



Child Protection – Child Safety Policy

Rationale

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

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

Protection for children/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 with the holistic education of the child/young person, in partnership with parents, guardians and caregivers who are the primary educators of their children. Catholic school staff therefore have a duty of care to students 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 and to work for the positive wellbeing of the child/young person.

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, Protecting the safety and wellbeing of children/young people, involving the Department of Health and Human Services (DHHS) Child Protection, the Department of Education and Training (DET), the Catholic Education Commission of Victoria and licensed children's services, exists to protect the safety and wellbeing of children/young people. All teachers, other staff, parish priests, canonical and religious order administrators of Catholic schools within Victoria must understand and abide by the professional, moral and legal obligations to implement child protection and child safety policies, protocols and practices.

Mission

De La Salle College is a Catholic College in the Lasallian tradition, enabling students in a community of faith and excellence to achieve their full potential with integrity and distinction.

"The way you behave should be a model for those you teach."

St John Baptist de La Salle
(Med 178.1 – Feast of St Luke, evangelist)

Aim of the Policy

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

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 and the [Reportable Conduct Scheme](#).

This policy applies to school staff, including volunteers, contractors, clergy and board members.

Policy Statement

De La Salle College is committed to providing a nurturing school environment where children/young people are respected, their voices are heard and they are safe and feel safe.

Guidelines

The following principles underpin our commitment to child safety at De La Salle College:

- All students/young people deserve, as a fundamental right, safety and protection from all forms of abuse and neglect;
- Our school works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection;
- All students/young people have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers;
- All adults in our school, including teaching and non-teaching staff, clergy, volunteers, board members and contractors, have a responsibility to care for children/young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse;
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and children/young people;
- Policies and practices demonstrate compliance with legislative requirements and cooperation with the Church, governments, the police and human services agencies;
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect;
- Staff should feel free to raise concerns about child safety, knowing these will be taken seriously by school leadership;
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

Definitions used in this Policy

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

Child abuse includes:

- a) any act committed against a child/young person involving:
 - i. a sexual offence
 - ii. an offence under section 49B(2) of the **Crimes Act 1958** (grooming);
- b) the infliction, on a child/young person, of:
 - i. physical violence
 - ii. serious emotional or psychological harm;
- c) serious neglect of a child/young person. ([Ministerial Order No. 870](#)).

Child safety encompasses matters related to protecting all children/young people from child abuse, managing the risk of child abuse, providing support to a child/young person at risk of child abuse, and responding to incidents or allegations of child abuse as outlined in the [Reportable Conduct Scheme](#).

The failure by a parent or caregiver to provide a child/young person (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. ([Safe Schools Hub](#)).

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child/young person that results in harm to the child/young person. 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](#)).

Child protection: Statutory services designed to protect children/young people who are at risk of serious harm. ([Safe Schools Hub](#)).

Child sexual abuse: Any sexual activity between a student/young person and an adult or older person is child sexual abuse. Child sexual abuse can also be:

- any sexual behaviour between a child/young person 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/young person 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 (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child/young person and another child/young person 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](#)).

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](#)).

Reasonable belief: When staff are concerned about the safety and wellbeing of a child/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.

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child/young person during or outside school hours, including:

- a) a campus of the school;
- b) online school environments (including email and intranet systems);
- c) other locations provided by the school for a child/young person's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events). ([Ministerial Order No. 870](#)).

School **staff** means an individual working in a school environment who is:

- a) directly engaged or employed by a school governing authority;
- b) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary);
- c) a minister of religion. ([Ministerial Order No. 870](#)).

Policy Commitments

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

Our commitment to our students

- a) We commit to the safety and wellbeing of all children/young people enrolled in our school;
- b) We commit to providing children/young people with positive and nurturing experiences;
- c) We commit to listening to children/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/young people are protected from abuse or harm;
- e) We commit to teaching children/young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing;
- f) We commit to seeking input and feedback from students regarding the creation of a safe school environment.

Our commitment to parents and carers

- a) We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children;
- b) We commit to engaging with, and listening to, the views of parents and carers about our child-safety practice, policies and procedures;
- c) We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people;
- d) We commit to acknowledging the cultural diversity of students and families, and being sensitive to how this may impact on student safety issues;
- e) We commit to continuously reviewing and improving our systems to protect children from abuse.

Our commitment to our school staff

- a) We commit to providing all De La Salle 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 Protection – Child Safety Policy and Staff Code of Conduct, and staff responsibilities to report concerns;
- c) We commit to listening to all concerns voiced by De La Salle College staff about keeping children/young people safe from harm;
- d) We commit to providing opportunities for De La Salle College school employees 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 De La Salle 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/young people is at the forefront of all they do and every decision they make. ([CECV Commitment Statement to Child Safety](#)).

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

Guide to Responsibilities of School Leadership

The Principal, the school governing authority and school leaders at De La Salle College 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/young people to be safe and to feel safe;
- upholding high principles and standards for all staff;
- promoting models of behaviour between adults and children/young people based on mutual respect and consideration;
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff;
- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters;
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing;
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#) and the [Reportable Conduct Scheme](#).

Guide to Responsibilities of School Staff

Responsibilities of school staff include:

- treating children/young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children/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 following the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse including completion of templates for responding to Child Abuse and Suspected Student Sexual Offending;
- providing a physically and psychologically safe environment where the wellbeing of children/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/young people;
- assisting children/young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse;
- following the school's Staff Code of Conduct.

Organisational Arrangements

De La Salle College has created a Child Safety Team (CST) to embed the Child Safe Standards and monitor the implementation of these standards.

Membership

The Principal is responsible for assigning members to be part of the CST and for nominating the chair. The proposed Child Safety Team would consist of approximately 6 people made up of:

- An Executive Team Member;
- Teaching staff;
- Student Psychologist;
- College Chaplain;
- MMEC Representative.

The Deputy Principal – Students having ultimate responsibility for child safety as the Child Safety Officer.

Practice

The Child Safety Team will meet four times a year, once per term. Meetings will ensure the successful implementation of the College's child safe strategies, and might include:

- Details of staff training and parent education around child safety issues;
- Relevant policy development and implementation and issues arising from implementation;
- Cyclical policy reviews and updating;
- Report on any issues around employment/vetting of staff and volunteers;
- Implementation of College programs and activities to assist students to be child safe aware and pro-active in their own and other students' safety;
- A sensitive summary of child protection and staff compliance issues around being child safe in the College that maintain the strictest privacy of all concerned.

Expectation of our School Staff – Staff Code of Conduct

At De La Salle College community, we expect school employees, volunteers, contractors, board members and clergy to proactively ensure the safety of students at all times and to take appropriate action if there are concerns about the safety of any child at the school. All school staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. We have developed a [Child Safety Staff Code of Conduct](#), which recognises the critical role

that school staff play in protecting the students in our care and establishes clear expectations of school staff for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

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

Student Safety and Participation

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

We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, or their parents or carers, raise with us.

Reporting and Responding

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

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

Our school's *Child Protection Policy, Child Protection – Failure to Protect Policy and the Child Protection – Grooming Policy*, updated on 21st March, 2016 sets out the actions required under the relevant legislation when there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report following the Reportable Conduct Scheme.

Our policy assists staff, volunteers and families to:

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

Our school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student – Refer to flow chart in Appendix 1 and Templates - Appendices 2 – 5.

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

- Child Protection – Child Safety Policy
- Child Protection – Grooming Policy
- Child Protection – Failure to Protect Policy
- Pastoral Care Policy
- Anti-Bullying Policy – Students
- Critical Incident Management Policy
- Grievance Policy
- First Aid Policy
- Workplace Equal Opportunity Policy

Screening and Recruitment of School Staff

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

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we commit to obtaining the following:

- the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant);
- obtain proof of personal identity
- professional or other qualifications;
- verify the applicant's history of work involving children;
- obtain references that address the applicant's suitability for the position and working with children.

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

Child Safety – Education and Training for School Staff

De La Salle College provides staff 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.

Risk Management

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

Relevant Legislation

Children, Youth and Families Act 2005 (Vic.)

Education and Training Reform Act 2006 (Vic.)

Equal Opportunity Act 2010 (Vic.)

Reportable Conduct Scheme 2017

Privacy Act 1988 (Cth)

Working with Children Act 2005 (Vic.)

Crimes Act 1958 (Vic.) – Three new criminal offences have been introduced under this Act:

- a. **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- b. **Failure to protect offence:** The offence will apply where there is a substantial risk that a child/young person under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- c. **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, De La Salle College may start the process under clause 13 of the *Victorian Catholic Education Multi Enterprise Agreement 2013* (VCEMEA) for managing employment concerns. This may result in disciplinary consequences.

Where the **Principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the College Board and the De La Salle Professional Standards Officer. Relevant notification should also be made to Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with the Child Protection – Failure to Protect Policy and/or contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Review of this Child Safety Policy

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

We will maintain a history of updates to the policy.

Related Policies

Catholic Education Melbourne Policies

- Policy 2.2: Guidelines Relating to the Employment of Staff
- Policy 2.19: Child Protection – Reporting Obligations
- Policy 2.19a: School Guidelines –Police and DHHS Interview Protocols
- Policy 2.20: Misconduct Policy
- Policy 2.26: Pastoral Care of Students in Catholic Schools

College Policies

- Child Protection – Child Safety Policy 2017
- Child Protection Failure to Protect Policy 2017
- Child Protection Grooming Policy 2017
- Anti-Bullying Policy – Students 2016
- Critical Incident Management Policy
- First Aid Policy
- Grievance Policy 2016
- Pastoral Care Policy 2016

Approval

Responsible officer:	Deputy Principal – Students and Deputy Principal – Staff & Operations
Approval body:	College Executive
Approval date:	07.08.2017
Previous approval:	1 August 2016
Next scheduled review:	August 2020

References

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

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

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

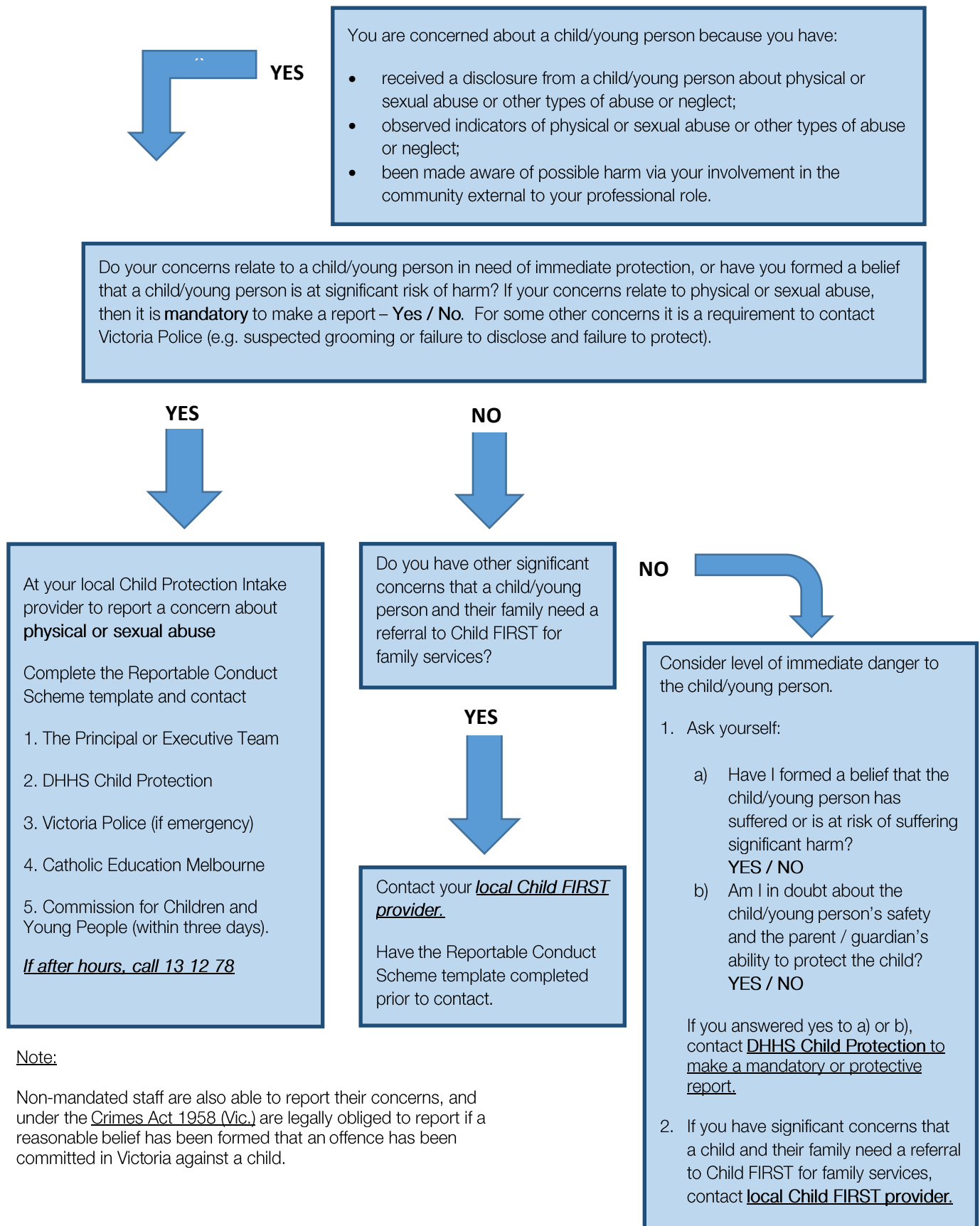
Safe Schools Hub 2014, *National Safe Schools Framework Glossary*, Australian Government Department of Education and Training.

State of Victoria 2016, *Child Safe Standards – Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.

Victorian Government Department of Justice 2016, *Betrayal of Trust Implementation*.

Victorian State Government Education and Training, Protect: [Reportable Conduct Scheme](#)

Appendix 1



Note:

Non-mandated staff are also able to report their concerns, and under the Crimes Act 1958 (Vic.) are legally obliged to report if a reasonable belief has been formed that an offence has been committed in Victoria against a child.

Appendix 2

Commission for Children and Young People Three Day Notification Template access [here](#).

Appendix 3

Commission for Children and Young People Form A: 30 Day Update Template access [here](#).

Appendix 4

Commission for Children and Young People Form B: Investigator Update access [here](#).

Appendix 5

Commission for Children and Young People Form C: Investigation Outcomes access [here](#).

Appendix 6

Commission for Children and Young People Form D: Update Form access [here](#).