

Child Safety Policy

April 2017 (Revised)



Context

As a Catholic school and a Ministry of Mercy Education Ltd, OLMC has a mission-driven responsibility to respect the dignity of each member of the College community and to understand and respond to others in times of need. Our Mission, Vision and Values statement attests to our commitment to nurturing a school environment where students are respected, their voices are heard and they feel safe. This policy gives expression to these commitments and to the College's steadfast resolve to provide a safe and secure environment for students.

Purpose and Scope

This policy outlines OLMC's policy commitments and procedures for keeping students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations where College activities occur.

This policy takes into account relevant legislative requirements within the state of Victoria (see page 6), including the specific requirements of the Victorian Child Safe Standards as set out in Ministerial Order No. 870.

This policy applies to school staff, including school employees, volunteers, contractors, clergy and College Council members.

Principles

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our College works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on student safety and protection.
- All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers.
- All adults in our College, including teaching and non-teaching staff, clergy, volunteers, contractors and College Council members, have a responsibility to care for students, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- OLMC's policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and young people. They also demonstrate compliance with legislative requirements and cooperation with the Church, governments, the police and human services agencies.

- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, clergy, volunteers, contractors, College Council members, parents and students should feel free to raise concerns about student safety, knowing these will be taken seriously by the College Leadership Team, or a member thereof. Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

Definitions

Child

A child or a young person enrolled as a student at the school.

Child abuse

This includes:

- (a) any act committed against a child involving:
 - (i) a sexual offence
 - (ii) an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- (b) the infliction, on a child, of:
 - (i) physical violence
 - (ii) serious emotional or psychological harm
- (c) serious neglect of a child.

Child neglect

Child neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk.

Child physical abuse

Child physical abuse generally consists of any non-accidental infliction of physical violence on a child by any person.

Child sexual abuse

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force.

Emotional child abuse

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence.

Child protection

Statutory services designed to protect children who are at risk of serious harm.

Child safety

Encompasses 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 incidents or allegations of child abuse.

Grooming

Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later date. It can include communication and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

Mandatory reporting

The legal requirement under the *Children, Youth and Families Act 2005 (Vic.)* to protect children from harm relating to physical and sexual abuse. The principal, teachers, medical practitioners and nurses at a school are mandatory reporters under this Act.

Reasonable belief

When school staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds

School environment

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- (a) a campus of the school
- (b) online school environments (including email and intranet systems)
- (c) other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events).

School staff

School staff means an individual working in a school environment who is:

- (a) directly engaged or employed by a school governing authority
- (b) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)
- (c) a minister of religion.

Policy Commitments

Our commitment to students

- (a) We commit to the safety and wellbeing of all students enrolled at OLMC.
- (b) We commit to providing students with positive and nurturing experiences.
- (c) We commit to listening to students and empowering them by taking their views seriously, and addressing any concerns that they raise with us.
- (d) We commit to taking action to ensure that students are protected from abuse or harm.
- (e) We commit to teaching students the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- (f) We commit to seeking input and feedback from students regarding the creation of a safe school environment.

Our commitment to parents and carers

- (a) We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their daughter(s).
- (b) We commit to engaging with, and listening to, the views of parents and carers about our child-safety policies and procedures.
- (c) We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of our students.
- (d) We commit to acknowledging the cultural diversity of students and families and being sensitive to how this may impact on student safety issues.

- (e) We commit to continuously reviewing and improving our systems to protect students from abuse.

**Our commitment to school staff
(inclusive of school employees, volunteers, contractors, clergy and College Council members)**

- (a) We commit to providing staff with regular opportunities to clarify and confirm policy and procedures in relation to safety and wellbeing. This will include annual training in the principles and intent of this policy and our Child Safety Code of Conduct, along with staff responsibilities to report concerns.
- (b) We commit to listening to all concerns voiced by staff about keeping students safe from harm.
- (c) We commit to providing opportunities for staff to receive formal debriefing and counselling arising from incidents of the abuse of a student.

Responsibilities

Everyone employed or volunteering at OLMC has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students are at the forefront of all they do and every decision they make.

The College Leadership Team will:

- create an environment for students to be safe and to feel safe
- uphold high principles and standards for all staff, clergy, volunteers, contractors and Council members
- promote models of behaviour between adults and students based on mutual respect and consideration
- ensure thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensure that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- provide regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to student protection and wellbeing
- ensure the College meets the specific requirements of the Victorian Child Safe Standards as set out in Ministerial Order No. 870
- ensure the school takes specific action to protect children from abuse in line with the three new criminal offences introduced under the Crimes Act 1958 (Vic.) and in line with the DET guidelines, *PROTECT: Identifying and responding to all forms of abuse in Victorian schools*.

Staff (employees, volunteers, contractors, clergy and Council members) will:

- treat students with dignity and respect, acting with propriety, providing a duty of care and protecting students in their care
- follow the legislative and internal College processes in the course of their work, if they form a reasonable belief that a student has been or is being abused or neglected
- provide a physically and psychologically safe environment where the wellbeing of students is nurtured
- undertake regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of students
- assist students to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- follow the school's Child Safety Code of Conduct.

Organisational Arrangements

Child Safety Code of Conduct

All staff are familiar with and are regularly reminded of the important role they play in the protection of students. They are expected to uphold the *OLMC Child Safety Code of Conduct* and the *Mercy Education Ltd & OLMC Code of Conduct for Staff and Volunteers*.

Student safety and participation

At OLMC, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them. We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, or the concerns that parents or carers, raise with us.

Reporting and responding

OLMC's *Child Protection Reporting Obligations Policy* was updated in July 2016. It sets out the actions required under the relevant legislation when there is a reasonable belief that a student is in need of protection or a criminal offence has been committed, and it provides guidance and procedures on how to make a report. The College also has an established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

Our complaints and disclosure processes are also outlined in the other College policies:

- *OLMC Complaints Resolutions Policy*
- *Mercy Education Ltd & OLMC Privacy Policy*.

Screening and recruitment of staff

When recruiting and selecting employees, contractors and volunteers and involved in student-connected work, OLMC makes all reasonable efforts to:

- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children and young people
- obtain references that address the applicant's suitability for the job and working with children and young people.

The College has processes for monitoring and assessing the continuing suitability of school staff to work with students, including regular reviews of the status of Working with Children Checks and staff professional registration requirements such as Victorian Institute of Teaching (VIT) registration.

Child safety – education and training for staff

At OLMC we provide staff with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of abuse and neglect. Training also includes an annual online training session, via Mercy Education Ltd, about child safety legislation and staff members' reporting obligations.

Risk management

At OLMC we document, implement, monitor and periodically review our risk management strategies for student safety and ensure that the strategies change as needed and as new risks arise. These reviews are conducted by the College Leadership Team.

Relevant Legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Working with Children Act 2005* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Crimes Act 1958* (Vic.)

NOTE: In 2014, three new criminal offences were introduced under the *Crimes Act 1958*:

- a) **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- b) **Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- i) **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this policy, OLMC may start the process under clause 13 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA) for managing employment concerns. This may result in disciplinary consequences.

Where the **Principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact Mercy Education Ltd. Relevant notification should also be made to Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Where any **other member of the College community** is suspected of breaching any obligation, duty or responsibility within this policy, the College will take appropriate action in accordance with the College policies listed below and/or via contact with Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Review of this Child Safety Policy

At OLMC we are committed to continuous improvement of our student safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is effective. It will be updated to accommodate changes in legislation or circumstance and we will maintain a history of updates to the policy.

Related Policies

OLMC College Policies

- Child Protection Reporting Obligations
- Safeguarding Children and Young People Code of Conduct
- Mercy Education Ltd & OLMC Code of Conduct for Staff and Volunteers

- Counselling Services Policy
- Employment Practices Policy
- Mercy Education Ltd & OLMC Privacy Policy
- Student Acceptable Use of Digital Technologies Policy
- Student Anti Bullying Policy
- Student Behaviour Management Policy
- Student Wellbeing Policy
- Interstate and Overseas Excursions Policy
- Staff Acceptable Use of Digital Technologies Policy
- Staff Responsible Use of Social Media Policy
- Visitors on Campus Policy

Catholic Education Melbourne Policies

- Policy 2.2: Guidelines Relating to the Employment of Staff (currently under review)
- Policy 2.19: Child Protection – Reporting Obligations
- Policy 2.19a: School Guidelines –Police and DHHS Interview Protocols

Government Resources

Department of Education 2016, PROTECT: *Identifying and responding to all forms of abuse in Victorian schools.*

State of Victoria 2016, *Child Safe Standards – Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.

Revised: April 2017
Approval Authority: College Leadership Team
Person Responsible: Head of Student Wellbeing
Review Date: April 2018