CHILD PROTECTION AND SAFETY POLICY

Mary MacKillop Primary School
July 2016

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.

Catholic schools are entrusted, in partnership with parents/guardians/caregivers who are the primary educators of their children, with the total education of the child. Catholic school staff therefore have a duty of care to students during school operating hours and at other times when a staff/student relationship exists. Staff fulfil this duty by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in harm or injury to the student.

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, involving the Department of Health and Human Services (DHS) Child Protection, the Department of Education and Training (DET), licensed children's services and Victorian schools, including Catholic schools, exists to protect the safety and wellbeing of children and young people.

For the purposes of this joint 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

Mary MacKillop Primary School is committed to child protection strategies and procedures to ensure the care, safety and protection of all children in Catholic schools in the Diocese.

This document is to provide guidance on developing policies and procedures to maximise the safety and protection of students in Catholic schools within the Diocese of Sale.

The document sets out the procedures to be followed to ensure that prompt, professional, sensitive and appropriate action is taken by staff in Catholic schools and in the 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   The school environment is expected to safe, supportive, inclusive and empowering.

3.3   All staff in Catholic schools have a responsibility to care for children and to promote their safety, protection and wellbeing.

3.4   All children have the right to a thorough and systematic education in all aspects of personal safety in partnership with their parents/guardians/caregivers.

3.5   In any dealings regarding safety, the dignity, protection and wellbeing of students involved shall be maintained and respected.

3.6   Principals are required to ensure that all staff adhere to legislation and policies with respect to child protection.

3.7   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.

4.0   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 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)

4.7   **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)

5.0 PROCEDURES

5.1 All Catholic school staff who identify concerns regarding the sexual, physical, psychological and emotional abuse or neglect of a child must respond according to Mandatory Reporting, Grooming, Failure to Disclose and Failure to Protect legislation and policies.

5.2 When an allegation is directed against school employees (teachers, administrative staff, grounds staff or any other staff member), the Mary MacKillop Complaints Resolution Policy is to be followed.

5.3 Allegations directed against any clergy or members of religious institutes should be reported to police and the Bishop of the Diocese, via the Director of Catholic Education (as a member of the Professional Standards Committee). The reporting person(s) must also fulfill other relevant requirements, i.e. mandatory reporting.

5.4 The Principal shall ensure that staff receive induction and ongoing professional learning in relation to the child safety and protection policies and procedures, inclusive of mandatory reporting, on an annual and ongoing basis.

5.5 The Principal shall ensure the school's pastoral care structures reflect all child safety and protection policies and procedures.

6.0 EXPECTED OUTCOMES

6.1 School community members will work respectfully and collaboratively with families and communities.

6.2 **Catholic education employees are informed of child safety and protection and are expected to be self-aware and adhere to their professional obligations and responsibilities.**

6.3 **All allegations will receive a prompt response and be clearly documented.**

7.0 REFERENCES

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

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

Protecting the Safety and Wellbeing of Children and Young People (2010), A Joint Protocol of the Department of Human Services Child Protection, Department of Education and Early Childhood Development, Licensed Children's Services and Victorian Schools.

Safe Schools Hub (2015), National Safe Schools Framework, Glossary, online, http://safeschoolshub.edu.au/resources-and-help/Glossary. Retrieved July 2015.

8.0 RELATED POLICIES

Pastoral Care Policy
Protection of Children – Grooming Policy
Protection of Children – Failure to Disclose Policy
Protection of Children – Failure to Protect Policy

9.0 REVIEW

Draft Review: July 2016

Implementation Date: August 2016

Review Date: August 2017