



## CHILD PROTECTION AND SAFETY POLICY

### 1.0 INTRODUCTION

'...the promotion of the human person is the goal of the Catholic school.'

*The Catholic School on the Threshold of the Third Millennium, par. 9*

Protection for children and young people is based upon the belief that each person is made in the image and likeness of God and that the inherent dignity of all should be recognised and fostered.

The Catholic Education Office in the Diocese of Sale is committed to complying with Ministerial Order 870 and following the Victorian Child Safe Standards. An embedded culturally driven approach to child protection and safety means that protecting children from abuse is evident in the everyday thinking and practice of leaders, staff and volunteers.

CEOSale staff have a duty of care to children within the schools they service and children who attend Sion House. Staff fulfil this duty by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in risk of harm or injury to a child.

Under the *National Framework for Protecting Australia's Children 2009–2020*, protecting children is everyone's responsibility – parents, communities, governments and business all have a role to play.

In Victoria, a joint protocol, *Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools*, involving the Victorian Department of Education and Training (DET), the Catholic Education Commission of Victoria Ltd (CECV) and Independent Schools Victoria (ISV) exists to protect the safety and wellbeing of children and young people. DET has also produced *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* and *Responding to Suspected Child Abuse: A Template for all Victorian Schools*, both of which are referred to in the joint protocol. All staff of CEOSale, volunteers, contractors, consultants and visitors to Sion House must understand and abide by the professional, moral and legal obligations to maintain the safety of children at all times.

Within this protocol, acting in the best interests of the child includes:

- reporting to Child Protection all allegations or disclosures of physical abuse, sexual abuse, emotional abuse and neglect
- reporting to Child Protection when a belief is formed that a child has been harmed or is at risk of being harmed
- making the child's ongoing safety and wellbeing the primary focus of decision-making
- sharing appropriate information, expertise and resources with other service providers supporting the child

- protecting and promoting the cultural and spiritual identity of a child and maintaining their connection to their family or community of origin
- enabling the child and the child's family to access appropriate services in order to reduce the long-term effects of abuse or neglect.

## 2.0 PURPOSE

CEOSale is committed to child protection strategies and procedures to ensure the care, safety and protection of all children in the Diocese.

This policy is intended to provide guidance for maximising the safety and protection of children within the Diocese of Sale.

The policy sets out the procedures to be followed to ensure that prompt, professional, sensitive and appropriate action is taken by staff at CEOSale.

## 3.0 PRINCIPLES

In the best interests of the child, the child protection strategies and procedures to be followed are based on the following principles:

- 3.1 Every child and young person has a right to be safe.
- 3.2 CEOSale has a zero tolerance of child abuse and is committed to acting in children's best interests and keeping them safe from harm.
- 3.3 Take into account the diversity of all children, including (but not limited to);
  - the needs of Aboriginal and/or Torres Strait Islander children
  - the needs of children with culturally and/or linguistically diverse backgrounds
  - the needs of children with a disability.
- 3.4 The CEOSale office environment is expected to be safe, supportive, inclusive and empowering.
- 3.5 The office community is dedicated to the protection and safety of all children and young people as reflected in [CECV Commitment to Child Safety](#).
- 3.6 CEOSale staff has a responsibility to care for children and to promote their safety, protection and wellbeing.
- 3.7 All children have the right to a thorough and systematic education in all aspects of personal safety in partnership with their parents/guardians/caregivers and teachers.
- 3.8 In any dealings regarding safety, the dignity, protection and wellbeing of students involved shall be maintained and respected.
- 3.9 CEOSale is required to ensure that all staff adhere to legislation and policies with respect to child protection and reporting protocols when visiting and in communication with schools.

- 3.10** 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.
- 3.11** All work related electronic communication will be conducted only on devices issued by CEOSale and using CEOSale accounts.
- 3.12** CEOSale staff has a responsibility of reporting to the Director of Catholic Education when a reasonable belief is formed that a child has been harmed or is at risk of being harmed

## **4.0 DEFINITIONS**

- 4.1 Bullying:** Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying may involve cyberbullying, which refers to bullying through information and communication technologies. Conflict or fights between equals and single incidents are not defined as bullying. (Safe Schools Hub, 2015)
- 4.2 Child Abuse:** Any non-accidental behaviour by parents, caregivers, other adults or older adolescents that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a child or young person. Such behaviours may be intentional or unintentional and can include acts of omission (i.e. neglect) and commission (i.e. abuse). Child abuse is commonly divided into five main subtypes: physical abuse; emotional maltreatment; neglect; sexual abuse; and the witnessing of family violence. (Safe Schools Hub, 2015)
- 4.3 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. This can be:
- physical neglect, i.e. lack of safety, cleanliness, adequate clothing, housing, food and health care;
  - emotional neglect, i.e. a lack of caregiver warmth, nurturance, encouragement and support;
  - educational neglect, i.e. failure to provide appropriate educational opportunities for the child; and
  - environmental neglect, i.e. failure to ensure environmental safety, opportunities and resources. (Safe Schools Hub, 2015)
- 4.4 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. (Safe Schools Hub, 2015)
- 4.5 Child Protection:** Statutory services designed to protect children who are at risk of serious harm. (Safe Schools Hub, 2015)
- 4.6 Child Safety:** The term Child Safety includes all forms of physical, sexual, emotional, psychological harm and neglect.

- 4.7 Child Sexual Abuse:** Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. 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 (e.g. a teacher). 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 is always sexual abuse 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 (e.g. a 14-year-old and an 11-year-old), 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 adolescents at a similar developmental level is not considered abuse. (Safe Schools Hub, 2015)
- 4.8 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. (Safe Schools Hub, 2015)
- 4.9 Reportable Allegation:** Information that leads a person to form a reasonable belief that an employee has committed reportable conduct or misconduct involving a child, whether or not the allegation has occurred within the course of the person's employment.
- 4.10 Reportable Conduct:** A sexual offence, sexual misconduct or act of physical violence directed against, with or in the presence of, a child. Also any behaviour that is likely to cause significant emotional or psychological harm or significant neglect.
- 4.11 Reasonable Belief:** A reasonable belief is more than a suspicion. There must be some objective basis for the belief. However, it is not the same as having proof and does not require certainty.

## 5.0 PROCEDURES

- 5.1** All CEOSale staff will be familiar with [Child Safe Standards](#) and establish and embed a Child Safe awareness within their procedures and workplace systems.
- 5.2** All CEOSale staff who form reasonable belief regarding the sexual, physical, psychological and emotional abuse or neglect of a child will respond according to Mandatory Reporting and Reportable Conduct Scheme obligations, legislation and policies.
- 5.3** When an allegation of misconduct is directed against a CEOSale staff member, the CEOSale Professional Standards Officer and The Director of Catholic Education should be immediately informed. The reporting person(s) must also ensure the immediate safety of the child.
- 5.4** Allegations of abuse directed against any clergy or members of religious institutes should be reported to Victoria Police and the Bishop of the Diocese, via the Director of Catholic Education and the Professional Standards Officer. The reporting person(s) must also fulfill other relevant requirements to ensure the immediate safety of the child, i.e. inform DHS or Child First.

- 5.5** All CEOSale staff will receive induction and ongoing professional learning in relation to child safety, protection and reporting policies, procedures and protocols, inclusive of mandatory reporting, on an annual and ongoing basis.
- 5.6** All CEOSale staff, volunteers, contractors, consultants and visitors will accept and adhere to the CEOSale Code of Conduct.

## **6.0 EXPECTED OUTCOMES**

- 6.1** All CEOSale staff will report child safety issues and reportable allegations in line with legislated reporting obligations.
- 6.2** CEOSale staff will work respectfully and collaboratively with families, communities and school personnel.
- 6.3** All CEOSale staff will actively seek to remain informed of child safety and protection and are expected to be self-aware and adhere to their professional and legal obligations and responsibilities.
- 6.4** All allegations will receive a prompt response and be clearly documented.
- 6.5** Reportable misconduct will be referred to the Director of Catholic Education and Professional Standards Officer within 3 business days of forming a reasonable belief.

## **7.0 REFERENCES**

[Children Legislation Amendment \(Reportable Conduct\) Act 2017 \(Vic.\)](#)

*Children, Youth and Families Act 2005 (Vic.)*

*Working with Children Act 2005 (Vic.)*

*Child Wellbeing and Safety Act 2005 (Vic.)*

*The Charter of Human Rights and Responsibilities Act 2006 (Vic.)*

*Enhancing Online Safety for Children Act 2015 (Cth)*

*Family Law Act 1975 (Cth)*

*The Commission for Children and Young People Act 2012*

Catholic Education Commission Victoria (CECV) Child Safety

<http://www.cecv.catholic.edu.au/Our-Schools/Child-Safety>

*Protecting Children is Everyone's Business: National Framework for Protecting Australia's Children 2009–2020.* Commonwealth of Australia (2009).

*A Guide for Creating a Child Safe Organisation.* Commission for Children and Young People (2015).

<http://www.cryp.vic.gov.au>

*The Catholic School on the Threshold of the Third Millennium.* Congregation for Catholic Education (1998)

*Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools.* DET (2016).

[http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5\\_SchoolsGuide.pdf](http://www.education.vic.gov.au/Documents/about/programs/health/protect/ChildSafeStandard5_SchoolsGuide.pdf)

*National Safe Schools Framework*. Student Wellbeing Hub, Australian Government Department of Education and Training.  
<https://studentwellbeinghub.edu.au/educators/national-safe-schools-framework/>

## **8.0 RELATED POLICIES**

Code of Conduct (CEOSale Staff Policy)

## **9.0 REVIEW**

**Implementation Date:** June 2015  
**Revised Date:** February 2017; June 2017;  
**Review Date:** February 2019