety incident or concern meets the relevant thresholds for external reporting.

Reportable Conduct Records

If you are the Principal, or have been authorised by them to undertake their responsibilities in relation to record keeping about Reportable Conduct matters, you **must** follow the Record Keeping About Reportable Conduct section of the Reportable Conduct Policies and Procedures to document all required information.

WWC (Working with Children) Check Documentation

Lakeside College captures, creates and keeps records relating to WWC Checks for all workers,

following the Working with Children Checks Policy and Procedures.

1. WWC Check Records of Staff, Volunteers and Contractors

Lakeside College keeps records (in electronic or hard copy format) of the WWC Clearance status of all relevant workers (including relevant Volunteers and relevant Contractors) who are individuals.

For information about which workers at Lakeside College are required to have a valid WWC Clearance, refer to Working with Children Checks Policy and Procedures.

2. WWC Check Records of Contractors with Multiple Employees

Where Lakeside College engages, as a Contractor, a company or other contracted service provider with multiple employees, Lakeside College may require, in its contract with the Contractor, the Contractor to keep all required WWC Check records for each person engaged by the Contractor to provide the contracted service to Lakeside College.

Other Child Safety Human Resources Management Records

Lakeside College captures, creates and keeps human resources management records relevant to child safety and wellbeing. These include records in relation to:

- recruitment, screening and suitability assessment
- supervision, performance monitoring and professional development
- completion of child safety training
- personnel files
- VIT notifications.

Record Keeping About Information Sharing

Lakeside College records the information set out in the **Procedures** below when sharing, or responding to a request to share, information about the safety, welfare or wellbeing of a Students at Lakeside College (Information), following the Sharing Information About Students' Safety and Wellbeing Policies and Procedures.

Documenting Other Child Safety Actions (Statutory Duty of Care)

Due to the Wrongs Act 1958 (VIC) (Wrongs Act), explained in the **Procedures** below, Lakeside College **must** maintain accurate and comprehensive records, not only of child safety incidents and concerns involving Lakeside College or its staff members, but also of:

- actions taken in response (including systemic reviews and resulting improvements); and
- regular reviews of and improvements to our child safety policies, procedures, work systems and strategies

as these could be required as evidence in relation to possible future negligence claims against Lakeside College for damages in respect of physical or sexual abuse.

Procedures

How Lakeside College Keeps Records Related to Child Safety and Wellbeing

Lakeside College's framework for managing records, including records related to child safety and wellbeing, includes:

- digital storage facilities for electronic records; and/or
- physical storage facilities for paper/print records.

All digitally stored records are backed-up securely.

Records of Child Safety Incidents or Concerns and Lakeside College's Response

Documenting observations, beliefs, disclosures and allegations of, and all communications about, **all** child safety incidents or concerns (including those that do not meet the relevant threshold for external reporting) ensures that:

- all information about individual students can be taken into account should future child safety incidents or concerns arise
- any patterns that might arise from child safety incidents or concerns can inform reviews of the Child Safety Program.

The records should include dates and times and enough detail to record key observations or conversations, especially those relating to a Student's disclosure.

How to Document the Child Safety Incident or Concern

If you are a staff member, you **must** document the child safety incident or concern, and your own response to it in:

- PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools; or

- If the matter involves Student Sexual Offending

These Templates are provided by the Department of Education and DFFH Child Protection for all Victorian schools

If you are a volunteer or contractor, a Child Protection Officer can help you complete the form or can complete it on your behalf.

The following information may assist when completing the form:

- Not all of the sections of the form will be able to or will need to be filled out for every child safety incident or concern. Some of the information will already be held in the students' record and need not be repeated. Other parts of the form may not apply to each situation.
- You must not quiz the child, young person, students aged 18 or over or any other person making a disclosure or allegation in order to complete the form. You should only record information you observed or that was offered to you during the incident, disclosure or allegation, and then report the matter to a Child Protection Officer or the Principal and any relevant external agencies in line with your legal obligations.
- All records should include dates and times and enough detail to record key observations or conversations, especially those relating to a student's disclosure.

You must give your completed reporting form to a Child Protection Officer or the Principal (or, if the child safety incident or concern involves the Principal, to the Chair of Board).

You must also give them any other notes and records that you make or obtain. For example, these may include:

- handwritten notes taken during a disclosure by a student
- copies of any written reports made to the Police or external bodies about the matter; and
- if the incident or allegation involves claims of inappropriate electronic or online activity, copies of the digital correspondence between the students and the alleged perpetrator or other electronic or digital records (such as confiscated electronic devices containing inappropriate content).

Documenting Lakeside College's Response

If you are the Principal or Chair of Board, you must (or a Child Protection Officer may do this on your behalf):

- document any additional responses from Lakeside College on the form as they occur, in conjunction with relevant staff members where required

- complete and document a review of Lakeside College's response between four to six weeks after the incident, suspicion or disclosure of abuse or other harm.

Record Maintenance

If you are the Principal, you are responsible for ensuring that Lakeside College's records relating to child safety incidents or concerns (including records of incidents, allegations, investigations and

findings made under the Child Safety Program) are up-to-date and kept secure.

These records are stored securely on the College servers filed under 'Child Safe

Records'. If the child safety incident or concern involves:

- an incident or allegation of a staff member, Volunteer or Contractor engaging in Reportable Conduct; or
- an incident or allegation of a staff member, Volunteer or Contractor breaching the Child Safety Codes of Conduct

Lakeside College may also keep records as part of its Reportable Conduct records and general Human Resources Management records.

Lakeside College keeps these records indefinitely.

Reportable Conduct Records

If you are the Principal or Senior Child Protection Officer, you are responsible for ensuring that Lakeside College's records made under the **Reportable Conduct Policies and Procedures** (including records of incidents, allegations, complaints and outcomes of internal investigations) are up-to-date and secure.

These records are kept in a file that is separate to the employee's personnel file and located securely on the College servers filed under 'Child Safe Records'.

Lakeside College keeps these records indefinitely.

Lakeside College may also keep records about child safety incidents or concerns involving Reportable Conduct by a staff member, volunteer or contractor.

WWC Check Records

The **Volunteer Policy and Procedures** sets out:

- the information that Lakeside College records, for all “workers” (including relevant Volunteers and Contractors) who are required to have or who are exempted from the need to have a WWC Clearance
- roles and responsibilities relevant to capturing and creating these records.

Lakeside College keeps WWC Check records indefinitely.

Child Safety Human Resources Management Records

1. Records of VIT Notifications

Lakeside College has a register containing information about the registration status of all teachers at Lakeside College. It includes:

- each teacher’s full name
- each teacher’s registration number
- their category of registration
- the expiry and renewal date of the teacher’s registration
- a record of the date and type of any notifications made to the VIT by Lakeside College about a registered teacher.

If you are College Risk and Compliance Officer, you are responsible for keeping the register of teachers up-to-date with relevant notifications.

Lakeside College keeps these records indefinitely.

For information about notifications to the VIT, refer to [Reporting and Responding Obligations \(Child Safety\) Policy and Procedures](#).

2. Records of Child Safety Training

Lakeside College creates and keeps electronic records of all child safety training completed by staff, and relevant Volunteers and Contractors through CompliLearn.

Lakeside College keeps these records for at least 45 years.

3. Other Child Safety Human Resources Management Records

If you are the Business Manager, you are responsible for documenting and keeping (in electronic or hard copy format) all other records relating to child safety human resources management.

Lakeside College keeps these records indefinitely.

For information about the kinds of records that fall into this category, refer to Human Resources Management (Child Safety) Policies and Procedures.

Record Keeping About Information Sharing

If you are the Principal, you must ensure that Lakeside College, and in particular staff members who are managing an Information sharing request or proposal, document the following information when sharing, or responding to a request to share, Information:

- who requested the Information and the date of the request (if any)
- who shared the Information
- why the Information was shared (e.g. whether it was shared pursuant to a statutory regime or other legal obligation)
- who the Information was shared with
- whether informed consent was sought from, and if so whether it was provided by, the students and/or their parent/carer
- the approval of the Principal to share the Information (where that approval is required)
- the date that the information was shared.

If you are the Principal, you are responsible for ensuring that Lakeside College's records created in accordance with Sharing Information About Students' Safety and Wellbeing Policies and Procedures are up-to-date and kept secure.

Lakeside College keeps these records indefinitely.

For more information, refer to **Sharing Information About Students' Safety and Wellbeing Policies and Procedures**.

Documenting Other Child Safety Actions

The Wrongs Act imposes a duty of care on Lakeside College to take reasonable precautions to prevent the physical or sexual abuse of a child under its care, supervision or authority (which includes, but is not limited to, Students aged under 18) by an individual associated with Lakeside College.

If a victim of physical or sexual abuse, alleged to have occurred at Lakeside College or to have involved Lakeside College staff, volunteers or contractors, brings a negligence claim against Lakeside College, the court will presume that Lakeside College breached this duty of care unless Lakeside College can prove that it took reasonable precautions to prevent the abuse.

Whether or not Lakeside College has taken reasonable precautions to prevent abuse will be assessed by the court in accordance with considerations set out in the Wrongs Act and case law.

The following records may assist in demonstrating reasonable precautions taken by Lakeside College to prevent the physical or sexual abuse of its students:

1. records that document actions taken by Lakeside College in response to specific child safety incidents and concerns (refer to **Documenting the Child Safety Incident or Concerns and Lakeside College's Response** and **Reportable Conduct Records** above)
2. records that document the implementation of Lakeside College's **Risk Management (Child Safety) Policy and Procedures**
3. records that document reviews and improvements of our child safety and wellbeing policies, procedures, work practices and systems
4. records that document the child safety training provided to and completed by staff and relevant volunteers and contractors.
5. If you are the Principal, you are ultimately responsible for ensuring that Lakeside College creates and keeps these records, although you may delegate responsibility for creating and keeping these records to others at Lakeside College.

Lakeside College keeps the records in paragraphs 1, 2 and 3 indefinitely, and the records in paragraph 4 for at least 45 years.

Implementation

Lakeside College implements this policy and its procedures through:

- making them available to all staff, via Lakeside College's Intranet(TASS)
- including information about them in induction training and in ongoing refresher training for staff and relevant volunteers and contractors
- making them available to parents/carers, Students and the wider Lakeside College community in summary in the Child Safe Policy, which is available on our public website
- providing a hard copy by request.

Breach

If you breach this policy and its procedures, Lakeside College can investigate your conduct. You could face disciplinary action, such as (depending on the severity of the breach):

- attending remedial education
- attending counselling
- increased supervision
- restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

Definitions

Definitions of particular terms used in this Policy and its Procedures can be found in the Child Safety Program Definitions List and Definitions and Key Indicators of Abuse and Other Harm, which are annexed to the Reporting and Responding Obligations (Child Safety) Policy and Procedures.

Source of Obligation

- Ministerial Order 1359, Clauses 6, 10, 11 and 12
- Worker Screening Act 2020 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Wrongs Act 1958 (Vic)
- Child Safe Policy.
- Codes of Conduct (Child Safety) Policies and Procedures
- Reporting and Responding Obligations (Child Safety) Policy and Procedures
- Complaints Management (Child Safety) Policy and Procedures

Resources:

- Student Participation and Empowerment (Child Safety) Policy and Procedures
- Family and Community Involvement, Cultural Safety and Equity-Diversity (Child Safety) Policies and Procedures

Related Documents

- Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria, PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools
- Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria, PROTECT Responding to Suspected Student Sexual Offending: Template for all

Victorian Schools

References

- Commission for Children and Young People, Victorian Child Safe Standards
- Commission for Children and Young People, Resources and Support for the Child Safe Standards
- Department of Education, Child Safe Standards Templates and Resources
- Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria, PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse, 2018

Policy Administration

Status	Document Owner	Approver(s)	Approval Date	Version N0o.	Last Reviewed	Review Frequency	Next Review Date
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