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MacKillop Education

Child Safety Policy

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Child Safety Policy

1. Introduction

At MacKillop Education we hold the care, safety and wellbeing of children and 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

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 the Catholic school (Congregation for Catholic Education 1997, n. 9).

2. Purpose of the Policy

The purpose of this policy is to demonstrate the strong commitment of MacKillop Education to the care, safety and wellbeing of all students within our school and programs. 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 and in other locations within our education services.

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#).

This policy applies to education staff, including all education employees, volunteers, contractors and clergy.

3. Principles

Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, their voices are heard and they are safe and feel safe).

The following principles underpin our commitment to child safety at MacKillop Education:

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect. This is particularly so for the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability
- MacKillop Education Services 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 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 and programs, including teaching and non-teaching staff, clergy, volunteers, and contractors, have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and children and young people
- 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, clergy, volunteers, contractors, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by our leadership team
- 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. Definitions used in this Policy

Child: A child or a young person referred to MacKillop Education Services.

Child abuse includes:

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

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. ([Ministerial Order No. 870](#))

Child neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#))

Child physical abuse generally consists of any non-accidental infliction of physical violence on a child by any person. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)). Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#))



Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)). Exposure to family violence can take forms such as physical, emotional, intimidation, financial, social, sexual, spiritual or stalking.

Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later date. It can include communication and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#))

Mandatory Reporting: The legal requirement under the Children, Youth and Families Act 2005 (Vic.) to protect children from harm relating to physical and sexual abuse. The principal, teachers, medical practitioners and nurses at a school are mandatory reporters under this Act. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#))

Reasonable Belief: When school staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#))

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

- a) A campus of the school
- b) A care placement visited by outreach education staff
- c) Online school environments (including email and intranet systems)
- d) Other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events). ([Ministerial Order No. 870](#))

Education staff means an individual working in an education 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](#))
- d) an outreach worker or program employee



5. Policy Commitments

All students referred to MacKillop Education Services have the right to feel safe and be safe. The wellbeing of children 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 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.

5.1 Our Commitment to our Students

- a) We commit to the safety and wellbeing of all children and young people within our school and programs
- b) We commit to providing children and young people with positive and nurturing experiences
- c) We commit to listening to children and young people and empowering them by taking their views seriously, and addressing any concerns that they raise with us
- d) We commit to taking action to ensure that children and young people are protected from abuse or harm
- e) We commit to teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing
- f) We commit to seeking input and feedback from students regarding the creation of a safe learning environment

5.2 Our Commitment to Parents/Guardians

- a) We commit to communicating honestly and openly with parents/guardians about the wellbeing and safety of their children
- b) We commit to engaging with, and listening to, the views of parents/guardians about our child-safety practice, policies and procedures
- c) We commit to transparency in our decision-making with parents/guardians 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

5.3 Our Commitment to our Education Staff

(School and Education Program Employees, Volunteers, Contractors and Clergy)

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



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6. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at MacKillop Education has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make.

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MacKillop Education Services has allocated roles and responsibilities for child safety as follows.

6.1 Guide to Responsibilities of Education Leadership

The principal, the school governing authority and education leaders at MacKillop Education recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety.

Responsibilities include:

- Creating an environment for children and young people to be safe and to feel safe
- Upholding high principles and standards for all staff, clergy, volunteers, and contractors
- Promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- Ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- Ensuring that all staff 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](#)
- Ensuring the school takes specific action to protect children from abuse in line with the three new criminal offences introduced under the Crimes Act 1958 (Vic.) and in line with the [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)

6.2 Guide to Responsibilities of Education Staff

Responsibilities of all staff (education staff, volunteers, contractors and clergy) include:

- Treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- Following the legislative and internal child safe processes in the course of their work, if they form a reasonable belief that a child or young person has been or is being abused or neglected
- Providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- Undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- Assisting children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- Following the MacKillop Education's Child Safety Code of Conduct

6.3 Organisational Arrangements

Child Safe Practices within MacKillop Education Services are overseen and regularly reviewed by members of the Leadership team and Wellbeing Committee.



Students are encouraged to follow the internal complaints procedure when feeling uncomfortable or unsafe relating to a MacKillop Staff member as outlined in the **Child Safety - Internal Complaints Process**.

7. Expectation of our Education – Child Safety Code of Conduct

At MacKillop Education Services, we expect all staff, volunteers, contractors 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 within our services. All 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 Code of Conduct, Safeguarding Children and Young People Code of Conduct, which recognises the critical role that education staff play in protecting the students in our care and establishes clear expectations of all staff, volunteers, contractors and clergy for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

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

8. Student Safety and Participation

At MacKillop Education, 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 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.

Throughout our curriculum, goal development and safety planning processes, we promote choice as well as safe environment where students are encouraged to communicate openly about their needs and wants. The continuation of such practices are hoped to assist students to feel valued and heard and ensure they feel empowered to seek help and speak up if their safety is ever at risk in any way.



9. Reporting and Responding

Our school and education programs record any child safety complaints, disclosures or breaches of the Child Safety 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 Child Protection – Reporting Policy sets out the actions required under the relevant legislation when there is a reasonable belief that a child within our school or programs is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

Our policy assists staff, volunteers and families to:

- Identify the indicators of a child or young person who may be in need of protection
- Understand how a ‘reasonable belief’ is formed
- Make a report of a child or young person who may be in need of protection
- Comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law

MacKillop Education 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.

Disclosure processes are also outlined and detailed in the following policies and procedures:

- Child Protection – Reporting Obligations
- Child Safety – Internal Complaints Process

10. Screening and Recruitment of Education Staff

MacKillop Education 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 our **Safeguarding Children and Young People Code of Conduct**.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make all reasonable efforts to:

- Confirm the applicant’s Working with Children Check and National Police Check status and/or professional registration (as relevant)
- Obtain proof of personal identity and any professional or other qualifications
- Verify the applicant’s history of work involving children
- Obtain references that address the applicant’s suitability for the job and working with children, and vulnerable children with high level support needs in particular.

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



11. Child Safety – Education and Training for Education Staff

MacKillop Education provides employees, volunteers and clergy with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

Induction for new education staff includes analysis of all major policies including the Safeguarding Children and Young People Code of Conduct which is signed by new staff on entry and reviewed regularly with all staff.

12. Risk Management

At MacKillop Education we are committed to proactively and systematically identifying and assessing risks to student safety across all education services, 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. Safety risks are proactively reflected on and responded to each fortnight by the School's Wellbeing Committee.

13. Relevant Legislation

- Children, Youth and Families Act 2005 (Vic.)
- Working with Children Act 2005 (Vic.)
- Education and Training Reform Act 2006 (Vic.)
- Equal Opportunity Act 2010 (Vic.)
- Privacy Act 1988 (Cth)
- Crimes Act 1958 (Vic.): 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 under the age of 16 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.

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.



Related Policies

14.1 Melbourne Archdiocese Catholic Schools Policies:

<https://cevn.cecv.catholic.edu.au/Melb/Compliance/Policies-Procedures/MACS-Policies>

- Child Safety Code of Conduct
- PROTECT: Identifying and Responding to Abuse – Reporting Obligations
- Reportable Conduct Policy
- Pastoral Care for Students
- Child Safety Support Resource
- Child Safety Abuse Resources

14.2 Education Policies

- Child Protection – Reporting Obligations
- Pastoral Care Policy
- ICT Policy
- Student Wellbeing Policy
- Student Code of Conduct
- Safeguarding Children and Young People Code of Conduct
- Child Safety Policy
- Child Safety – Internal Complaints Process

15. Breach of Policy

Where an employee is suspected of breaching any obligation, duty or responsibility within this Policy, MacKillop Education 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 parish priest or the employer. Relevant notification should also be made to Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Where any other member of the education community (not outlined in this policy) is suspected of breaching any obligation, duty or responsibility within this policy, appropriate action will be taken, including in accordance with Child Protection - Reporting Obligations and/or contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).



16. References

- Catholic Education Commission of Victoria Commitment to Child Safety: <https://www.cecv.catholic.edu.au/getmedia/b5d43278-51b9-4704-b45a-f14e50546a70/Commitment-Statement-A4.aspx>
- Congregation for Catholic Education 1997, [The Catholic School on the Threshold of the Third Millennium](#), Vatican.
- Department of Education, 2016, [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)
- 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.
- Parliament of Victoria, Family and Community Development Committee, 2013, [Betrayal of Trust](#)

17. Review of this Child Safety Policy

At MacKillop Education 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.

History of Updates to Policy

| Date | Comment (e.g. major review, minor review) |
|------------|---|
| 02/03/2018 | Draft policy outlined |
| 23/04/2018 | Reviewed by Wellbeing Committee |
| 05/05/2018 | Reviewed by Leadership Team |
| 04/10/2021 | Updated by Executive Principal |

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| Policy Owner | MacKillop Education Leadership Team |
| Responsibility | MacKillop Education Leadership Team |
| Date | July 2018 |
| Review | July 2020 |