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OSCAR INSTITUTE

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RTO :21118

**Learners Under 18**



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## **Learners Under 18**

### **Purpose**

From time to time, Oscar institute may be required to deliver training and assessment to individuals who are under 18 years old. We are committed in ensuring that when we are required to interact with and deliver training and assessment to individuals under 18, we comply with any legal, moral and ethical responsibilities in order to safeguard the rights of the individuals.

### **Scope**

This policy applies to:

- All staff; and
- All of our business functions.

### **Responsibilities CEO**

- Ensures compliance with legislation, regulations and Standards for RTOs.

### **RTO Manager**

- Acts as the designated point of contact for learners under 18.

### **All Staff**

- Adheres to all child safety protocols and immediately report any concerns to the CEO.

### **Administrative Staff**

- Maintains up-to-date records of student contact information, their parent or guardian details, and their living arrangements securely.

### **Trainers & Assessors**

- Maintains current Working with Children Checks (WWCC) for those working with learners under 18.



## General Principles

Oscar institute commits to:

- Providing training to staff on safely and effectively working with individuals under 18.
- Ensuring staff members who are in contact with learners under 18 maintain their WWCC, with reminders issued 6-months before expiry.
- Regularly consult stakeholders to confirm the effectiveness and comprehensiveness of our safety measures.
- Having accessible complaint and reporting systems for allegations of child abuse.
- Treating all learners under 18 with dignity and respect by not discriminating, prejudicial or use inappropriate language or behaviours when interacting with individuals under 18.
- Prohibiting staff from being alone with learners under 18 or contacting them outside training hours without parental or guardian involvement.
- Avoiding favouritism, physical contact, or inappropriate attention toward any learner;
- Not being alone with any persons under 18 at any time.
- Not contacting individuals under 18 directly outside of training and assessment hours – all contact should be initiated through their parents or guardian(s).
- Addressing and reporting any safety or wellbeing concerns promptly.

### Lines of Assistance

The following services protect children and young people who are at risk of abuse or neglect, and whom Oscar institute can contact for advice and to report any suspected abuse or neglect:

- New South Wales – Department of Communities & Justice

Child Protection Helpline: 13 21 11

- Victoria – Department of Families, Fairness and Housing

North Division: 1300 598 521

South Division: 1300 555 526



East Division: 1300 360 452

West Division: 1300 360 462

Outside normal business hours: 13 12 78

## **Compliance**

This policy aligns with:

- Standards for RTOs 2025:
  - o Standard 2.6 – The wellbeing needs of the VET student cohort are identified and strategies are put in place to support these needs.
  - o Standard 4.1 – The RTO operates with integrity and is accountable for the delivery of quality services.
  - o Standard 4.2 – Roles and responsibilities are clearly defined and understood.
  - o Standard 4.3 – Risks to VET students, staff and the RTO are identified and managed.
  - o Standard 4.4 – The RTO undertakes systematic monitoring and evaluation to support the delivery of quality services and continuous improvement.
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Child Wellbeing and Safety Act 2005 (Vic)
- Working with Children Act 2005 (Vic)

Failure to comply with this policy can have serious consequences, including but not limited to:

- For the RTO – breaches of legislation or regulatory requirements may result in financial penalties, loss of registration, reputation damage, or regulatory enforcement actions.
- For Staff Members – staff found to have knowingly or negligently failed to comply with this policy and any associated legislative or regulatory requirements may face disciplinary actions, up to and including termination of employment.



- For Learners and Clients – non-compliance could lead to signs of abuse being missed which places the learner at risk, unsafe environments and disruption in training and assessment services.

### **Continuous Improvement**

- An internal audit is to be conducted at least once per year to assess our compliance with this policy and the relevant legislative and regulatory requirements. The audit schedule is outlined in our Continuous Improvement Schedule and areas for improvements are documented in our Continuous Improvement Register.
- Feedback from staff, learners, clients and industry stakeholders will be used to inform improvements to compliance processes and the effectiveness of our operations.

### **Related Documents**

- Continuous Improvement Register
- Continuous Improvement Schedule
- Student Handbook

## **Recognising and Reporting Child Abuse Procedure**

### **1. Observe signs**

- i. You might notice a sudden or unexplainable change in a learner's mood or behaviour, or you notice that they have exaggerated fears or lack of trust in familiar adults, or you observe frequent bruises or injuries.
- ii. If the learner is comfortable enough, they may confide in you that they are being abused or hurt by someone.

### **2. Record observations**

- i. Make detailed notes on the student's file regarding your observations and concerns.

### **3. Raise this matter with the CEO**

- i. Organise a meeting with the CEO to seek guidance and whether contacting the student's parent or guardian is appropriate.

### **4. Speak to the student's parent or guardian**



- i. If the CEO agrees the best course of action is to contact the learner's parent or guardian, you are to place an informal phone call to the parent or guardian to bring to their attention your observations and ask if there is anything that they are aware of.
- ii. Observe the parent or guardian's response:
  - Is their tone of voice concerned or worried?
  - Is their response defensive or angry?
- iii. Take detailed notes and record the parent or guardian's response on the student's file.

## **5. Report back to the CEO**

- i. Update the CEO on the interaction with the learner's parent or guardian in order to decide on the next steps.
- ii. Set a plan in place in addressing the observations and the cause of this change in mood, behaviour or observations of physical abuse.

## **6. Monitor behaviour, actions and other physical signs**

- i. Continue to monitor the learner's behaviour, actions and language in order to help support and counsel them, where possible and appropriate.
- ii. Be sure to clear and thorough when recording this information on the student's file.

## **7. Speak to the appropriate child protection authority**

- i. Should the learner's aggressive or unusual behaviour continue, or if signs of physical abuse continue to persist, and the parent or guardian is unwilling to cooperate, it is important that the child protection authorities in the relevant state be notified.
- ii. Prior to contacting the child protection authority, it is important that you receive the approval of the CEO to do so.
- iii. A report should only be made if you have reasonable belief that the learner has suffered or is likely to suffer significant harm as a result of abuse or neglect, and that their parent or guardian has not protected, or is unlikely to protect the child from harm of that type. A child in need or protection is a child who has suffered or is likely to suffer from significant harm as a result of abuse or neglect, and their parent has not protected or is unlikely to protect the child from harm of that type, such as:
  - Physical abuse of, or non-accidental or unexplained injury to, a child



- A disclosure of sexual abuse by a child or witness, or a combination of factors suggesting the likelihood of sexual abuse
- Emotional abuse and ill treatment of a child impacting on the child's stability and healthy development
- Significant neglect, poor care or lack of appropriate supervision
- Significant family violence or parental substance misuse, psychiatric illness or intellectual disability
- Where a child's actions or behaviour may place them at risk of significant harm and the parents are unwilling, or unable to protect the child
- Where a child appears to have been abandoned, or where the child's parents are dead or incapacitated and no other person is caring properly for the child

Other factors to consider before reporting to a child protection authority:

- What specifically has happened to the child that has caused concern and what is the impact on their safety, stability, health, wellbeing and development?
- How vulnerable is the child?
- Is there a history or pattern of significant concerns with the child or with other children in the family?
- Are the parents or guardian(s) aware of the concerns, capable and willing to take action to ensure the child's safety and stability, and promote the child's health, wellbeing and development?

iv. Be aware the child protection authority will most likely ask for the following information:

- Personal information about the student – such as their name, age, contact details, cultural or ethnic background, what your connection is to the learner, and their current whereabouts (if known)
- Reason for the report – why do you believe that the injury or behaviour is the result of abuse or neglect, and what have been your observations
- Status of safety – whether the learner is in immediate danger

## **8. Monitor and provide continual support**



- i. It is important for Oscar institute to monitor the concerned learner’s behaviour and actions.
- ii. Continue to provide support where appropriate to the learner.

### Recognising and Reporting Child Abuse Process Flow-Chart

