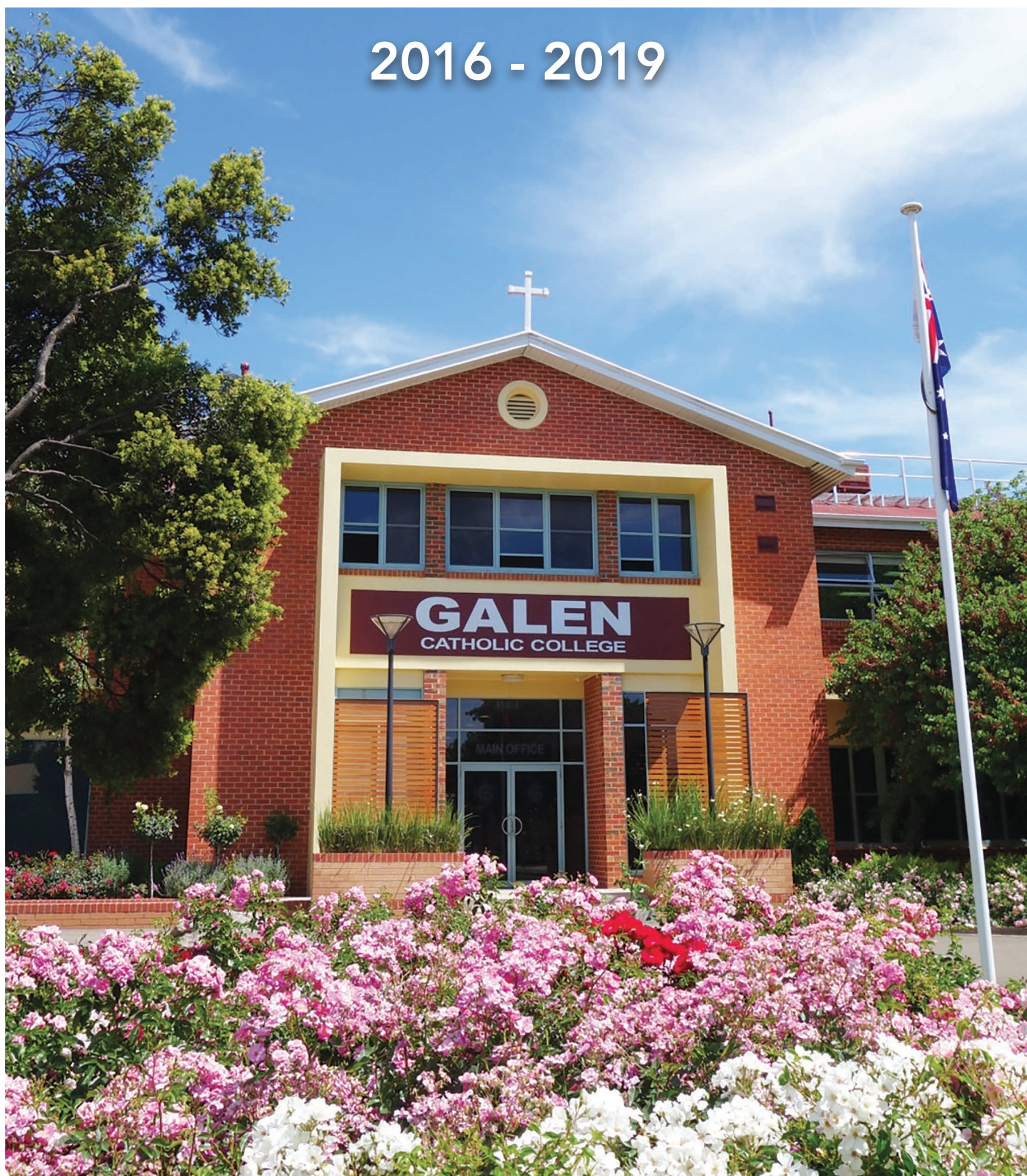




Galen Catholic College

Child Safe Policies

2016 - 2019





CHILD SAFE POLICY

Rationale

This policy was written to demonstrate the strong commitment of the whole school community of Galen Catholic College leaders, staff, volunteers, students, their families, to child safety and to provide an outline of the policies and procedures developed to keep everyone safe from harm, including all forms of abuse.

Policy Statement

COMMITMENT TO CHILD SAFETY

All students enrolled, and any child visiting, have a right to feel safe and be safe. The wellbeing of children in our care will always be our first priority and we have zero tolerance to child abuse. We aim to create a child safe and child friendly environment where children feel safe and are free to enjoy life to the full without any concern for their safety.

Galen Catholic College Vision Statements

Galen Catholic College is a nurturing community, where Faith and Integrity are at the core of our aspirations.

Galen Catholic College strives to;

- Create a faith-centred and hope-filled community inspired by the teachings of Jesus.
- Provide quality education that challenges, supports and empowers students to explore and reach their full potential.
- Foster an inclusive and safe environment.
- Build authentic partnerships between school, parents and carers and the wider community.

Implementation

CHILDREN'S RIGHTS TO SAFETY AND PARTICIPATION

The staff and volunteers of Galen Catholic College encourage students to express their views. We listen to their suggestions especially on matters that directly affect them. 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. We listen to and act on any concerns students, or their parents or carers, raise with us.

*Please refer to **EMPOWERMENT AND PARTICIPATION POLICY***

VALUING DIVERSITY AND INCLUSION

We value and celebrate diversity, especially cultural diversity, and we do not tolerate discriminatory practices.

To achieve this we:

- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students and their families
- promote the cultural safety, participation and empowerment from culturally and/or linguistically diverse backgrounds (CALD) and their families
- promote the personal safety, participation and empowerment of students with a disability and make them feel welcome and part of all aspects of school life

RECRUITING STAFF AND VOLUNTEERS

Galen Catholic College will apply the most thorough and rigorous standards in the recruitment and screening of staff and volunteers. We interview and conduct referee checks on all staff and volunteers and require police checks and Working With Children Checks (WWCC) for all staff and volunteers. Our commitment to Child Safety and our screening requirements are included in all advertisements for staff and volunteer positions.

*Please refer to **RECRUITMENT POLICY & PROCEDURES***

SUPPORTING STAFF AND VOLUNTEERS

Galen Catholic College provides support and supervision to all staff and volunteers so people feel valued, respected, affirmed in their work and fairly treated. We have a Code of Conduct to provide guidance to our staff and volunteers, all of whom receive training on the requirements of the Code.

*Please refer to **CHILD SAFE STANDARDS - CODE OF CONDUCT***

REPORTING A CHILD SAFETY CONCERN OR COMPLAINT

Our school records any child safety complaints, disclosures or breaches of the Code of Conduct, and store the records in accordance with security and privacy requirements. Our complaints and disclosure processes are outlined and detailed in the following policies and procedures

- *Child Safe Reporting and Responding Policy & Procedure (include Disclosure of Abuse or Harm Procedure)*
- *Complaints & Grievances Policy & Complaints Handling procedures (existing – to be reviewed)*

Galen Catholic College has appointed two Child Safety Officers (Wellbeing Leader & Deputy Principal – Staff & Students) with specific responsibility for responding to any complaints made by staff, volunteers, parents or students in relation to Child Safety.

RISK MANAGEMENT

Risk management is an approach that minimises the potential for child abuse or harm to occur. Our Risk Management Plan, which includes a flow chart of all Excursion/Incursion outlines and details all aspects of risk across our whole school environment with specific activity risk assessments. In addition to our general Occupational Health and Safety (OH&S) risks, we proactively manage risks of abuse and harm to our students.

Review

This policy is reviewed every three years and we undertake to seek feedback from students, parents, carers, staff and volunteers.

This document shall be reviewed within three years of the date of issue.

Principal: Bernard Neal

Signature:

Date: June 2016



CHILD SAFETY CODE OF CONDUCT

Safeguarding Children and Young People

Central to the mission of Galen Catholic College is an unequivocal commitment to fostering and 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.

All staff and volunteers of Galen Catholic College 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 and board/school council members are responsible for supporting the safety of children by:

- Adhering to the school's child safe policy and upholding the school's statement of commitment to child safety at all times
- Taking all reasonable steps to protect children from abuse
- Treating everyone in the school community with respect
- Listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has 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 of 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 school's leadership (or safety officer if the school has appointed someone to the role)
- Understanding and complying with all reporting obligations as they relate to mandatory reporting and reporting under the Crimes Act 1958
- Reporting any child safety concerns to the school's leadership (or child safety officer if the school has appointed someone to this role)
- If an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe.

Unacceptable behaviours

Staff and volunteers must not:

- Ignore or disregard any suspected or disclosed child abuse
- Develop any 'special' relationships with students 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 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.
- Have contact with a child or their family outside of school without the school's leadership or child safety officer's (if the school has appointed someone to this role) knowledge and/or consent or the school governing authority's approval (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 e.g. by providing families with e-newsletters or assisting students with their school work)
- Use any personal communication channels/devise such as personal email account
- Exchange personal contact details such as phone number, social networking sites or email addresses
- Photograph or video a child without the consent of the parent or guardians
- Work with children whilst under the influence of alcohol or illegal drugs
- Consume alcohol or drugs at school or school events in the presence of children.

I, _____, confirm I have been provided with a copy of the above Code of Conduct.

Signed: _____

Date: _____



CHILD PROTECTION: FAILURE TO DISCLOSE

Rationale

The dignity of the human person, who is created in the image and likeness of God, is the foundation of Catholic Social Teaching. This Catholic anthropology leads us to afford all people, but especially children, young people and the most vulnerable, the highest respect. Within this context, effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children and young people are essential preconditions for successful learning. These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

Galen Catholic College is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Galen Catholic College believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

Policy Statement

This policy applies to the whole school community in supporting safe environments for all children and young people.

The obligations of 'failure to disclose' are separate from, and in addition to, Mandatory Reporting obligations.

Its purpose concerns the new criminal offence under the Victorian Crimes Act, commencing 27 October 2014, 'failure to disclose, which provides that:

- a. **all adults** who form 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. an adult will not be guilty of the offence if they have a **reasonable excuse** for not disclosing the information. A reasonable excuse includes:
 - fear for safety,
 - where the information has already been disclosed.

Note: It is a **reasonable excuse** to not disclose where a person believes on reasonable grounds that the information has already been disclosed to police and they have no further information to report; for example, where the person has already made a report under the mandatory reporting obligation specified in the *Children, Youth and Families Act 2005*.

This obligation requires teachers, doctors and other professionals to report concerns about child welfare to child protection authorities within the Department of Health and Human Services (DHHS).

Under the existing mandatory reporting system, DHHS already passes on all allegations of child sexual abuse to police, so it will be a reasonable excuse for not reporting to police if a person has made a report to DHHS or reasonably believes a report has been made to DHHS. This ensures that people are not required to make multiple reports to different agencies.

A person **does not have a reasonable excuse** for failing to disclose sexual abuse if they are only concerned for the perceived interests of the perpetrator or any organisation. 'Perceived interests' includes reputation, legal liability or financial status.

Galen Catholic College Vision Statements

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- Build authentic partnerships between school, parents and carers and the wider community.

Key Principles & Definitions

KEY PRINCIPLES

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.
- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation's culture and responsibility for taking action is understood and accepted at all levels of the organisation.

DEFINITIONS

Child and Young Person

For the purposes of this offence, a child is a person under the age of 16 years. A young person is any person who comes under or may come under the care, supervision or authority of the school.

Reasonable belief

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' is not the same as having proof.

Sexual abuse

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

Implementation

This policy applies to the whole school community in supporting safe environments for all children and young people.

- It applies to all adults in the school community to ensure they understand this responsibility (distinct from that of Mandatory Reporting) in protecting the safety and wellbeing of children and young people under the age of 16 in accordance with the Crimes Act 1958 (Vic).
- This policy and its requirements will be communicated annually to all staff and the wider school community
- This policy and its requirements will be communicated to new staff during induction
- Senior students will be educated of their obligations to disclose once they are over eighteen years of age
- School staff will be trained in personal safety and the identification of possible sexual abuse
- Prompt and full responses to any allegations will be undertaken promptly, with well documented records retained securely and confidentially

RELATED DOCUMENTATION

This policy should be read in conjunction with the other policies and procedures of Galen Catholic College concerned with Child Safety and Pastoral Wellbeing:

- *Charter of Sandhurst School Improvement*
- Child Protection and Safety Policy
- Child Protection – Mandatory Reporting Policy
- Child Protection – Failure to Protect Policy
- Child Protection – Grooming Policy
- Child Protection – Working with Children Policy

REFERENCES

- Crimes Amendment (Protection of Children) Act 2014, online, http://www.austlii.edu.au/au/legis/vic/num_act/caoca201436o2014417
- Children, Youth and Families Act (Vic) 2005
- DEECD and DHS 2010, *Protecting the Safety and Wellbeing of Children and Young People, 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.*
- Victorian Parliamentary Inquiry into the Handling of Child Sexual Abuse by Religious and Other Non-Government Organisations, Final Report, *Betrayal of Trust*, November 2013.
- Integrity in the Service of the Church, online, <https://www.catholic.org.au/documents/1345-integrity-in-service-of-the-church-1>

Review

This policy is to be reviewed at least every three years

Principal: Bernard Neal

Signature:

Date: June 2016



CHILD PROTECTION: FAILURE TO PROTECT

Rationale

The dignity of the human person, who is created in the image and likeness of God, is the foundation of Catholic Social Teaching. This Catholic anthropology leads us to afford all people, but especially children, young people and the most vulnerable, the highest respect. Within this context, effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children and young people are essential preconditions for successful learning. These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

Galen Catholic College is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Galen Catholic College believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

Policy Statement

This policy applies to the whole school community in supporting safe environments for all children and young people.

It concerns the new criminal offence under the Victorian Crimes Act, introduced in 2014, of '*failure to protect*', which provides that a person who:

- a. **by reason of the position the person occupies** within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person of or over the age of 18 years who is associated with the relevant organisation; and
- b. knows that there is a substantial risk that the person will commit a sexual offence against a relevant child – must not negligently fail to reduce or remove that risk.

Note: In determining whether an offence of 'failure to protect' has taken place it is not necessary to prove that a sexual offence was committed.

The offence applies only to **adults in a position of authority** within an organisation, including roles such as, but not limited to, canonical administrators, principals, school leaders, business managers.

This policy is enacted to sustain child safe schools, to inform all those occupying such positions are aware that they may be subject to the criminal offence of 'failure to protect' if they negligently fail to reduce or remove risks to children associated with that organisation, and to provide guidance in fulfilling their responsibilities.

Galen Catholic College Vision Statements

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- Foster an inclusive and safe environment.
- Build authentic partnerships between school, parents and carers and the wider community.

Key Principles & Definitions

KEY PRINCIPLES

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.
- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation's culture and responsibility for taking action is understood and accepted at all levels of the organisation.

DEFINITIONS

Child and Young Person

A child is legally defined as a person under the age of 16 years. A young person is any person who comes under or may come under the care, supervision or authority of the school.

Person in authority

A person in authority is someone who, by reason of their position within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a child under the age of 16 years, who is under their care, supervision or authority, may become the victim of sexual abuse committed by an adult associated with the organisation. The role may be a formal, management role but may also apply to less formal roles such as a volunteer coach for a sports team.

Reasonable belief

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' is not the same as having proof.

Sexual abuse

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

Implementation

This policy applies to the community of Galen Catholic College in supporting a safe environment for all children and young people.

It applies to all persons in positions of authority, to understand their role and responsibility on protecting the safety and wellbeing of children and young people.

The successful implementation of this policy will result in Galen Catholic College having integrated the following into its policies, procedures, practices, and routines:

- This policy and its requirements will be communicated annually to the leadership team and school board
- This policy and its requirements will be communicated to new leaders during induction
- Prompt and full responses to any allegations will be undertaken, with well documented records retained securely and confidentially

RELATED DOCUMENTATION

This policy should be read in conjunction with the other policies and procedures of Galen Catholic College concerned with Child Safety and Pastoral Wellbeing:

- *Charter of Sandhurst School Improvement*
- Child Protection and Safety Policy
- Child Protection – Mandatory Reporting Policy
- Child protection – Working With Children Checks Policy
- Child Protection – Failure to Disclose Policy
- Child Protection – Grooming Policy
- Catholic Education Sandhurst *Information for Schools – Child Safe Organisations*

REFERENCES

- Crimes Amendment (Protection of Children) Act 2014, online, http://www.austlii.edu.au/au/legis/vic/num_act/caoca201436o2014417
- Children, Youth and Families Act (Vic) 2005
- Victorian Parliamentary Inquiry into the Handling of Child Sexual Abuse by Religious and Other Non-Government Organisations, Final Report, *Betrayal of Trust*, November 2013.
- Integrity in the Service of the Church, online, <https://www.catholic.org.au/documents/1345-integrity-in-service-of-the-church-1>

Review

This policy is to be reviewed at least every three years

Initially Ratified: June 2016

Next Review to be completed by: June 2019

Principal: Bernard Neal

Signature:

Date: June 2016



CHILD PROTECTION: GROOMING

Rationale

The dignity of the human person, who is created in the image and likeness of God, is the foundation of Catholic Social Teaching. This Catholic anthropology leads us to afford all people, but especially children, young people and the most vulnerable, the highest respect. Within this context, effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children and young people are essential preconditions for successful learning. These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

Galen Catholic College is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Galen Catholic College believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

Policy Statement

This policy applies to the whole school community in supporting a safe environment for all children and young people.

It concerns the *Crimes Act 1958 (Vic)* and the *Crimes Amendment (Grooming) Act 2014* which commenced in Victoria on 9 April 2014, introducing the offence of Grooming for sexual conduct with a child under the age of 16 years. The Crimes Amendment (Grooming) offence provides that the offence of grooming concerns:

- a. predatory conduct designed to facilitate later sexual activity with a child.
- b. an adult communicating, in person or electronically, by word or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult.
- c. sexual conduct which constitutes an indictable offence.

Note: Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example it may involve establishing a relationship with a child, parent or carer for the purpose of facilitating sexual activity at a later time.

The offence can be committed by any person aged 18 years and over. It does not apply to communication between people who are both under 18 years of age.

The offence applies to communication with children under 16 years, but not to communication with 16 and 17 year old children. This distinction between children aged below 16 and those aged 16 or 17 reflects the general age of consent (16 years) recognised by the criminal law in relation to sexual offences.

Galen Catholic College Vision Statements

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Key Principles & Definitions

KEY PRINCIPLES

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.
- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation's culture and responsibility for taking action is understood and accepted at all levels of the organisation.

DEFINITIONS

Child

A child is legally defined as a person under the age of 16 years.

Grooming

Grooming refers to predatory conduct undertaken to prepare a child for sexual activity at a later time. It may involve communication, in person or electronically, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct either with the groomer or another adult. There may be no sexual activity or even discussion of sexual activity. The sexual conduct must constitute an indictable sexual offence.

Indictable sexual offence

This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as up-skirting and indecent behaviour in public.

Note: The committing of these offences does not come under the definition of grooming, rather grooming is conduct in preparation of these offences.

Person in authority

A person in authority is someone who, by reason of their position within a relevant organisation, has the power or responsibility to reduce or remove a substantial risk that a child under the age of 16 years, who is under their care, supervision or authority, may become the victim of sexual abuse committed by an adult associated with the organisation. The role may be a formal, management role but may also apply to less formal roles such as a volunteer coach for a sports team.

Reasonable belief

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' is not the same as having proof.

Sexual abuse

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

Implementation

This policy applies to the whole school community in supporting a safe environment for all children and young people.

- It applies to all persons in positions of authority, care or supervision, all employees of the school, and where applicable students of 18 years or over to ensure they understand their role and responsibility in protecting the safety and wellbeing of children and young people under the age of 16 in accordance with the Crimes Act 1958 (Vic).
- It applies to any member of the school community aged 18 and over who becomes aware of grooming behaviour by a person aged 18 years or over, they should notify the police and/or the Principal immediately.
- Staff will be fully informed annually of and committed to their obligations and responsibilities to proactively protect children from abuse
- This policy and its requirements will be communicated annually to staff and the wider community
- This policy and its requirements will be communicated to new staff during induction
- School staff will be trained in personal safety and the identification of possible sexual abuse, including the recognition of 'grooming'
- Thorough and systematic education in personal safety including safety in relationships, provided for all children/young people
- Senior students will be educated of their obligations under 'Grooming' legislation once they are over eighteen years of age
- Prompt and full responses to any allegations will be undertaken promptly, with well documented records retained securely and confidentially
- Risks associated with 'Grooming' will be included, assessed and mitigated in its ongoing risk identification and management processes
- Under 'Failure to Protect' requirements, the Principal or others with authority or responsibility, will take action upon becoming aware of suspected grooming behaviour, regardless of the time or location of that behavior

RELATED DOCUMENTATION

This policy should be read in conjunction with the other policies and procedures of Galen Catholic College concerned with Child Safety and Pastoral Wellbeing:

- *Charter of Sandhurst School Improvement*
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REFERENCES

- Crimes Amendment (Protection of Children) Act 2014, online, http://www.austlii.edu.au/au/legis/vic/num_act/caoca201436o2014417
- Victorian Parliamentary Inquiry into the Handling of Child Sexual Abuse by Religious and Other Non-Government Organisations, Final Report, *Betrayal of Trust*, November 2013.

Review

This policy is to be reviewed at least every three years

Initially Ratified: June 2016

Next Review to be completed by: June 2019

Principal: Bernard Neal

Signature:

Date: June 2016



CHILD PROTECTION: MANDATORY REPORTING

Rationale

The dignity of the human person, who is created in the image and likeness of God, is the foundation of Catholic Social Teaching. This Catholic anthropology leads us to afford all people, but especially children, young people and the most vulnerable, the highest respect. Within this context, effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children and young people are essential preconditions for successful learning. These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

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Galen Catholic College believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

Policy Statement

This policy applies to the whole school community in supporting safe environments for all children and young people.

Its purpose concerns the Child Youth and Families Act (CYFA) 2005, in which mandated professionals are legally compelled to make a report to the Department of Health and Human Service (DHHS) Child Protection, as soon as practicable, if in the course of practicing their profession or carrying out their duties, they form a belief on reasonable grounds that a child or young person has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse, and the child's parents have not protected, or are unable or unwilling to protect the child.

In Victoria, mandated reporters are:

- Teachers registered to teach or who have permission to teach pursuant to the *Education and Training Reform Act 2006* (Vic)
- Principals of government and non-government schools
- Registered medical practitioners
- Nurses
- All members of the police force

Note: There may be times when two or more mandated professionals, for example a teacher and a principal, have formed a belief about the same child on the same occasion. In this situation it is sufficient that only one of the

mandated professionals make a report. The other is obliged to ensure that the report has been made and that all the grounds for their own belief were included in the report made by the other person

In the case where one mandated professional directs another mandated professional not to make a report, and one professional continues to hold the belief that a child is in need of protection, then that professional is legally obliged to make a report to Child Protection.

A mandated professional who **fails to report** a 'belief based on reasonable grounds that a child is in need of protection' because of physical or sexual abuse is liable to be prosecuted under s. 184(1), CYFA.

Note: There are also obligations for **ALL** Victorian adults under the 2014 'failure to disclose' amendments to the *Crimes Act* separate from, and in addition to, Mandatory Reporting obligations.

Confidentiality is provided for reporters in the CYFA (ss. 190 and 191), and prevents the disclosure of the name or any information likely to lead to the identification of a person who has made a report in accordance with the legislation except in very specific circumstances.

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Key Principles & Definitions

KEY PRINCIPLES

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.
- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation's culture and responsibility for taking action is understood and accepted at all levels of the organisation.

DEFINITIONS

Child

In relation to Mandatory Reporting the Child Youth and Families Act 2005 (s. 3) defines a child as a person who is under the age of 17 years or, if a protection order, a [child protection order](#) or an interim [order](#) continues in force in respect of him or her, a person who is under the age of 18 years

A child in need of therapeutic treatment is defined in the Children Youth and Families Act 2005 (s.244) as over the age of 10 and under the age of 15 and has exhibited sexually abusive behaviours.

Reasonable belief

A 'belief on reasonable grounds' is formed if a reasonable person in the same position would have formed the belief on the same grounds. (s. 184(4), CYFA)

For example, there may be reasonable grounds when:

- a child states that they have been physically or sexually abused
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)
- someone who knows the child states that the child has been physically or sexually abused
- professional observations of the child's behaviour or development leads the mandated professional to form a belief that the child has been abused or is likely to be abused
- signs of physical or sexual abuse leads to a belief that the child has been abused.

Physical abuse

Physical abuse consists of any non-accidental form or injury or serious physical harm inflicted on a child or young person by any person. Physical abuse can include beating, shaking, burning and assault with implements. Physical abuse can also include female genital mutilation (FGM).

Sexual abuse

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, including physical activity and/or exposure of the child to pornography.

Implementation

This policy applies to the whole school community in supporting a safe environment for all children and young people.

Reporting a belief

Galen College staff members, whether or not mandated, need to report their belief when the belief is formed in the course of undertaking their professional duties. A report must be made as soon as practicable after forming the belief and on each occasion on which they become aware of any further reasonable grounds for the belief. If one staff member has a different view from another staff member about making a report and the staff member continues to hold the belief that a child is in need of protection, that person is obliged to make a report to DHHS Child Protection.

Making a report to DHHS Child Protection

The CYFA allows for two types of reports to be made in relation to significant concerns for the safety or wellbeing of a child – a report to DHHS Child Protection or a referral to Child FIRST. A report to DHHS Child Protection should be considered if, after taking into account all of the available information, the staff member forms a view that the child or young person is in need of protection because:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's safety, stability or development
- the child's parents cannot or will not protect the child or young person from harm.

Where during the course of carrying out their normal duties, a Galen College staff member forms the belief on reasonable grounds that a child is in need of protection, the staff member must make a report to DHHS Child Protection regarding this belief and the reasonable grounds for it as soon as practicable.

Staff members of Galen College may form a professional judgement or belief, in the course of undertaking their professional duties based on:

- warning signs or indicators of harm that have been observed or inferred from information about the child
- legal requirements, such as mandatory reporting
- knowledge of child and adolescent development
- consultation with colleagues and other professionals
- professional obligations and duty-of-care responsibilities
- established protocols
- internal policies and procedures in an individual licensed children's service or school.

Upon receipt of a report, DHHS Child Protection may seek further information, usually from professionals who may also be involved with the child or family, to determine whether further action is required.

In most circumstances, DHHS Child Protection will inform the reporter of the outcome of the report. When the report is classified by DHHS Child Protection as a Wellbeing Report, Child Protection will, in turn, make a referral to Child FIRST.

Any person who is registered as a teacher under the Education and Training Reform Act 2006, or any person who has been granted permission to teach under that Act, including principals, is mandated to make a report to DHHS Child Protection. In the course of undertaking their professional duties, mandated staff members are required to report their belief, when the belief is formed on reasonable grounds, that a child is in need of protection from significant harm as a result of sexual abuse or physical injury.

Teachers of Galen College are encouraged to discuss any concerns about the safety and wellbeing of students with the Deputy Principal (Staff & Students) or a member of the Wellbeing team. If the Deputy Principal (Staff & Students) or member of the Wellbeing team does not wish to make a mandatory report, this does not discharge the teacher's obligation to do so if they have formed a reasonable belief that abuse may have occurred. If the teacher's concerns continue, even after consultation with the Deputy Principal (Staff & Students) or member of the Wellbeing team, that teacher is still legally obliged to make a mandatory report of their concerns.

Information about the identity of a person making a report to DHHS Child Protection must be kept confidential unless the reporter consents to the disclosure of their identity. If the staff member wishes to remain anonymous, this information should be conveyed at the time that the reporter makes the mandatory report.

The role of Galen College staff

Galen College staff have a duty of care to protect and preserve the safety, health and wellbeing of children and young people in their care and staff must always act in the best interests of those children and young people. If a staff member has any concerns regarding the health, safety or wellbeing of a child or young person it is important to take immediate action.

Note: The role of investigating an allegation of child abuse rests solely with DHHS Child Protection and/or Victoria Police.

The roles and responsibilities of staff in supporting children and young people who are involved with DHHS Child Protection may include acting as a support person for students, attending Child Protection case plan meetings, observing and monitoring students' behaviour, and liaising with professionals.

Interviews at Victorian schools

DHHS Child Protection may conduct interviews of children and young people at Galen College without parental knowledge or consent. However, a child will be interviewed at a Victorian school only in exceptional circumstances and if it is in the child's best interests to proceed in this manner. Child Protection will notify the school of any intention to interview a child or young person. This may occur regardless of whether the school is the source of the report to Child Protection. When Child Protection practitioners arrive at the school, the principal or their nominee should ask to see their identification before allowing Child Protection to have access to the child or young person.

Support persons

Children and young people should be advised of their right to have a supportive adult present during interviews. If a child is too young to understand the significance of the interview, a staff member should make arrangements for a supportive adult to attend with the child. A staff member may be identified as a support person for the child or young person during the interview. Prior to the commencement of the interview, the Child Protection practitioner should always authorise the Galen College staff member to receive information regarding Child Protection's investigation. This may occur verbally or in writing using the relevant Child Protection proforma. Independent persons must refrain from providing their opinions or accounts of events during interviews. A principal or their delegate may act as an independent person when the child or young person is to be interviewed, unless they believe that doing so will create a conflict of interest.

Advising parents, carers or guardians

Galen College staff do not require the permission of parents, carers or guardians to make a report to DHHS Child Protection, nor are they required to tell parents, carers or guardians that they have done so. It is the responsibility of DHHS to advise the parents, carers or guardians of the interview at the earliest possible opportunity. This should occur either before, or by the time the child arrives home

Ensuring that a DHHS Child Protection interview takes place

Galen College does not have the power to prevent parents, carers or guardians from removing their children from the school and should not attempt to prevent the parents, carers or guardians from collecting the child. If a parent/carer or guardian removes a child before a planned interview has taken place, the principal and/or their nominee should contact DHHS Child Protection or Victoria Police immediately.

- This policy is communicated to staff each year, and during induction of new staff.
- Galen College staff undertake training each year on mandatory via the eLearning module. Evidence of this will be maintained each year. Evidence of this is retained each year for each staff member.
- In the event that a teacher or other staff members forms a view that a child may be at risk of harm, that staff member is obliged to ensure an appropriate report is made. Staff are encouraged to advise the Deputy Principal – Staff & Students (Pat Arcuri) that a report is to be made or has been made, or to seek support in making the report.
- Staff making a mandated report should keep appropriate records, including times and dates, of what had led to that report and the report itself.
- Staff making a report are also encouraged to advise the Deputy Principal – Staff & Students (Pat Arcuri) that the report has been made.

RELATED DOCUMENTATION

This policy should be read in conjunction with the other policies and procedures of Galen Catholic College concerned with Child Safety and Pastoral Wellbeing:

- *Charter of Sandhurst School Improvement*
- Child Protection and Safety Policy
- Child Protection – Mandatory Reporting Policy
- Child protection – Working With Children Checks Policy
- Child Protection – Failure to Disclose Policy
- Child Protection – Grooming Policy
- Catholic Education Sandhurst *Information for Schools – Child Safe Organisations*

REFERENCES

- Children, Youth and Families Act (Vic) 2005

- DEECD and DHS 2010, *Protecting the Safety and Wellbeing of Children and Young People, 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.*

Review

This policy is to be reviewed at least every three years

Initially Ratified: June 2016

Next Review to be completed by: June 2019

Principal: Bernard Neal

Signature:

Date: June 2016



CHILD PROTECTION: WORKING WITH CHILDREN CHECKS

Rationale

The dignity of the human person, who is created in the image and likeness of God, is the foundation of Catholic Social Teaching. This Catholic anthropology leads us to afford all people, but especially children, young people and the most vulnerable, the highest respect. Within this context, effective Catholic schools provide a safe, supportive and secure environment that promotes respect and care and values diversity. The mental, physical, spiritual and emotional wellbeing of children and young people are essential preconditions for successful learning. These qualities cannot be developed for individuals in isolation from the health and wellbeing of the school community as a whole.

Galen Catholic College is committed to the creation of a safe, just and respectful environment that supports wellness for all members of the school community. In this, there is a moral obligation and shared responsibility to protect the most vulnerable members of the community.

Galen Catholic College believes that, while protecting children and young people against sexual abuse is a community wide responsibility, schools have particular moral and legal responsibilities to ensure children and young people are safe in their care and to actively and intentionally work to eliminate all forms of abusive behaviours towards children. There are also particular moral and legal obligations for those in authority to prevent, reduce and minimise child abuse and exploitation in all forms.

Policy Statement

This policy applies to whole school community in supporting safe environments for all children and young people.

It concerns the responsibilities of schools in complying with the provisions of the Victorian *Working with Children Act 2005*, which was enacted to assist in protecting [children](#) from sexual or physical harm by ensuring that people who [work](#) with, or care for, them are subject to a screening process. [*Working With Children Act 2005*, s.1(1)]

- A Working with Children Check (WWCC) is required of most people involved in twenty occupational fields of child-related work as paid workers or volunteers - where that work is not directly supervised by someone with an appropriate check:
- Current members of the Victorian Institute of Teaching are exempt from requiring a WWCC as they already undergo a similar regular check
- Clergy and those performing duties of a religious vocation are specifically identified as requiring checks. A school will need to see the WWCC for these people as well, including the Parish Priest
- Sporting clubs also fall within these twenty occupational fields. Schools should consider how they will ensure associated sporting clubs manage their responsibilities
- A check is required of people working in schools, including employees, volunteers and self-employed persons, as well as officers of a body corporate, members of committees of management, and persons

involved in practical training, e.g. student teachers. There are some exceptions to this requirement, and schools must ensure these are understood and incorporated into their procedures and practices

While staff are responsible for obtaining their own check, each School must ensure valid checks are held by all those requiring one.

This also means that each school must ensure all teaching staff maintain their registrations with the *Victorian Institute of Teaching* and makes it even more critical that the school maintains ongoing records of this.

Volunteers who work with children will also require a WWCC, unless they are exempt.

NOTE: A Working with Children Check is a minimum requirement of a school's Duty of Care – it provides evidence that a person has not been found guilty of sexual abuse. It does not endorse any person as being suitable to work with children. Systematic and rigorous screening processes also need to be undertaken in every school to reduce as much as possible the risk of harm to any student.

Galen Catholic College Vision Statements

Galen Catholic College is a nurturing community, where Faith and Integrity are at the core of our aspirations.

Galen Catholic College strives to;

- Create a faith-centred and hope-filled community inspired by the teachings of Jesus.
- Provide quality education that challenges, supports and empowers students to explore and reach their full potential.
- Foster an inclusive and safe environment.
- Build authentic partnerships between school, parents and carers and the wider community.

Key Principles & Definitions

KEY PRINCIPLES

- A safe environment is required to protect children and young people from harm and to prevent staff from abusing their position of authority and trust.
- The child and young person's ongoing safety and wellbeing must be the primary focus of all decision making.
- School leaders and staff must be fully self-aware of, and comply with, their professional obligations and responsibilities.
- The commitment to protecting children is embedded in the organisation's culture and responsibility for taking action is understood and accepted at all levels of the organisation.

DEFINITIONS

For the purposes of the **Working with Children Act 2005**:

- **Children** are those under the age of 18 years
- **Child related work** is work involved in one of the occupational fields listed in the Act, and that "usually involves direct contact with a child and that contact is not directly supervised by another person."

Note: “Work is not child-related work by reason only of occasional direct contact with children that is incidental to the work.”

- **Direct contact** is any contact between a person and a child that involves:
 - physical contact, or
 - face to face oral communication
- **Direct supervision** is supervision of a person’s contact with children rather than of their work in general. Supervising another person’s contact with children must be personal and immediate but can include a brief absence such as taking a telephone call in another room.

Implementation

This policy applies to the whole school community in supporting safe environments for all children and young people.

The Principal of Galen Catholic College will ensure all relevant people have applied for the WWC assessment. All relevant staff, (includes all paid non-teaching staff, contractors, self-employed persons, volunteers and members of a committee/board) are responsible for obtaining their own check, but each school must ensure valid checks are held by all those person’s requiring one.

Following processes are in place to ensure compliance and up to date records of WWC checks are maintained:

- Copies of non-teaching staff WWCC assessment will be placed in their Personal File.
- The Assistant Business Manager will keep accurate and up to date records of all relevant staff, (includes all paid non-teaching staff, contractors, self-employed persons, volunteers and members of a committee/board) validity of WWC assessment. WWC records are kept in a secure online file, reviewed on a quarterly basis. Those who are exempt from a WWCC are included in this Register with appropriate notation
- All teachers must provide a copy of their current VIT registration card prior to commencing work
- No one without a WWCC or current VIT registration can work unsupervised with children. Teacher without current registration must immediately apply for a WWCC before they can be in the school, and cannot work as a teacher until registration is renewed.
- An up-to-date VIT Register for teachers, other staff, contractors, and volunteers is kept in a secure online file and maintained by the Assistant to the Principal
- Selection and appointment processes for staff and volunteers require submission of evidence and active assurance of VIT registration or WWCC prior to engagement
- The VIT and Department of Justice websites are checked each term to ensure all registrations and WWCCs continue to be current. For VIT registrations, this is undertaken at the commencement of the school year and in early October each year (when registrations are renewed)
- All staff are made aware each year (including during induction) of, understand and implement the school’s procedures in regard to volunteers and other persons, including the need for prior approval of such work by the designated member of the school’s leadership team

RELATED DOCUMENTATION

This policy should be read in conjunction with the other SSEB Policies and CEO resources concerned with Child Safety and Pastoral Wellbeing:

- *Charter of Sandhurst School Improvement*
- Catholic Education Sandhurst *Guidelines to Schools for Compliance with the Working With Children Act 2005*
- Child Protection and Safety Policy
- Child protection – Failure to Protect Policy
- Child Protection – Mandatory Reporting Policy
- Child Protection – Failure to Disclose Policy
- Child Protection – Grooming Policy

REFERENCES

- Working With Children Act (Vic) 2005
http://www.austlii.edu.au/au/legis/vic/consol_act/wwca2005232/
- Catholic Education Sandhurst Information for Schools – Child Safe Organisations

Review

This policy is to be reviewed at least every three years

Initially Ratified: June 2016

Next Review to be completed by: June 2019

Principal: Bernard Neal

Signature:

Date: June 2016