Child Safety Policy

This policy has been formulated in response to a draft exemplar distributed and required by the Catholic Education Commission of Victoria (CECV). There is acknowledgment that the format is different to other policies ratified at Trinity College Colac.

All Trinity College Colac policies will be read and developed with reference to the Core Values, Vision and Mission of the College as well as any other relevant College policies.

SCRIPTURAL CONTEXT

ˈThen he took a child and had him stand in front of them. He put his arms around him and said to them,

Whoever welcomes in my name one of these children, welcomes me;

and whoever welcomes me,

welcomes not only me but also the one who sent me.ʼ

(Mark 9:36-37)

Contents

1.   Introduction

At Trinity College Colac we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. Our commitment is drawn from and inherent in the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel (CECV Commitment Statement to Child Safety).

> The person of each individual human being, in his or her material and spiritual needs, is at the heart of Christ's teaching: that is why the promotion of the human person is the goal of the Catholic school (Congregation for Catholic Education 1997, n. 9).

2.   Purpose of the Policy

The purpose of this policy is to demonstrate the strong commitment of Trinity College Colac to the care, safety and wellbeing of all students at our school. It provides an outline of the policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

This policy takes into account relevant legislative requirements within the state of Victoria, 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 and clergy.

3.   Principles

Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, their voices are heard and they are safe and feel safe (CECV Commitment Statement to Child Safety).

The following principles underpin our commitment to child safety at Trinity College Colac:

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.

- Our school 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 child 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 school, including teaching and non-teaching staff, clergy, volunteers, and contractors, have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.

- The 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 children and young people.

- Policies and practices 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, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by school leadership.

- 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.

4. Definitions used in this Policy

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

Child abuse 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. (Ministerial Order No. 870)

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. (Ministerial Order No. 870)

Child neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk. (PROTECT*: Identifying and responding to all forms of abuse in Victorian schools*)

Child physical abuse: Generally, consists of any non-accidental infliction of physical violence on a child by any person. (PROTECT*: Identifying and responding to all forms of abuse in Victorian schools*)

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. (PROTECT*: Identifying and responding to all forms of abuse in Victorian schools*)

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence. (PROTECT*: Identifying and responding to all forms of abuse in Victorian schools)*

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. (PROTECT*: Identifying and responding to all forms of abuse in Victorian schools*)

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. (PROTECT: Identifying and responding to all forms of abuse in Victorian schools)

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. (PROTECT: Identifying and responding to all forms of abuse in Victorian schools)

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). (Ministerial Order No. 870)

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. (Ministerial Order No. 870)

5.   Policy Commitments

All students enrolled at Trinity College Colac have the right to feel safe and be safe. The wellbeing of children in our care will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Our commitment to our students
(a) We commit to the safety and wellbeing of all children and young people enrolled in our school.
(b) We commit to providing children and young people with positive and nurturing experiences.
(c) We commit to listening to children and young people 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 children and young people are protected from abuse or harm.
(e) We commit to teaching children and young people 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 children.

(b) We commit to engaging with, and listening to, the views of parents and carers about our child-safety practice, policies and procedures.

(c) We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.

(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 children from abuse.

Our commitment to our school staff (school employees, volunteers, contractors and clergy)

(a) We commit to providing all Trinity College Colac staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.

(b) We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and young people's protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.

(c) We commit to listening to all concerns voiced by Trinity College Colac staff, clergy, volunteers, and contractors about keeping children and young people safe from harm.

(d) We commit to providing opportunities for Trinity College Colac school employees, volunteers, contractors and clergy to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

6.   Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Trinity College Colac 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 is at the forefront of all they do and every decision they make. (CECV Commitment Statement to Child Safety)

The school has allocated roles and responsibilities for child safety as follows.

6.1   Guide to Responsibilities of School Leadership

The principal, the school governing authority and school leaders at Trinity College Colac recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children and young people to be safe and to feel safe
- upholding high principles and standards for all staff, clergy, volunteers, and contractors
- promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff

- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in Ministerial Order No. 870.
- ensuring 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 PROTECT*: Identifying and responding to all forms of abuse in Victorian schools*.

6.2   Guide to Responsibilities of School Staff

Responsibilities of school staff (school employees, volunteers, contractors and clergy) include:

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

6.3   Organisational Arrangements

The Trinity College Compliance Officer, assisted by the Deputy Principal, has been appointed as Child Safety Officer with specific responsibility for responding to any complaints made by staff, volunteers, parents or students in relation to Child Safety and ensure that the correct policies and procedures are followed.

7.   Expectation of our School Staff – Child Safety Code of Conduct

At Trinity College Colac community, we expect school employees, volunteers, contractors and clergy to proactively ensure the safety of students at all times and to take appropriate action if there are concerns about the safety of any child at the school. All school staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. We have developed a Child Safety Code of Conduct which recognises the critical role that school staff play in protecting the students in our care and establishes clear expectations of school employees, volunteers, contractors and clergy for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

Our Code also protects school staff through clarification of acceptable and unacceptable behaviour.

8.   Student Safety and Participation

At Trinity College Colac, 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 their parents or carers, raise with us.

9.   Reporting and Responding

Our school records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct and stores the records in accordance with security and privacy requirements. Our school complies with legal obligations that relate to managing the risk of child abuse under the *Children, Youth and Families Act 2005* (Vic.), the *Crimes Act 1958* (Vic.) and the recommendations of the *Betrayal of Trust* report.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements.

Our school's **Child Protection – Reporting Policy** updated on 13th September 2016, sets out the actions required under the relevant legislation when there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been committed and provides guidance and procedures on how to make a report.

Our policy assists staff, volunteers and families to:

• identify the indicators of a child or young person who may be in need of protection
• understand how a 'reasonable belief' is formed
• make a report of a child or young person who may be in need of protection
• comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

Our school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

Child Safe Procedures

The school's Compliance Officer and Deputy Principal are nominated as Child Safety Protection Officers (CPOs). Their role is to ensure that the correct policies and procedures are followed should a concern ever be raised. Any person, whether an employee, a volunteer, a parent or a student, should contact the CPOs if they are concerned about the safety of any student.

An email address has been be set up for confidential reports to be made to the Child Protection Officers: safety@tcc.vic.edu.au

Processes will be put in place to support any staff member who is required to make a mandatory report. The Principal must be informed about the need to make the report and the Principal, Deputy

Principal, Director of Students or the Wellbeing Officers will support and empower staff to make a report to DHHS Child Protection, Victoria Police or a referral to Child FIRST.

Our complaints and disclosure processes are outlined and detailed in the following policies and procedures:

- Grievance and Complaints Procedures
- Pastoral Care Policy

In addition, the College Principal will follow the reporting requirements of the Victorian Reportable Conduct Scheme as established by the Child Wellbeing and Safety Act 2005.

10. Screening and Recruitment of School Staff

Trinity College Colac will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. Our commitment to child safety and our screening requirements are included in all advertisements for such employee, contractor and volunteer positions, and all applicants are provided with copies of the school's Child Safety Code of Conduct and the Child Safety Policy.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make 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
- obtain references that address the applicant's suitability for the job and working with children.

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

11. Child Safety – Education and Training for School Staff

Trinity College Colac provides employees, volunteers and clergy 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 child abuse and neglect.

All staff are required to sign the Child Safe Code of Conduct each year. In addition, staff are required to complete the Mandatory Report Obligations and eLearning Module every year.

12. Risk Management

At Trinity College Colac, we are committed to proactively and systematically identifying and assessing risks to student safety across our whole school environment and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

13. 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.)
- *Privacy Act 1988* (Cth)
- *Crimes Act 1958* (Vic.) – Three new criminal offences have been introduced under this Act:

    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.

14. Related Policies

14.1 BDSAC and Catholic Education of Ballarat Policies
- BDSAC Child Protection Policy
- BDSAC Protocol Managing Allegations of Abuse 2016
- Contact Record Template – Appendix A
- Mandatory Reporting Advice for Ballarat Schools is now contained in the Catholic Education Melbourne Policy
  Policy 2.19: Child Protection – Reporting Obligations
- CEOB Police and DHHS Interview Protocols 2017

14.2 Diocese of Ballarat Policies
- Diocesan Code of Conduct for Caring for Children
- Diocesan Professional Standards Policy Statement
- Safeguarding Children and Vulnerable Adults Policy
- Seeking Support Cards

14.3 School Policies
- Staff Anti-Harassment and Anti-Bullying Policy
- Pastoral Care Policy (Student Wellbeing)
- Child Safe Reporting Procedure
- Safe School/Harassment Procedures for Students
- Staff Grievance Resolution Procedure
- Staff Code of Conduct 2016
- Child Safe Policy, CEOB, 2016, 4.1.xii.2

15.   Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, the Trinity College Principal (or delegate) may start the process under clause 13 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA) (or the latest version of the Agreement) 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 the governing authority. Relevant notification should also be made to Catholic Education Ballarat, for referral to the appropriate office.

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with: Child Protection – Reporting Obligations, Complaints Resolution Policy and/or contact Catholic Education Ballarat, for referral to the appropriate office.

16.   Review of this Child Safety Policy

At Trinity College Colac, we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

Ratified	9th October 2018
Board Chairperson	Anne Ditty
Date of next review	July 2019

17.   References

Catholic Education Commission of Victoria Ltd (CECV) 2016, *Commitment Statement to Child Safety: A safe and nurturing culture for all children and young people in Catholic schools*.

Catholic Education Commission of Victoria Ltd (CECV) 2013, *Victorian Catholic Education Multi Enterprise Agreement 2013*, CECV.

Congregation for Catholic Education 1997, *The Catholic School on the Threshold of the Third Millennium*, Vatican.

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.

Parliament of Victoria, Family and Community Development Committee, 2013, *Betrayal of Trust* Victorian Reportable Conduct Scheme, https://ccyp.vic.gov.au/reportable-conduct-scheme/for-organisations/

Victorian Catholic Education Multi Enterprise Agreement 2013 (VCEMEA)