



ST PATRICK'S COLLEGE BALLARAT

CHILD SAFE POLICY,
INCORPORATING THE CHILD SAFE CODE OF CONDUCT

CURRENT AS AT 20 JANUARY 2017

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CHILD SAFE POLICY

RATIONALE

St Patrick's College (**the College**) is a Catholic school in the Edmund Rice tradition. A member of the Edmund Rice Education Australia (**EREA**) network of schools the College holds the care, safety and wellbeing of children and young people as a central and fundamental responsibility.

Central to the mission of the College is an unequivocal commitment to fostering the dignity, self-esteem and integrity of children and young people and providing them with a safe, supportive and enriching environment to develop spiritually, physically, intellectually, emotionally and socially.

PURPOSE OF THE POLICY

This policy demonstrates the strong commitment of the College to the care, safety and wellbeing of all children within our College community. It provides an outline of the policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse in the College environment, on campus, online and in other locations provided by the College.

This policy is in accord with the EREA Charter and Touchstones. 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 all College staff, including employees, clergy, Board members, volunteers and contractors.

In support of this policy and its commitment to child safety, the College has adopted the *EREA Commitment Statement to Child Safety*. A copy of the *EREA Commitment Statement to Child Safety* is available [here](#).

PRINCIPLES

The College, as a Catholic school in the Edmund Rice tradition, has a moral, legal and mission-driven responsibility to create a nurturing school environment where children and young people are respected, their voices are heard and they are safe and feel safe.

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

1. All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
2. The 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 child safety and protection.
3. All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers.
4. All adults in the College, including teaching and non-teaching staff, clergy, Board members, 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.
5. 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.

6. Policies and practices demonstrate compliance with legislative requirements and cooperation with the Church, EREA, governments, the police and human services agencies.
7. All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
8. Staff, clergy, volunteers, contractors, Board members, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by College leadership.
9. 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 College.

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:
 - (iii) physical violence
 - (iv) serious emotional or psychological harm
- (c) serious neglect of a child

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.

Child neglect: the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.

Child physical abuse: generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour.

Child protection: statutory services designed to protect children who are at risk of serious harm.

Child sexual abuse: any sexual activity between a child under the age of consent (16) and an adult or older person (a person five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them; the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated

- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors, or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between consenting adolescents at a similar developmental level is not considered abuse.

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

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

College staff means an individual working in the College environment who is:

- (a) directly engaged or employed by EREA or the College
- (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.

Mandatory reporting: the legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.

Reasonable belief: when 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.

POLICY COMMITMENT

All students enrolled at the College have the right to feel safe and be safe. The wellbeing of children in the College's care will always be the first priority and the College does not and will not tolerate child abuse. The College aims 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.

The College's commitment to our students

- (a) We commit to the safety and wellbeing of all children and young people enrolled in the College.
- (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 environment.

The College's 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.

The College's commitment to College staff (employees, volunteers, contractors, Board members and clergy)

- (a) We commit to providing College 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 Safe Policy and Child Safe Code of Conduct, and staff responsibilities to report concerns.
- (c) We commit to listening to all concerns voiced by College staff, clergy, Board members, volunteers and contractors about keeping children and young people safe from harm.
- (d) We commit to providing opportunities for College employees, clergy, Board members, volunteers and contractors to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

RESPONSIBILITIES AND ORGANISATIONAL ARRANGEMENTS

Everyone employed or volunteering at the College 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.

The College has allocated roles and responsibilities for child safety as follows:

Guide to Responsibilities of School Leadership

The Headmaster, EREA and College leaders 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, Board members, 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 College 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.

Guide to Responsibilities of College Staff

Responsibilities of College staff (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 EREA Code of Conduct and the College's Child Safe Code of Conduct.

Organisational Arrangements

The College enacts this commitment to child safety through:

- appointment of a Child Safety Officer
- a budget allocation to enable regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- participation in the Diocesan child protection network
- use of the College website and newsletter (the Crest) to remind and to keep parents and carers informed of child safety commitments, procedures and arrangements

CHILD SAFE CODE OF CONDUCT

At the College, we expect College employees, clergy, Board members, volunteers and contractors 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 College. All College staff must remain familiar with the relevant laws, the EREA Code of Conduct, the Child Safe Code of

Conduct, and policies and procedures in relation to child protection and to comply with all requirements.

The College has developed a Child Safe Code of Conduct, to complement the EREA Code of Conduct, which recognises the critical role that College staff play in protecting students and establishes clear expectations of College employees, clergy, Board members, volunteers and contractors for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

The Child Safe Code of Conduct also protects College staff through clarification of acceptable and unacceptable behaviour.

STUDENT SAFETY PARTICIPATION

At the College, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

Through the implementation of the *Keeping Safe* curriculum, the College is committed to teaching students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. The College listens to and acts on any concerns students, or their parents or carers, raise.

REPORTING AND RESPONDING

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

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

The College has adopted the PROTECT resources, including *Identifying and Responding to All Forms of Abuse in Victorian Schools* and associated processes, published jointly by the Department of Education and Training and the Catholic Education Commission of Victoria. The PROTECT resources adopted by the College are available [here](#).

The College requires all College staff (employees, clergy, Board members, volunteers and contractor) to understand and abide by the professional, moral and legal obligations to implement child protection and child safety policies, protocols and practices outlined in the PROTECT resources.

The College processes, embedded in the PROTECT practices, set out the actions required under the relevant legislation when there is a reasonable belief that a child at the College is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

This approach 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 legal obligations relating to criminal child abuse and grooming under criminal law.

The College's **Child Safety Officer** plays an essential role in ensuring that the College is a child safe school.

Staff and volunteers with concerns about the wellbeing and/or safety of a student can seek advice from the Child Safety Officer and/or the Headmaster, who can assist you to make a report. If your concern is about the Child Safety Officer's or Headmaster's conduct, you can speak to the Executive Director of EREA or to the Catholic Education Office Ballarat Child Safety Officer.

Parents and Carers with concerns about the wellbeing and/or safety of a student, can speak to the Child Safety Officer or the Headmaster, who can assist you to decide if it is necessary to make a report. If your concern is about the Child Safety Officer's or Headmaster's conduct, you can speak to the Executive Director of EREA or to the Catholic Education Office Ballarat Child Safety Officer.

SCREENING AND RECRUITMENT OF SCHOOL STAFF

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

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, the College has adopted the CECV *Guidelines on the Employment of Staff in Catholic Schools*, which includes a checklist aligned with the Child Safe Standards. A copy of the CECV *Guidelines on the Employment of Staff in Catholic Schools* is available [here](#).

The College 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
- obtain references that address the applicant's suitability for the job and working with children.

The College has 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.

EDUCATION AND TRAINING FOR COLLEGE STAFF

The College 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.

Staff Induction specifically includes:

- familiarisation with this Child Safe Policy and its many implications

- familiarisation with and a signed commitment to the College Child Safe Code of Conduct
- familiarisation with and a signed commitment to the EREA Code of Conduct
- training about child protection reporting obligations, protocols for receiving/recording complaints
- training and familiarisation around the College's policies, codes, practices, and procedures governing child safety and child-connected work
- understanding of supervision arrangements that are in place for all staff who engage in child-connected work

Staff Professional Learning provides opportunities for staff (and where appropriate, clergy, Board members, contractors and volunteers) to:

- maintain, develop and improve skills and capabilities around child safety, including relevant legislative requirements
- develop understanding of the risk of harm to children; the different types of harm; and how to identify grooming and abuse
- understand and build confidence around their reporting obligations complete the annual online mandatory reporting module

RISK MANAGEMENT

The College is 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. The College documents, implements, monitors and periodically reviews risk management strategies for child safety and ensure the strategies change as needed and as new risks arise.

The College will enact this commitment through:

- child safety as a standing item on meeting agendas, as appropriate, through the College
- periodic and systematic review of the Child Safe Risk Register
- rigorous risk assessment of all new activities

RELATED 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)

BREACH OF POLICY

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

Where the **Headmaster** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Executive Director of EREA. Relevant notification should also be made to the Director of Catholic Education, Diocese of Ballarat.

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the Headmaster is to make the necessary reports or to seek advice from EREA and/or the Catholic Education Office Ballarat.

REVIEW OF THIS CHILD SAFE POLICY

At the College we are committed to continuous improvement of our child safety systems and practices. The College 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.

The College will maintain a history of updates to the policy.

HISTORY OF UPDATES TO POLICY

Date	Comment on Updates to Policy

CHILD SAFE CODE OF CONDUCT

INTRODUCTION

St Patrick's College (**the College**) is a Catholic school in the Edmund Rice tradition. A member of the Edmund Rice Education Australia (**EREA**) network of schools the College holds the care, safety and wellbeing of children and young people as a central and fundamental responsibility.

Central to the mission of the College is an unequivocal commitment to fostering the dignity, self-esteem and integrity of children and young people and providing them with a safe, supportive and enriching environment to develop spiritually, physically, intellectually, emotionally and socially.

PURPOSE

This Child Safe Code of Conduct has a specific focus on safeguarding children and young people at the College against sexual, physical, psychological and emotional abuse or neglect. It is intended to complement other professional and/or occupational codes, including the EREA Code of Conduct and the VIT Code of Conduct.

All staff, volunteers, contractors, clergy and Board members at the College are expected to actively contribute to a culture that respects the dignity of its members and affirms the Gospel values of love, care for others, compassion and justice. All staff, volunteers, contractors, clergy and Board members are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

ACCEPTABLE BEHAVIOURS

All staff, volunteers, contractors, clergy and Board members are responsible for supporting the safety of children by:

- adhering to the College's Child Safe Policy at all times
- taking all reasonable steps to protect children from abuse
- treating everyone in the College community with respect (modelling positive and respectful relationships and acting in a manner that sustains a safe, educational and pastoral environment)
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child have been abused or that they are worried about their safety/the safety of another child
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children (for example, by never questioning an Aboriginal and Torres Strait Islander child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance policy towards discrimination)
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)
- ensuring as far as practicable that adults are not alone with a child
- reporting any allegations of child abuse to the College's Child Safety Officer
- understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the *Crimes Act 1958* (Vic)
- reporting any child safety concerns to the College's Child Safety Officer

- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe.

UNACCEPTABLE BEHAVIOURS

All staff, volunteers, contractors, clergy and Board members must not:

- ignore or disregard any suspected or disclosed child abuse
- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example, inappropriate sitting on laps)
- put children at risk of abuse (for example, by locking doors)
- initiate unnecessary physical contact with children or do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- photograph or video a child without the consent of the parent or guardians
- work with children while under the influence of alcohol or illegal drugs
- consume alcohol or drugs at the College or at College events in the presence of children
- without the Headmaster's or Child Safety Officer's knowledge and/or consent or EREA's approval:
 - have contact with a child or their family outside of the College (for example, unauthorised after-hours tutoring, private instrumental/other lessons or sport coaching); accidental contact, such as seeing people in the street, is appropriate
 - have any online contact with a child (including by social media, email, instant messaging etc) or their family (unless necessary ie. by providing families with eNewsletters, assisting students with their school work or by appropriate contact through College sanctioned online portals)
 - use any personal communication channels/device such as a personal email account to contact a child or their family
 - exchange personal contact details such as phone number, social networking sites or personal email addresses with a child or their family

CHILD SAFE ACKNOWLEDGEMENT

I, (insert name), confirm that I have been made aware that St Patrick's College is committed to child protection. I have read and understood this Child Safe Policy and the Child Safe Code of Conduct and I am committed to my responsibilities and obligations.

Signature

Date