



CHILD SAFETY FRAMEWORK

24th March 2021



Contents

Child Safety FRAMEWORK (240321)	2
FORM 1: Commitment Statement to Child Safety	14
FORM 2: Child Safety Policy.....	16
FORM 3: Child Safety Code of Conduct	21
FORM 4: Protect Responding & Reporting Obligations Policy	27
FORM 5: Protect Reporting & Responding Obligations Procedures	37
FORM 6: Mandatory Reporting Policy	42
FORM 7: Police and DFFH Interview Protocol	47
FORM 8: Child Safe Standards Implementation in Schools Checklist.....	53
FORM 9: Reportable Conduct Scheme Policy.....	61
FORM 10: Child Safety Risk Management	67
FORM 11: Child Safety Risk Register.....	71



FRAMEWORK

Child Safety

24th March 2021

1. Vision

The vision for Catholic Education Sandhurst Limited (CES Ltd) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

2. Introduction

Sandhurst Catholic schools offer a broad, comprehensive curriculum imbued with an authentic Catholic understanding of Christ and his teaching, as well as a lived appreciation of membership of the Catholic Church.

CES Ltd is committed to the safety of all children and has 'zero tolerance' for child abuse. CES Ltd recognises the importance of embedding a child safe culture across its schools and as an organisation and is committed to complying with the requirements of the [Ministerial Order 870 – Child Safe Standards](#).

The Board is committed to strong leadership and robust governance oversight of each of the Sandhurst Catholic Schools, supported by the operationalisation of the governance model in each Sandhurst Catholic School by the CES Ltd executive and at the School level.

The protection of children and young persons who attend Sandhurst Catholic Schools and while they are in the school environment is the responsibility of the CES Ltd Board and everyone who works at a Sandhurst Catholic School, including its staff, contractors, parents and volunteers. We all share responsibility for promoting the wellbeing and safety of children.

3. Definitions

CCYP	Commission for Children and Young People
CES Ltd Office	The CES Office is the leadership and management arm of CES Ltd
CES Ltd	Catholic Education Sandhurst Limited, the owner and operator of Sandhurst Catholic schools
CES Ltd Board	CES Ltd Board of Directors
CECV	Catholic Education Commission of Victoria
Child	A person who is enrolled as a student in a Sandhurst Catholic School
Child abuse	<p>Child abuse includes</p> <ol style="list-style-type: none"> 1) Any act committed against a child involving <ol style="list-style-type: none"> a) sexual offence or b) an offence under section 49B of the Crimes Act 1958 (grooming) and 2) The infliction, on a child, of <ol style="list-style-type: none"> a) physical violence or b) serious emotional or psychological harm and 3) Serious neglect of a child
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.
Child Wellbeing and Safety Act	<u>Child Wellbeing and Safety Act 2005 (Vic)</u>
Crimes Act	<u>Crimes Act 1958 (Vic)</u>
CYFA	<u>Children, Youth and Families Act 2005 (Vic)</u>
DET	<u>Department of Education and Training (Victoria)</u>
Diocese of Sandhurst	Diocese of Sandhurst is situated in central and north-eastern Victoria and provides Catholic education to students in a range of school environments including primary, secondary and specialist settings and includes schools owned and governed by CES Ltd and

	those owned and governed by Public Juridic Person (PJP) or Religious Institutes
DFFH	<i>Department of Families, Fairness & Housing</i>
Duty of care	Employees, including volunteers and contractors working in Catholic schools, have a duty of care to support and protect the children and young people with whom they are professionally involved
Employee	<p>A person of or over the age of 18 years who is:</p> <ul style="list-style-type: none"> • an employee of the CES Ltd, whether or not the person is employed in connection with any work or activities of the CES Ltd that relate to children • engaged by the CES Ltd to provide services, including as a volunteer, contractor, office-holder or officer, whether or not the person provides services to children
ETR Act	<i>Education and Training Reform Act 2006 (Vic)</i>
ETR Regulations	<i>Education and Training Reform Regulations 2017 (Vic)</i>
Equal Opportunity Act	<i>Equal Opportunity Act 2010 (Vic)</i>
Executive Director	The person holding the position of Executive Director of Catholic Education in CES Ltd
Failure to disclose offence	The failure to disclose offence requires 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 is a criminal offence.
Failure to protect offence	<p>The failure to protect offence requires a person in a position of authority to reduce or remove the risk of sexual abuse of a child (under the age of 16) by an adult associated with their organisation.</p> <p>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 failed to do so.</p>

Grooming offence	The offence of grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time, whether the adult communicates by words or conduct with 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 involvements in sexual conduct, either with the groomer or another adult.
Guidelines	Recommendations and guidance to support the implementation of this CES Ltd Board approved Framework and related Policies, which may be developed and approved by the Principal of a Sandhurst Catholic School for operation in a particular School in accordance with this Framework.
Mandatory reporter	<p>Mandatory reporters include:</p> <ul style="list-style-type: none"> • the Principal • teachers • medical practitioners • nurses • school counsellors, ie a person employed or engaged (other than on a voluntary basis), to provide direct support to school students, at or directly connected with a school, for mental, emotional or psychological wellbeing • registered psychologists • those in religious ministry
The Order	Ministerial Order 870 – Child Safe Standards – Managing the risk of child abuse in schools. See: Ministerial Order 870 – Child Safe Standards
Physical violence	Conduct committed against, with, or in the presence of a child, including an act that causes physical injury or pain such as hitting, kicking, punching, pushing, shoving, grabbing, throwing, shaking, hitting or striking with an object or using inappropriate restraint or excessive force.
Policy	A high level principles-based directive by the CES Ltd Board that must be complied with by each Sandhurst Catholic school as detailed in this Framework.
Privacy Act	Privacy Act 1988 (Cth)

Procedure	A step by step instruction for the implementation of a CES Ltd Framework and related Policies, developed and approved by the Principal of a Sandhurst Catholic School to fulfil the policy requirements in a particular School in accordance with this Framework.
Reasonable belief	A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds.
Reportable allegation	Information that leads a person to form a reasonable belief that a CES Ltd staff member has committed: <ul style="list-style-type: none"> • reportable conduct; or • misconduct that may include reportable conduct whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment
Reportable conduct	Behaviour committed against, with or in the presence of a child that is reportable under the Reportable Conduct Scheme, including: <ul style="list-style-type: none"> • a sexual offence, whether or not a criminal proceeding in relation to the offence has been commenced or concluded • sexual misconduct • physical violence • any behaviour that causes significant emotional or psychological harm to a child • significant neglect of a child.
Sandhurst Catholic school	A School which operates with the consent of the Bishop of the Catholic Diocese of Sandhurst and is owned, operated and governed by CES Ltd, where formation and education are based on the principles of Catholic doctrine.
Sexual misconduct	Includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching or physical contact, grooming behaviour and voyeurism.
Sexual offence	Includes rape, attempted rape, sexual assault, incest, various sexual offences against or involving a child, persistent sexual abuse of a child, grooming, and the production, distribution or possession of child abuse material.

School community	Existing and prospective Sandhurst Catholic school staff, parents, guardians, carers, students and other stakeholders
School environment	Any physical or virtual place made available or authorised by the CES Ltd for school use by a child during or outside the school hours, including: <ul style="list-style-type: none"> • school campuses • online school environments (including email and intranet systems) • other locations provided by the school for a child's use (including, locations used for camps, sporting events, excursions, competitions, and other events)
School staff	An individual working in a school environment who is: <ul style="list-style-type: none"> • directly engaged or employed by the CES Ltd • a volunteer • a contracted service provider and their employees • a minister of religion (clergy), and religious personnel (Brother, Sister, Monk)
VIT	Victorian Institute of Teaching
VRQA	Victorian Registration and Qualifications Authority
WWCC	Working with Children Check required by all non-teaching staff working in direct child-related work

4. Purpose

The CES Ltd Child Safety Framework provides the key documents and elements of our approach to protecting the children and young people in our care. All Sandhurst Catholic Schools must ensure the child safety policies and procedures that are implemented at school level are consistent with this CES Ltd Child Safety Framework Policy.

5. Scope

CES Ltd is required to implement the child safety policy and procedures as prescribed by this Child Safety Framework. This Framework and incorporated Policies and documents apply to all CES Ltd and Sandhurst Catholic schools and are applicable to:

- Board of CES Ltd
- All employees
- Contractors
- Volunteers
- a minister of religion (clergy), and religious personnel (Brother, Sister, Monk)
- others, including visitors
- Students

6. Policy Statement

As the owner and operator of Sandhurst Catholic schools, CES Ltd Board is responsible for ensuring that all schools comply with the requirements of The Order by:

- developing strategies for embedding and monitoring an organisational culture of child safety and zero tolerance for child abuse
- demonstrating a commitment to child safety
- developing, endorsing and make publically available a child safety policy, CES Ltd Commitment Statement to Child Safety and Child Safety Code of Conduct.
- developing school staff selection, supervision and management practices for a child safe environment developing procedures for responding to allegations of suspected child abuse
- identifying the positions of the persons or people who are responsible for managing responses to an allegation or disclosure of child abuse
- developing and implementing strategies for identifying and reducing or removing risks of child abuse in each Sandhurst Catholic School and, if considered appropriate, revise those strategies
- developing and implementing strategies to promote child empowerment and participation
- inform its School communities about these strategies, and allocated roles and responsibilities

CES Ltd is committed to embedding a child safe culture where people consider, and address, risks to children and young people before, and as they arise, ensuring that all Sandhurst Catholic schools and their communities demonstrate zero tolerance for child abuse.

The CES Ltd Board is committed to the provision of child safety training during induction, and through ongoing training annually. This commitment exemplifies the Board's vision of having a strong culture when it comes to matters relating to child safety and protection.

The Child Safe Standards are foremost in the key documents, policies and procedures within

this Framework.

The Principle of inclusion

CES Ltd must take account of and make reasonable efforts to accommodate the diversity of all children in implementing the Child Safe Standards, including (but not limited to) Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

The Standards

Child Safe Standard 1	Strategies to embed an organisational culture of child safety
Child Safe Standard 2	Child safety policy or statement of commitment to child safety
Child Safe Standard 3	A child safe code of conduct
Child Safe Standard 4	School staff selection, supervision and management practices for a child safe environment
Child Safe Standard 5	Procedures for responding to allegation of suspected child abuse
Child Safe Standard 6	Strategies to identify and reduce or remove the risks of child abuse
Child Safe Standard 7	Strategies to promote child empowerment and participation

The CES Ltd Board is also responsible for ensuring:

- implementation of the Child Safe Standards, whereby the standards are communicated via induction and ongoing training to all Board members and CES Ltd staff annually, including identifying risks of child abuse in the school environment, and articulating their obligations and responsibilities for managing these risks; how to report and respond to child safety incidents.
- the presence of extensive policies and procedures in relation to excursions and camps, ensuring that child safety risks specific to excursions and overnight stays are identified and put in place.
- ongoing, periodic reviews of all physical school environments to eliminate physical isolation risks, such as solid classroom doors or rooms with no windows, or implement procedural controls where elimination is not possible.

- the development of procedures for verifying the [Working with Children Check](#) (WWCC) status of all staff/visitors, who may have direct unsupervised contact with students, to ensure that students remain safe in all school environments both internal and external to the school grounds.
- a system of assurance through which risks of child abuse, and actions taken to reduce or remove these risks (risk controls), are recorded, monitored and effectiveness evaluated on a regular basis. These risks are articulated in both the corporate and school risk registers, where controls are validated to ensure their effectiveness. CES Ltd ensures that all controls are functional at schools to ensure compliance and align with our Child Safe Standards and our zero tolerance to child abuse.

Legislative requirements

This Framework and the incorporated Policies, Codes of Conduct and Principles are to support compliance by the CES Ltd Board and the Principals, employees and volunteers at all CES Ltd Catholic Schools in relation to the following legislative and regulatory requirements:

- a) Child Safe Standards for managing risk of child abuse in schools as contained in [Ministerial Order No. 870](#)
- b) Mandatory reporting obligations of mandated reporters under the [Children, Youth and Families Act 2005 \(Vic\)](#)
- c) the obligation of all adults in Victoria to report a sexual offence against a child under section 327 of the [Crimes Act 1958 \(Vic\)](#) ('failure to report' offence)
- d) the obligation of persons who occupy positions of authority in an organisation to reduce or remove a substantial risk that a child will be sexually abused in that organisation under section 49C(2) of the [Crimes Act 1958 \(Vic\)](#)
- e) the obligation of the Head of a Organisation (Head of Entity) to ensure that all reportable conduct of which they become aware is reported to the Commission of Children and Young People (CCYP) as required by the Reportable Conduct Scheme under the [Child Wellbeing and Safety Act 2005 \(Vic\)](#). For the purposes of the Reportable Conduct Scheme, the Head of Entity has been identified as the Executive Director of CES Ltd.
- f) to ensure that all employees, contractors and volunteers engaged in child-related work obtain and have a valid Working with Children Check (WWCC) in accordance with the [Working with Children Act 2005 \(Vic\)](#) and to maintain a register of employees and volunteers with a WWCC.
- g) to ensure that only teachers registered with the Victorian Institute of Teaching (VIT) or those who have Permission to Teach under Part 2.6 of the Act can be employed as teachers and to maintain a register of their VIT registration details as required under Schedule 4, clause 4 of the Education and Training Reform Regulations 2017.

7. School specific Procedures and Guidelines

Each Sandhurst Catholic School must develop Procedures and Guidelines in compliance with this Framework and related Policies.

Each Sandhurst Catholic School must develop procedures for maintaining a register of WWCC and teachers registered with the Victorian Institute of Teaching (VIT) in accordance with the requirements detailed in the VRQA Guidelines to the Minimum Standards and Requirements for School Registration.

Any Procedure or Guideline approved by the Principal of a Sandhurst Catholic School in accordance with this Framework must be consistent with this Framework.

Any Procedure or Guideline developed under this Framework must be intended to support the application of this Framework and related Policies in a particular Sandhurst Catholic School.

All Principals of Sandhurst Catholic Schools are to ensure application of this Framework and related Policies, Procedures and Guidelines, in compliance with, and within the parameters of, this Framework.

8. Roles and Responsibilities

Role of the CES Ltd Board

The CES Ltd Board will:

- have oversight of the requirements under The Order; including the embedding of a child safe culture in all Sandhurst Catholic schools, the development of policies and procedures for child safety and ensuring compliance with The Order
- ensure that the CES Ltd Child Safe Standards implementation plan is developed, endorsed and reviewed
- receive reports from the Executive Director on implementation and compliance across all schools
- review and assess reports on child safety from Sandhurst Catholic schools

Role of the Executive Director

The Executive Director will:

- ensure this Child Safe Standard Framework is enacted across all schools and work locations
- provide resources to schools to support review, development, and implementation of a Child Safe Standards
- ensure clear expectations and training is provided to principals in complying with Child Safe Standards

- ensure that CES Ltd Office staff are cognisant of The Order and its application in schools; of other CES Ltd and CECV resources about the safety and wellbeing of children, related VRQA advice and materials, as well as DET materials
- ensure the CES Ltd Office's relevant Child Safe Standards resources are made publicly available
- deal with complaints or potential breaches and report these to the CES Ltd Board
- receive and assess reports, complaints and potential breaches and report these to the CES Ltd Board
- keep a record of complaints, reports and investigations
- reports to CES Ltd Board according to a regular reporting schedule
- report to [Commission for Children and Young People](#)(CCYP) on 'reportable conduct' matters as the identified head of entity on behalf of CES Ltd.

Role of the School Principal

The School Principal is delegated, as the responsible person, to be the leadership and management arm of CES Ltd Office at a local school level.

The Principal will:

- ensure that the school meets ongoing child safety requirements as specified by The Order
- lead the school's participation in the cyclical school review process monitoring Child Safe Standards
- ensure that meaningful consultation with staff, the school advisory council, parents/carers and students in the review, adoption and development of the school's Child Safe Standard policies, procedures and resources
- ensure that all staff are cognisant with the Child Safe Standards, The Order, CES Ltd Office and CECV resources about the safety and wellbeing of children, related VRQA advice and materials, as well as DET materials
- ensure relevant Child Safe Standards resources are publicly available and accessible to the school community
- ensure all staff undertake training and professional learning about the Child Safe Standards, including the training which is mandatory
- seek advice from CES Ltd Office with respect to Child Safe Standard breaches and legal matters
- advise the CES Ltd Board of any significant matters that may have major pastoral or legal implications in a timely matter

- keep appropriate notes and correspondence with respect to Child Safe Standard breaches
- provide regular, scheduled reports to the Executive Director on the Child Safe Standards implementation.

Transparency and Fairness

An up-to-date version of all prescribed key documents, policies and procedures forming part of this Framework must be maintained on the website of each Sandhurst Catholic School at all times.

A Principal of a Sandhurst Catholic School must ensure transparent, fair and supportive processes in compliance with this Framework.

A Principal of a Sandhurst Catholic School is responsible for ensuring full and accurate reporting and obtaining required approvals in accordance with the requirements under this Framework.

9. Review

The Board will review this Framework and incorporated policies and documents on an annual basis or as required as a result of legislative change to ensure that it continues to be suitable, adequate and effective to achieve compliance for the CES Ltd Board and employees and volunteers in Sandhurst Catholic Schools.

The Board must communicate any changes made to this Framework to the Principals of Sandhurst Catholic schools as soon as possible.

10. Child Safety Framework Resource Documents

FORM 1:	Commitment Statement to Child Safety
FORM 2:	Child Safety Policy
FORM 3:	Child Safe Code of Conduct
FORM 4:	<u>PROTECT Responding and Reporting Obligations</u>
FORM 5:	<u>PROTECT Responding and Reporting Obligations</u>
FORM 6:	CES Ltd Mandatory Reporting Policy
FORM 7:	Police and DFFH Interview Protocol
FORM 8:	Child Safe Standards Implementation in Schools Checklist:
FORM 9:	Reportable Conduct Scheme Policy
FORM 10:	Child Safety Risk Management
FORM 11:	Child Safety Risk Register

FORM 1: Commitment Statement to Child Safety

COMMITMENT STATEMENT TO CHILD SAFETY

This Policy has been approved by the CES Ltd Board for application in each school within the Sandhurst Catholic Schools and must be customised for use in each particular school in accordance with the instructions outlined in this manual. Schools can remove this box if required.

A safe and nurturing culture for all children and young people in schools in the Sandhurst Catholic Schools

The Statement is intended to provide the central focus for child safety¹ across Catholic education in the Sandhurst Catholic Schools, built around a unified understanding of the moral imperative and overarching commitments that underpin our drive for improvement and cultural change.

The Catholic school sets out to be a school for the human person and of human persons. '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, par. 9)

The care, safety and wellbeing of children and young people is a central and fundamental responsibility of Catholic education. This commitment is drawn from and inherent to the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the Gospel.

Sandhurst Catholic Schools are committed to providing a safe and nurturing culture for all children and young people through:

1. Upholding the primacy of the safety and wellbeing of children and young people

At all times, the ongoing safety and wellbeing of all children and young people will be the primary focus of care and decision-making, with particular attention paid to the cultural safety of Aboriginal and Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

¹ As defined by the Victorian Government Special Gazette No. 2 (2016), 'children and young people' in this document refers to those children and young people enrolled as students in Catholic schools in Victoria.

To create and maintain a safe and nurturing culture, CES Ltd will actively and continually develop and review all policies, processes and practices, informed by emerging thinking and evidence.

2. Empowering families, children, young people and staff to have a voice and raise concerns

CES Ltd, in partnership with all Sandhurst Catholic Schools and families, will ensure children and young people, are engaged and active participants in decision-making processes, particularly those that have an impact on their safety.

This means that the views of staff (including school employees, volunteers, contractors, clergy and the CES Ltd Office), children, young people and families are taken seriously, and their concerns are addressed in a just and timely manner. Children and young people are also provided with the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.

3. Implementing rigorous risk-management and employment practices

Sandhurst Catholic School staff will systematically and continually identify and assess risks to child safety and will eliminate (where possible) or reduce all potential sources of harm. Effective risk management will be embedded in school life through effective, transparent and well-understood policies, procedures and practices.

All Sandhurst Catholic Schools and the CES Ltd Office will employ highly competent and professional staff who are formed and challenged to maintain the safety of all students. The high-quality of staff appointments will be upheld through rigorous employment and staff review processes and practices.

CES Ltd will stay abreast of current legislation and will meet their legislative duties to protect the safety and wellbeing of children and young people in their care, including the Victorian Child Safe Standards (Victorian Government 2016), mandatory reporting, grooming, failure to disclose, grooming and failure to protect requirements and those requirements of the Reportable Conduct Scheme.

References

Congregation for Catholic education 1997, The Catholic School on the Threshold of the Third Millennium, Vatican, Vatican City, accessed 24 February 2016

State of Victoria, Department of Education and Training 2016, Child Safe Standards – Managing the Risk of Child Abuse in Schools Ministerial Order No. 870, Education & Training Reform Act 2006 (Vic), Gazette No. S2, accessed 16 May 2016

FORM 2: Child Safety Policy

CHILD SAFETY POLICY

This Policy has been approved by the CES Ltd Board for application in each Sandhurst Catholic School and must be customised for use in each particular school in accordance with the instructions outlined in this Manual. Schools can remove this box if required.

Insert School Name is a Sandhurst Catholic school which operates with the consent of the Bishop of Sandhurst and is owned and operated by Catholic Education Sandhurst Limited (CES). This Policy forms part of the Child Safety Framework which is available at **Insert School Website**.

1. Vision

The vision for Catholic Education Sandhurst Limited (CES Ltd) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

Insert School Name is committed to the safety of all children and has 'zero tolerance' for child abuse. The importance of embedding a child safe culture across the school is recognised and paramount, as is our commitment to complying with the requirements of The Order.

2. Scope

The application of the Child Safe Standards are compulsory standards for Victorian schools to ensure they are well prepared to:

- protect children from abuse
- manage the risk of child abuse

- provide support to a child at risk of child abuse
- respond to incidents and allegations of child abuse

This policy will outline the policy and procedures for implementation of the Child Safe Standards at **Insert School Name**.

The CES Ltd Child Safety Framework and incorporated Policies and documents applies at **Insert School Name** and includes:

- the principal
- all employees
- contractors
- volunteers
- ministers of religion (clergy), and religious personnel (Brother, Sister, Monk)
- others visitors
- students

This policy should be read in conjunction with following related school policies and procedures:

- Mandatory Reporting Policy
- Reportable Conduct Policy
- PROTECT Responding and Reporting Obligations Policy, and Procedures

Policy Statement

- The principal is responsible for embedding a culture of child safety at **Insert School Name** and ensuring that all staff meet the requirements of CES Ltd.
- **Insert School Name** will implement the seven Child Safe Standards and the Principle of Inclusion.

The Principle of Inclusion

Insert School Name must take account of and make reasonable efforts to accommodate the diversity of all children in implementing the Child Safe Standards, including (but not limited to) Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

The Standards

Child Safe Standard 1	Strategies to embed an organisational culture of child safety
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Child Safe Standard 2	Child safety policy or statement of commitment to child safety
Child Safe Standard 3	A child safe code of conduct
Child Safe Standard 4	School staff selection, supervision and management practices for a child safe environment
Child Safe Standard 5	Procedures for responding to allegation of suspected child abuse
Child Safe Standard 6	Strategies to identify and reduce or remove the risks of child abuse
Child Safe Standard 7	Strategies to promote child empowerment and participation

CES Ltd is committed to a vision of child safety, and **Insert School Name** will adopt the required CES Ltd Child Safety policies and procedures to create and maintain a child safe environment.

Insert School Name is committed to providing a safe and nurturing environment for all children and young people in its schools and has a zero tolerance for child abuse.

Insert School Name will, at all times, ensure the ongoing safety and wellbeing of all children and young people is the primary focus of care and decision-making.

Insert School Name will create and maintain a safe environment and nurturing culture by actively and continually developing and reviewing all policies, processes and practices, informed by emerging thinking and evidence.

Insert School Name will provide staff and volunteers in the school with training, guidance, resources and be responsible for reviewing the effectiveness of the schools' child safe practices.

Insert School Name will demonstrate its commitment to child safety through its programs and operations and the principal will monitor the school's adherence to this commitment.

Insert School Name will support, encourage and enable school staff, parents and children to understand, identify, discuss and report child abuse to ensure child safety in our school.

Insert School Name will support or assist children who disclose child abuse or are linked to suspected child abuse.

Insert School Name principal will inform staff and personnel associated with students under their care, including volunteers, contractors and ministers of religion, of the Child Safe Policy and related guidelines and procedures for adherence.

The principal is responsible for ensuring that the school community is informed of the Child Safe Policy and related documents and that these are publicly available and accessible.

At **Insert School Name** 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 promote child safety in ways that are readily accessible, easy to understand, and user-friendly to children.

The curriculum design integrates appropriate knowledge and skills to enhance student's understanding of being safe. Teaching and learning strategies that acknowledge and support student voice are implemented.

We have developed appropriate programs about:

- standards of behaviour for students attending our school
- healthy and respectful relationships (including sexuality)
- resilience and
- child abuse awareness and prevention

The principal, staff and volunteers of **Insert School Name** will participate in frequent training to ensure the policy is understood.

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 our compliance with legislative requirements and cooperation with the police, external authorities 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 school leadership and our governing body.

Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

3. Related documents

[FORM 1: Commitment Statement to Child Safety](#)

[FORM 3: Child Safety Code of Conduct](#)

[FORM 4: PROTECT Responding and Reporting Obligations Policy](#)

[FORM 5: PROTECT Responding & Reporting Obligations Procedures](#)

[FORM 6: Mandatory Reporting Policy](#)

[FORM 7: Police and DFFH Interview Protocol](#)

[FORM 8: Child Safe Standards Implementation in Schools Checklist](#)

[FORM 9: Reportable Conduct Scheme Policy](#)

[FORM 10: Child Safety Risk Management](#)

[CECV Guidelines on the Employment of Staff in Catholic Schools](#)

[CECV Guidelines on the Engagement of Volunteers in Catholic Schools](#)

[CECV Guidelines on the Engagement of Contractors in Catholic Schools](#)

[CECV NDIS/External Providers: Guidelines for Schools](#)

[CECV Positive Behaviour Guidelines](#)

4. Resources

- [VRQA - Child Safe](#) Standards
- [CECV - Child Safety](#)
- [DET - Child Safe Standards](#)
- [DET - PROTECT](#)
- [CCYP - Reportable Conduct](#)

5. Relevant Legislation

- *Child Wellbeing and Safety Act 2005* (Vic)
- *Education and Training Reform Act 2006* (Vic)
- Ministerial Order 870 — *Child Safe Standards — Managing the risk of child abuse in schools*

FORM 3: Child Safety Code of Conduct

CHILD SAFETY CODE OF CONDUCT

This Child Safety Code of Conduct has been approved by the CES Ltd Board for application in each Sandhurst Catholic School and must be customised for use in each particular School in accordance with the instructions outlined. It should be made available to all CES Ltd school staff, School Advisory Council members, volunteers, contractors and clergy, who must sign and agree to abide by this approved Code. This note is to be removed in the published version of the Code.

CES Ltd is committed to the safety of all children and has 'zero tolerance' for child abuse.

CES Ltd recognises the importance of embedding a child safe culture across the organisation and is committed to ensuring each Sandhurst Catholic School operates in compliance with the requirements of [*Ministerial Order 870 – Child Safe Standards \(Ministerial Order 870\)*](#).

The Catholic Education Office (CEO) is the leadership and management arm of CES Ltd and is delegated responsibility for leading and guiding Sandhurst Catholic Schools. It also provides guidance, support, and advice to the four non-diocesan secondary colleges, but does not have authority to manage these schools.

1. Vision

The vision for Catholic Education Sandhurst Limited (CES Ltd) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

2. Purpose

A Child Safety Code of Conduct has a specific focus on promoting child safety at CES Ltd and safeguarding children and young people against all forms of abuse as defined under Ministerial Order 870. Child abuse is defined in section 3 of the *Child Wellbeing and Safety Act 2005* (Vic)

as including:

- any act committed against a child involving a sexual offence or a grooming offence under section 49M(1) of the *Crimes Act 1958* (Vic)
- the infliction of physical violence or serious emotional or psychological harm
- the serious neglect of a child.

A child is defined by the *Child Wellbeing and Safety Act 2005* (Vic) as a person who is under the age of 18 years.

The purpose of the Child Safety Code of Conduct is to identify appropriate and inappropriate behaviour with children in a school environment. The objective is to guide all CES Ltd staff in identifying and regulating their own behaviour and the behaviour of other staff, and to protect children from abuse in the school environment.

The Code should be read in conjunction with the CES Ltd Commitment Statement to Child Safety and other child safety policies and procedures.

The Code is intended to complement Ministerial Order 870, child protection legislation, mandatory reporting and other reporting requirements and the Victorian Institute of Teaching (VIT) Codes of Conduct as these apply to staff and personnel.

3. Scope

This Code applies to all CES Ltd staff who are:

- directly engaged or employed by CES Ltd (includes Board, Committees, and School Advisory Council members)
- a volunteer or a contracted service provider
- a minister of religion (clergy), and religious personnel (Brother, Sister, Monk)

It applies to all aspects of a staff member's engagement with Sandhurst Catholic school students at any Sandhurst Catholic School, including students aged 18 and over.

This Code applies regardless of:

- the location of where an interaction occurs, whether during or outside school grounds or during or outside school hours
- whether the interaction occurs in person or online
- a student's age
- a student's consent
- the consent of parents/guardians and families
- circumstances in which a student initiates an interaction or relationship between the Worker and the student.

4. Acceptable and Unacceptable Behaviours

Acceptable behaviours

All staff are responsible for supporting the safety of children by:

- adhering to and upholding the CES Ltd Commitment Statement to Child Safety and other child safety policies and procedures at all times
- taking all reasonable steps to protect children from abuse
- treating everyone in the CES Ltd community with respect (modelling positive and respectful relationships and acting in a manner that sustains a safe, educational and pastoral environment)
- 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 staff are not alone with a student
- reporting any allegations of child abuse to the CES Ltd Executive Leadership Team, a principal, or a Child Safety Officer in accordance with Responding and Reporting Obligations Policy, and Procedures
- understanding and complying with all reporting obligations as they relate to mandatory reporting and also reporting under the *Crimes Act 1958* (Vic)
- reporting any child safety concerns to the school's leadership or a Child Safety Officer
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe
- being vigilant and taking all reasonable steps to protect the students in CES's care from abuse or harm
- abiding by professional boundaries, acknowledging that interactions with students by their very nature are open to scrutiny
- respecting the language, customs, religions and cultures of a student
- reporting any suspected breach of this Code by any other staff to the principal or another member of the school leadership team

- if an allegation of child abuse is made, ensuring as quickly as possible that the students are safe, in accordance with the CES Ltd policies and procedures
- respecting the confidentiality and privacy of students and acting in accordance with the CES Limited Privacy Policy
- only interacting with students online using CES Ltd technology systems and only in connection with their role at CES Ltd
- immediately notifying CES Ltd if they become the subject of any child safety investigation or become charged with any offence related to child safety
- complying with their professional and employment obligations, including any other relevant professional or occupational code of conduct such as the VIT Code of Conduct
- developing and exercising prudent judgment and sensitivity regarding appropriate physical interactions and only engaging in physical interactions with students where it may be necessary, a required part of the educative process or beneficial and/or supportive
- complying with any lawful and reasonable direction by CES Ltd
- cooperating with any child safety investigation by CES Ltd or any regulatory authority.

Unacceptable behaviours

All staff must not:

- engage in any form of child abuse, including behaviour that could constitute grooming
- ignore or disregard any suspected or disclosed child abuse
- develop any 'special' relationships with students that could be seen as favouritism, including but not limited to:
 - the offering of gifts or special treatment for specific student;
 - attending parties or socialising with students outside organised CES Ltd events without the knowledge of the principal
 - sharing personal details about their private life with students
 - meeting with students outside of school hours without permission from CES Ltd
- exhibit behaviours with students which may be construed as unnecessarily physical (for example, sitting on laps, massages)
- put students at risk of abuse (for example, by locking doors)
- initiate unnecessary physical contact with a student or do things of a personal nature that a student can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of students (for example, personal social activities)
- use inappropriate language in the presence of students

- express personal views on cultures, race or sexuality in the presence of students
- have contact with a student or their family outside of school without CES Ltd knowledge and/or consent (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 student (including by social media, email, instant messaging etc.) or their family (unless necessary for work purposes e.g. by providing families with e-news letters or assisting students with their school work); become 'friends' with, follow or add a student on any social media platform
- exchange personal contact details with a student such as phone number, social networking sites or email addresses
- photograph or video a student without the consent of the parent or guardians;
- engage in conduct towards or in the presence of a student that suggests contempt, ridicule or intolerance, including because of the student's or another person's race, culture, religion, gender, sexuality or disability
- share or request any photographs, videos, recordings or personal information about students without CES Ltd consent, including on any of their own social media platforms
- work with a student while under the influence of alcohol or illegal drugs or consume alcohol or drugs at school or at school events in the presence of children.

Teachers

Teachers are also required to abide by the principles relating to relationships with students as set out in the Victorian Teaching Profession Code of Conduct published by the Victorian Institute of Teaching. These principles include:

- knowing their students well, respecting their individual differences and catering for their individual abilities
- work to create an environment which promotes mutual respect
- model and engage in respectful and impartial language
- protect students from intimidation, embarrassment, humiliation and harm
- respect a student's privacy in sensitive matters
- interact with students without displaying bias or preference
- do not violate or compromise the unique position that a teacher holds of influence and trust in their relationship students.

School counsellors

In their dealings with students, school counsellors and psychologists should also take into account their professional obligations as set out in a code of ethics or practice to which they are bound, including because of their membership of:

- The Australian Psychological Society
- Australian Counselling Association

Sports and recreation

Coaches, staff members and volunteers involved in coaching, training or assisting students during sporting and recreation activities should adopt practices that assist children to feel safe and protected, including:

- using positive reinforcement and avoiding abusive, harassing or discriminatory language
- coaching students to be 'good sports'
- if physical contact with a student by a coach or other adult is necessary during a sport or other recreational activity then explain the reason for the contact and ask for the student's permission
- avoid where possible situations where an adult may be alone with a student such as in a dressing or change room, first aid room, dormitory or when the student needs to be transported in a vehicle.

Policy Compliance

All staff at **Insert School Name** receive a copy of this Code when they are appointed to the school. They are expected to read and be familiar with its content. The Code will be included in the Induction program for new staff and all staff will be briefed on the Code during staff meetings during the year.

A copy of the Code will be included in the **Insert location e.g. staff handbook, intranet, etc.**

Breach of this Code

Staff that breach this Code may be subject to disciplinary action, including and up to termination of their employment or engagement.

Individuals that are aware of a suspected breach of this Code should refer to Responding and Reporting Obligations Policy, and Procedure, and can make a report to the appropriate member of the CES Ltd Executive Leadership Team or Sandhurst Catholic school Principal in the first instance. All reports will be treated confidentiality.

The appropriate member of the CES Ltd Executive Leadership Team is also required to report to the VIT any charges, committals for trial or convictions concerning in relation to a sexual offence by a registered teacher or certain allegations or concerns about a registered teacher.

I, _____, confirm I have been provided with a copy of the above Code of Conduct and will abide by it.

Signed: _____ Date: _____

FORM 4: Protect Responding & Reporting Obligations Policy

PROTECT RESPONDING & REPORTING OBLIGATIONS POLICY

1. Introduction

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

Catholic schools are entrusted with the holistic education of the child, 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 to take reasonable care to avoid acts or omissions that 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.

Under Ministerial Order No. 870: *Child Safe Standards – Managing the Risk of Child Abuse in Schools* and the *National Framework for Protecting Australia’s Children 2009–2020*, protecting children is everyone’s responsibility – parents, communities, governments and businesses all have a role to play.

In Victoria, a joint policy *Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools*, involving the Victorian Department of Education and Training (DET), the Catholic Education Commission of Victoria Ltd (CECV) and Independent Schools Victoria (ISV) exists to protect the safety and wellbeing of children and young people. DET has also produced *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* and *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools*, both of which are referred to in the joint protocol.

All teachers, other school staff members, volunteers, contractors, other service providers, parish priests, and 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.

2. Purpose

Ministerial Order No. 870: *Child Safe Standards – Managing the Risk of Child Abuse in Schools* was made under the *Education and Training Reform Act 2006* (Vic.) and sets out the specific

actions that all Victorian schools must take to meet the requirements in the Child Safe Standards for registration.

This policy is designed to enable Catholic Education Sandhurst Limited (CES Ltd) and all Sandhurst Catholic schools to comply with Standard 5 of the Victorian Child Safe Standards: processes for responding to and reporting suspected child abuse, as well as the school-specific requirements for procedures for responding to allegations of suspected abuse in Ministerial Order No. 870. All procedures for reporting and responding to an incident of child abuse are designed and implemented by taking into account the diverse characteristics of school communities.

Actions required under the relevant legislation and regulatory guidance when there is a reasonable belief that a child is in need of protection or a criminal offence has been committed are set out in this policy. It also provides guidance and procedures on how to make a report.

This policy assists school staff at **Insert School Name** (which includes volunteers, contractors, other service providers and religious leaders including clergy) to:

- identify the indicators of a child or young person who may be in need of protection
- understand how a 'suspicion' or 'reasonable belief' is formed
- where possible, refer to the principles of the Victorian Charter of Human Rights and Responsibilities as best practice in respecting and protecting the basic rights, freedoms and responsibilities of members of the school community
- make a report about a child or young person who may be in need of protection
- comply with obligations under the Victorian Reportable Conduct Scheme
- comply with mandatory reporting obligations under child protection law
- comply with legal obligations relating to criminal child abuse and grooming under criminal law.

3. Legislative and Regulatory Requirements

CES Ltd and the schools it owns and operates, must comply with the 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), the *Child Wellbeing and Safety Act 2005* (Vic), the *Education and Training Reform Act 2006* (Vic) and the *Family Violence Protection Act 2008* (Vic).

The *Child Wellbeing and Safety Act 2005* (Vic) introduced the seven Victorian Child Safe Standards, which aim to create a culture where protecting children from abuse is part of everyday thinking and practice. The Child Safe Standards were introduced in response to recommendations made by the Betrayal of Trust report.

Child protection reporting obligations for CES Ltd and its schools fall under five separate pieces of legislation with differing reporting requirements:

- the *Children, Youth and Families Act 2005* (Vic)

- the *Education and Training Reform Act 2006* (Vic)
- the *Crimes Act 1958* (Vic)
- the *Family Violence Protection Act 2008* (Vic)
- the *Wrongs Act 1958* (Vic).

Child abuse can take many forms. The perpetrator may be a parent, carer, school staff member, volunteer, another adult or even another child. The nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Therefore, the legal obligations for reporting allegations of child abuse can vary depending on the circumstances of the incident.

Child abuse is defined in the *Child Wellbeing and Safety Act 2005* (Vic.) to include:

- sexual offences
- grooming offences under section 49M(1) of the *Crimes Act 1958* (Vic.)
- physical violence
- serious emotional or psychological harm
- serious neglect

Child abuse can have a significant effect on a child's physical, social, psychological or emotional health, development and wellbeing. The younger the child, the more vulnerable they are to abuse and the more serious the consequences are likely to be.

There can be physical or behavioural indicators of child abuse and neglect, or a combination of both.

While the presence of a single indicator, or even several indicators, does not necessarily prove that abuse or neglect has occurred, the repeated occurrence of either a physical or behavioural indicator, or the occurrence of several indicators together, should alert school staff to the possibility of child abuse or neglect.

Child sexual abuse is more commonly perpetrated by someone who is known to and trusted by the child, and is also often someone highly trusted within their families, communities, schools and/or other institutions, such as the Church.

For further definitions of all types of child abuse, a comprehensive list of the indicators of harm and advice on identifying perpetrators of child sexual abuse, refer to the protocol [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

4. Sources of Child Protection Reporting Obligations

Children, Youth and Families Act 2005 (Vic.)

Mandatory reporting

Mandatory reporting is a legal requirement under the *Children, Youth and Families Act 2005* (Vic) to protect children from harm relating to physical injury and sexual abuse. A child, for the purpose of the relevant parts of this Act, is any person under **17 years** of age. The principal, teachers, medical practitioners, religious clergy, school counsellors and nurses are mandatory reporters under this Act.

If, in the course of carrying out their duties, a mandatory reporter at Insert School Name forms a **reasonable belief** that a child is in need of protection from physical injury or sexual abuse, and that the **child's parents are unwilling or unable to protect the child**, they must report that belief to Department of Family, Fairness & Housing (DFFH) Child Protection and/or Victoria Police, including the information prescribed in [Protect: Identifying and Responding to All Forms of abuse in Victorian Schools](#) as soon as possible after forming the belief.

A subsequent report must be made on each occasion on which the mandatory reporter becomes aware of further reasonable grounds for the belief and even if the reporter knows that another report has been made concerning the same child and suspected abuse.

The threshold for reporting child protection incidents, disclosures, concerns or suspicions has been set deliberately low by the joint policy Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools. This protocol focuses on [Four Critical Actions](#) (included at the end of this policy and detailed in the PROTECT: Reporting and Responding Obligations Procedures) that all school staff must take if they form a suspicion or reasonable belief that child abuse has occurred, or that a child is at risk of suffering abuse.

Reasonable belief

Where school staff members 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. If a staff member has witnessed potentially abusive behaviour, has a suspicion or has received a disclosure of child abuse, they must determine whether these observations or receipt of such information have caused the staff member to form a 'reasonable belief'.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than 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.

A reasonable belief might be formed if:

- a child states that they have been physically or sexually abused
- any person tells you that they believe someone has been abused; this may include a child who is talking about themselves
- you observe physical or behavioural indicators of abuse, as described in [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- a child or young person exhibits sexually abusive or age-inappropriate behaviour(s)
- professional observations of the child's behaviour or development cause you to form a belief that the child has been physically or sexually abused or is likely to be abused.

While any indicators of possible child abuse or neglect are concerning, it is important to understand that the presence of a number of indicators that suggest either physical or sexual abuse of a child may be sufficient to form a reasonable belief in a mandatory reporter's mind which must be reported.

Child Wellbeing and Safety Act 2005 (Vic.)

Reportable conduct

The Reportable Conduct Scheme was created under the *Child Wellbeing and Safety Act 2005* (Vic.) and requires schools to notify the Commission for Children and Young People (CCYP) if an allegation of reportable conduct (a reportable allegation) is made against one of their employees.

Employees can include a principal, teacher, corporate staff member, board or school council employee, contractor, volunteer, school doctor/nurse/medical professional, allied health staff member, or minister of religion (clergy), and religious personnel (Brother, Sister, Monk).

Reportable conduct is defined under the *Child Wellbeing and Safety Act 2005* (Vic) to mean a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child, behaviour causing significant emotional or psychological harm to a child, or significant neglect of a child.

A reportable allegation means any information that leads a person to form a reasonable belief that an employee has committed reportable conduct or misconduct that may involve reportable conduct, whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment.

The Reportable Conduct Scheme requires CES Ltd to:

- have in place systems to prevent reportable conduct and, if reportable conduct is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
- ensure that the CCYP is notified and given updates on the organisation's response to an allegation by contacting the relevant member of the CES Ltd Executive Leadership Team who has been sub-delegated with authority on behalf of head of entity. For the purposes of the reportable conduct scheme, the Head of Entity has been identified as the Executive Director of CES Ltd.
- report to Victoria Police as soon as they become aware that a reportable allegation may involve suspected child abuse or criminal conduct.

Reportable conduct may also include historical reportable allegations. More guidance can be found at Reportable Conduct Scheme – Historical allegations.

All school staff are required to notify the principal or, if the principal is involved in the allegation, the Leadership Team if they have a reportable allegation. The principal or a member of the Leadership Team (as applicable) must notify the relevant member of the CES Ltd Executive Leadership Team of the allegation of reportable conduct as soon as possible. In accordance with the requirements of the Reportable Conduct Scheme, the head of entity for CES Ltd is the Executive Director who must initially notify the Commission of a reportable allegation within three business days and update the Commission of progress within 30 calendar days. In accordance with *CES Ltd Policies and Procedures Framework* this notification responsibility has been sub-delegated to the Assistant Director: Pastoral Wellbeing.

The Reportable Conduct Scheme does not change mandatory reporting or other reporting obligations, including internal reporting and reporting criminal behaviour to Victoria Police. Reportable conduct reporting should be done in addition to these other reporting obligations. See also the Reportable Conduct Scheme Procedures included in Form 9 in this Manual.

Crimes Act 1958 (Vic.)

In response to the Betrayal of Trust report, three new criminal offences have been introduced under the Crimes Act 1958 (Vic.):

- **failure to disclose offence**, which requires adults to report to Victoria Police a reasonable belief that a sexual offence has been committed against a child
- **failure to protect offence**, which applies to people in positions of authority within organisations, who knew of a risk of child sexual abuse by someone in the organisation and failed to reduce or remove the risk
- **grooming offence**, which targets communication with a child or their parents with the intent of committing child sexual abuse.

Failure to disclose

Any school staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to Victoria Police.

Failure to disclose the information to Victoria Police is a criminal offence under section 327 of the *Crimes Act 1958* (Vic.) and applies to all adults (18 years and over) in Victoria, not just professionals who work with children.

The obligation is to disclose that information to Victoria Police as soon as it is practicable to do so, except in limited circumstances such as where the information has already been reported to DFFH Child Protection.

For further information about the failure to disclose offence, see the [Department of Justice and Community Safety 'Failure to disclose offence'](#) information.

Failure to protect

Any school staff member in a position of authority who has the power or responsibility to remove risk, and becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child under 16 who is in the care or supervision of the organisation, must take all reasonable steps to reduce or remove that risk.

In a school context, this will include the principal, deputy principal and business manager and may also extend to school counsellors, heads of departments and heads of schools.

Failure to take reasonable steps to protect a child in the organisation from the risk of sexual abuse from an adult associated with the organisation is a criminal offence under section 490(1) of the *Crimes Act 1958* (Vic.)

For further information about the failure to protect offence, see the [*Department of Justice and Community Safety 'Failure to protect: a new offence to protect children from sexual abuse'*](#) information.

Grooming

The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is contained in section 49M(1) of the Crimes Act 1958 (Vic.). The offence applies to communication with children **under 16 years**.

Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age.

For further information about the grooming offence, see the [*Department of Justice and Community Safety 'Grooming offence'*](#) information.

For more information about managing and responding to the risk of abuse, see DET's [*'Identify and Respond to Student Sexual Offending'*](#) webpage and CES Ltd Child Safe Risk Management Framework.

Education and Training Reform Act 2006 (Vic.) – Child safety obligations

From a child safety perspective, the key functions of the *Education and Training Reform Act 2006* (Vic) are to:

- require schools to notify the Victorian Institute of Teaching (VIT) when a school has taken action against a teacher
- ensure compliance with the Victorian Child Safe Standards as a requirement of registration for all Victorian schools.

A registered school must ensure that the care, safety and welfare of all students attending the school are in accordance with all applicable Victorian and Commonwealth laws, and that all staff employed at the school are advised of their obligations to child safety.

Wrongs Act 1958 (Vic.) and duty of care

Organisational duty of care

The *Wrongs Act 1958* (Vic) creates an organisational liability for child abuse for organisations that exercise care, supervision or authority over children. This is colloquially referred to as an 'organisational duty of care'.

CES Ltd and its schools owe a duty to take reasonable precautions to prevent the abuse (sexual or physical) of a child (under 18) by an individual associated with the school while the child is under the care, supervision or authority of the school.

Individuals associated with a Sandhurst Catholic school can include employees, volunteers, office holders, contractors, ministers of religion and religious leaders.

Reasonable precautions that CES Ltd and its schools could take are not defined in the *Wrongs Act 1958* (Vic.) but, as examples, the following measures are what courts have previously

considered to be reasonable precautions in the context of organisational child abuse:

- conducting employment screening and reference checking
- providing supervision and training
- implementing systems to provide early warning of possible offences
- performing random and unannounced inspections to deter misconduct
- encouraging children and adults to notify authorities or parents about any signs of aberrant or unusual behaviour.

Sandhurst Catholic School staff duty of care

School staff have a duty to take reasonable steps to protect children and young people under their care and supervision from harm that is reasonably foreseeable (this duty applies to all school staff). The question of what constitutes reasonable steps will depend on the individual circumstances of each case.

A staff member may breach their duty of care towards a student if they fail to act in the way a reasonable or diligent professional would have acted in the same situation.

For more information on the scope of staff duty of care obligations and examples of reasonable steps they can take in relation to suspected child abuse, refer to the protocol [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

Victorian Charter of Human Rights and Responsibilities

While CES Ltd is not bound by the *Charter of Human Rights and Responsibilities Act 2006* (Vic.), the following principle should be noted:

School staff are required to respond to suspected child abuse with proper consideration for human rights, and, when making decisions and taking actions in response to suspected child abuse, to act compatibly with human rights. This means that school staff should take into account the right to protection without discrimination, the right to protection from torture and cruel, inhuman or degrading treatment and the right to privacy when responding to suspected child abuse.

5. Policy Statement

- The child or young person's ongoing safety and wellbeing should be the primary focus of decision making
- All children and young people have the right to a thorough and systematic education in personal safety, including safety in relationships
- School staff must be aware of and comply with their legal obligations with respect to reporting suspected child abuse and providing ongoing appropriate support

- All Sandhurst Catholic Schools follow the [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- Where a school staff member has reported a concern to DFFH Child Protection but they continue to have concerns for the child after DFFH Child Protection has closed the case, they may escalate the matter through DFFH complaints management processes or reporting concerns from the principal to the relevant member of the CES Ltd Executive Leadership Team.

6. Review

This policy is scheduled for review every three years or as required by changes in legislation to ensure it is adequate and effective for meeting the requirements for compliance with legislation.

7. Revisions made to this document

October 2020	New document created for CES Ltd Board
[Date of 1 st approval]	New Document approved by CES Ltd Board

8. Further Assistance

Related policies within the Child Safety Framework and other Frameworks

FORM 1: Commitment Statement to Child Safety

FORM 2: Child Safety Policy

FORM 3: Child Safety Code of Conduct

FORM 5: PROTECT Responding & Reporting Obligations Procedures

FORM 6: Mandatory Reporting Policy

FORM 7: Police and DFFH Interview Protocol

FORM 8: Child Safe Standards Implementation in Schools Checklist

FORM 9: Reportable Conduct Scheme Policy

FORM 10: Child Safety Risk Management

FORM 11: Child Safety Risk Register

Other Resources

- [CECV Child Safety – S5 Responding & Reporting](#)
- [Failure to Protect offence](#)
- [Failure to Disclose offence](#)
- [Grooming offence](#)
- [PROTECT Four Critical Actions for Schools Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)
- [PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [VRQA - Child Safe](#)

Relevant legislation

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- [*Children, Youth and Families Act 2005 \(Vic\)*](#)
- [*Crimes Act 1958 \(Vic\)*](#)
- *Education and Training Reform Act 2006 (Vic)*
- [*Family Violence Protection Act 2008 \(Vic\)*](#)
- [*Ministerial Order 870 — Child Safe Standards — Managing the risk of child abuse in schools*](#)
- *Occupational Health and Safety Act 2004 (Vic)*

FORM 5: Protect Reporting & Responding Obligations Procedures

PROTECT REPORTING & RESPONDING OBLIGATIONS PROCEDURES

Responding to and Reporting Child Protection Concerns

All CES Ltd staff **must** follow the joint protocol incorporating *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* where there is an incident, disclosure or suspicion of child abuse.

A school staff member must act, and follow the *Four Critical Actions*, as soon as they become aware of a child protection incident, that is, when **a child is experiencing, or is at risk of experiencing, abuse**.

Becoming aware of a child protection incident

There are four main ways in which a CES Ltd staff member may become aware that a child is experiencing, or is at risk of experiencing, abuse:

1. Witnessing an incident

If you witness an incident where you believe a child has been subjected to, or may be at risk of, abuse, including exposure to family violence, you must first take immediate action to protect the safety of the child or children involved and then refer to *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*.

2. Forming a suspicion or reasonable belief

All suspicions that a child has been, is being, or is at risk of being, abused must be taken seriously, including suspicions that the abuse is taking or may take place outside school grounds or areas. If your suspicion develops into a reasonable belief, you must act and refer to *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*.

3. Receiving a disclosure about or from a current student

All disclosures must be treated seriously. You should immediately refer to *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*.

4. Receiving a disclosure about or from a former student

If you receive a disclosure from a former student about historical abuse, you must act. If the former student is currently of school age and attending a Victorian school, you must immediately refer to *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*.

If the former student is no longer of school age or attending a Victorian school, you must still report the disclosure to DFFH Child Protection.

Notes and records

CES Ltd staff are to keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse using *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools*.

Even if a CES Ltd staff member decides not to make a report, they must still accurately document their notes relating to the incident, disclosure or allegation of child abuse using *Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools*.

Notes and records must be kept securely on school grounds and must not be destroyed as they may be needed at a later time.

Disclosures

It is the role of CES Ltd staff members to reassure and support a child or young person who makes a disclosure of abuse. However, school staff members should never promise to keep any disclosures confidential as all disclosures of abuse must be reported.

The role of CES Ltd staff remains the same if disclosures are made by a parent/carer or a sibling, or if disclosures involve family violence.

For strategies on how to manage a disclosure, refer to *Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools*.

The Four Critical Actions

There are *Four Critical Actions* which must be taken when responding to and reporting a child protection incident, disclosure or suspicion.

Critical Action 1: Responding to an Emergency

Critical Action 2: Reporting to Authorities

Critical Action 3: Contacting Parents/Carers

Critical Action 4: Providing On-going support

Critical Action 1: Responding to an Emergency

This first step is only applicable if a child has just been abused or is at risk of immediate harm. If this is not the case, go straight to Critical Action 2: Reporting to Authorities.

If the child has just been abused or is at risk of immediate harm, you must take reasonable steps to protect the child, including:

- separating the alleged victim and others involved, ensuring that if the parties involved are all present at the school, they are supervised separately by a school staff member
- arranging and providing urgent medical assistance where necessary, including administering first aid or calling 000 for an ambulance
- calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person.

If the child protection incident has occurred at a school, school staff should also ensure that reasonable steps are taken to preserve the environment, the clothing and other items and to prevent any potential witnesses (including school staff members, volunteers and contractors) from discussing the incident until Victoria Police or relevant authorities arrive on the premises.

Critical Action 2: Reporting to Authorities

All forms and instances of suspected or alleged child abuse must be reported to the appropriate authority.

Once immediate health and safety concerns have been addressed, the school staff member must take steps to report the incident, suspicion or disclosure of child abuse as soon as practicable. Failure to report physical and sexual child abuse may amount to a criminal offence (refer to failure to disclose).

There are different reporting procedures depending on:

- whether the source of the suspected or alleged abuse comes from within the school or within the family or community of the child
- the type of abuse.

In all cases, school staff members must report internally to the principal or, if the principal is involved in the allegation, the Leadership Team.

Additionally:

- where the source of the abuse comes from within the school, that is, the suspected or alleged abuse involves a school staff member, volunteer, allied health professional, officer/office holder, contractor or visitor at the school, it must be reported to Victoria Police.
- where the suspicion, belief or disclosure relates to sexual abuse or grooming, it must be reported to Victoria Police
- where the source of the abuse comes from within the family or community and is not sexual abuse or grooming, it must be reported to DFFH Child Protection.

DFFH and DET have deliberately set a low threshold for the formation of a 'reasonable belief'. For more information, refer to the Reasonable belief section of this policy.

Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse requires all school staff to report all incidents, suspicions and disclosures of abuse as soon as possible to the relevant authorities.

Mandatory Reporting

For more information related to mandatory reporting see the CES Limited Mandatory Reporting Policy.

Reporting that is non-mandatory

All CES Ltd Staff (teachers, other school staff members, volunteers, contractors, other service providers and clergy who are not mandatory reporters have professional and moral (and sometimes legal) obligations to report a child protection incident, disclosure or suspicion.

Please refer to Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse in relation to reporting a child protection incident, disclosure or suspicion that is not the subject of a mandatory reporting obligation.

Critical Action 3: Contacting Parents/Carers

Where it is suspected that a child at a Sandhurst Catholic School has been or is at risk of being abused, it is critical that parents/carers of the child are notified as soon as practicable after a report is made to the authorities.

The school must always seek advice from Victoria Police or DFFH Child Protection to ensure that it is appropriate to contact the parents/carers.

In circumstances of family violence, schools should:

- take care not to inadvertently alert the alleged perpetrator by notifying parents/carers as it could increase risk of harm to the child, other family members or school staff.
- seek advice from DFFH Child Protection or Child FIRST/The Orange Door before alerting parents/carers about safe strategies for communicating with a parent/carer who is experiencing family violence and on recommending family violence support services.

Advice from Victoria Police or DFFH Child Protection will depend on a number of factors, including whether:

- the parents/carers of the child are alleged to have engaged in the abuse (including in circumstances of suspected family violence)
- a disclosure to the parents/carers may result in further abuse to the child
- the child is a mature minor (assessed to be sufficiently mature and intelligent to make such decisions on his or her own behalf) and has requested that their parents/carers not be notified (in these circumstances ideally the child will nominate another responsible adult to be contacted).
- the notification of parents/carers would adversely affect an investigation of the matter by relevant authorities.

Where advice is to be appropriate, schools should make sensitive and professional contact with parents as soon as possible on the day of the incident, disclosure or suspicion.

In some circumstances, a child may have returned to the care of their parent/carer before advice has been received from Victoria Police or DFFH Child Protection. In these circumstances, a school should not share any information with the parent/carer which may place the child or any other person at risk, or where the child is a mature minor.

For detailed guidance on how to have this conversation with a parent or carer, refer to [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

Critical Action 4: Providing Ongoing Support

School staff members who witness a child protection incident, receive a disclosure or develop a suspicion of child abuse (including exposure to family violence) have a critical role to play in supporting students impacted by the child protection matter to ensure that they feel supported and safe at the school.

Schools also play a critical role in building students' resilience and protective factors, which can reduce the long-term impacts of child abuse by providing them with the opportunity to be supported and heard by a school staff member they trust.

Support provided to students at the school includes:

- regularly communicating with the student and their parents/carers where appropriate
- convening a Student Support Group of school wellbeing staff and teachers to plan, support and monitor affected students
- developing Student Support Plans for students impacted by the incident to ensure appropriate levels of care and support are provided depending on their involvement.

Where external authorities are investigating a report of abuse or risk of abuse, it is the role of the Sandhurst Catholic school principal to ensure that students are supported throughout interviews at the school. For more information on this topic, refer to [Police and DFFH Interview Protocols](#).

The school has a duty to provide support to school staff members who have witnessed an incident or disclosure, or who have made a report to external authorities about a reasonable belief of child abuse. It is important that schools remember that staff members may have also experienced child abuse (including family violence) or be experiencing family violence and abuse in their own lives. School staff members requiring wellbeing support can contact the school's Employee Assistance Program (EAP) provider.

Information to support Sandhurst Catholic schools in understanding their obligation to employees and to provide suggestions of how to assist employees experiencing family and domestic violence may be found in the [CECV Family and Domestic Violence: A guide to supporting staff](#).

The school should conduct a review of the reporting process four–six weeks after a report has been made to identify if any follow-up support actions are needed. Refer to [protect: Identifying and Responding to all forms of abuse in Victorian Schools](#) and [Child Protection and Child Safe Standards \(PROTECT\)](#) for more information.

MANDATORY REPORTING POLICY

This Policy has been approved by the CES Ltd Board for application in each Sandhurst Catholic School and must be customised for use in each particular school in accordance with the instructions outlined in this Manual. Schools can remove this box if required.

Insert School Name is a Sandhurst Catholic School which operates with the consent of the Bishop of Sandhurst and is owned and operated by Catholic Education Sandhurst Limited (CES). This Policy forms part of the Child Safety Framework which is available at **Insert School Website**.

Insert School Name is committed to the safety of all children and has 'zero tolerance' for child abuse. The importance of embedding a child safe culture across the school is recognised and paramount, as is our commitment to complying with the requirements of CES Ltd.

The Victorian Department of Education and Training (DET), the Catholic Education Commission of Victoria Ltd (CECV) and Independent Schools Victoria (ISV) have a joint policy [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#) to protect the safety and wellbeing of children and young people. This policy centres on [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#) (Four Critical Actions). Following the [Four Critical Actions](#) will support staff to meet their legislative obligations to protect children and young people in their care. See [Reporting and Responding Obligations Procedures](#) in this Manual.

1. Purpose

This policy informs all **Insert School Name** staff of their roles and responsibilities in protecting the safety and wellbeing of children and young people, specifically in relation to mandatory reporting obligations.

To support all **Insert School Name** staff, the school uses [Protect: Identifying and Responding to All Forms of Abuse in Victorian Schools](#) to take action if they suspect, or are witness to any form of child abuse.

2. Scope

This policy is relevant to all staff at **Insert School Name**.

All staff, volunteers, contractors, ministers of religion and other service providers must understand and abide by professional, moral and legal obligations to implement child safety policies, procedures and guidelines.

Mandatory Reporters as defined by *Children, Youth and Families Act 2005* (Vic) include:

- VIT registered teachers, including principals
- school staff who have been granted permission to teach by the VIT
- registered doctors, nurses and all members of the police force
- registered psychologists
- people in religious ministry
- staff who provide direct support to students for mental, emotional or psychological wellbeing, including (but not limited to) school health and wellbeing staff, primary welfare officers, student wellbeing coordinators, mental health practitioners, chaplains, and student support services staff.

It is the responsibility of all **Insert School Name** staff, volunteers and contractors to check whether they are Mandatory Reporters as defined by *Children, Youth and Families Act 2005* (Vic).

3. Principles

- The child or young person's ongoing safety and wellbeing should be the primary focus of decision making
- **Insert School Name** is committed to the safety of all children and young people and has 'zero tolerance' for child abuse
- **Insert School Name** is committed to ensuring a positive and robust child safety culture is created and maintained
- **Insert School Name** staff must be informed of matters related to child abuse and be fully aware of their professional obligations and responsibilities
- All children and young people have a right to a thorough and systematic education in personal safety, including safety in relationships
- Abuse of children and young people by persons in positions of trust and authority is a serious matter. All allegations must receive a response and be dealt with promptly
- All **Insert School Name** staff working with students or in schools have a moral and legal obligation and a duty of care to protect any child under their care from reasonably foreseeable harm (not just staff who are classified as mandatory reporters)
- All non-teaching staff, volunteers and contractors engaged in child-related work must have a valid Working With Children Check to engage and undertake work at **Insert School Name**.

Processes for Reporting

Staff at **Insert School Name** must respond to any reasonable suspicion or belief that a child has been, or is at risk of being abused, following the Four Critical Actions:

The *Four Critical Actions* which must be taken when responding to and reporting a child safety incident, disclosure or suspicion are:

1. Responding to an Emergency
2. Reporting to Authorities
3. Contacting Parents/Carers
4. Providing Ongoing Support.

A report to Victoria Police and/or DFFH Child Protection must be made as soon as practicable if, in the course of carrying out their profession roles and responsibilities, they form a reasonable belief on reasonable grounds that:

- a child has suffered, or is likely to suffer, significant harm as a result of physical abuse and/ or sexual abuse
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

It is a criminal offence not to report in these circumstances.

Insert School Name staff must make additional reports on each occasion where they become aware of any further reasonable grounds for the belief that the child is at risk of, or being abused.

Insert School Name staff must in all instances, also report internally to school principal/leadership team and the CES Ltd Office Child Safe Officer.

Insert School Name staff must in all instances, even if the principal and/or leadership team do not share the belief, make a report.

Insert School Name staff must in all instances, ensure that the report has been made where another mandated reporter undertakes to make the report and ensure that their concerns were also reported.

Insert School Name staff must report all allegations of reportable conduct, as soon as possible, to the school principal.

If the allegations are about the principal, the report can be made to another member of the school leadership team or to CES Ltd Child Safe Officer who is required to report to the Executive Director of CES Ltd.

Insert School Name staff must still act if they believe that a child is not subject to abuse, but if significant concerns for the child's wellbeing are held. This may include making a referral or seeking advice from Child FIRST/The Orange Door.

The principal of **Insert School Name** or their delegate, must seek advice from DFFH Child Protection or Victoria Police before contacting parents.

Insert School Name staff must ensure students impacted by abuse feel safe and supported at school including during interviews at school conducted by DFFH Child Protection and/or Victoria Police.

Insert School Name staff must keep clear and comprehensive notes, relating to incidents, disclosures and allegations of child abuse by using the [Responding to Suspected Child Abuse template](#).

A mandatory reporter who fails to comply with these reporting obligations may have committed a criminal offence.

Failure to Disclose

All adults, not just professionals who work with children or young people, have a legal obligation to report to Victoria Police where they form a reasonable belief that another adult may have committed a sexual offence against a child under 16 years of age.

Failing to report in such a circumstance may amount to a criminal offence.

Failure to Protect

Any **Insert School Name** staff member in a position of authority who knows of a substantial risk to a child under the age of 16, under the care, supervision or authority of **Insert School Name** becoming a victim of a sexual offence committed by an adult associated with the **Insert School Name** (e.g. employee, contractor, volunteer, visitor or minister of religion); must take reasonable steps to remove or reduce that risk.

Grooming

The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is contained in section 49M (1) of the *Crimes Act 1958* (Vic). The offence applies to communication with children under 16 years.

Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age. For further information about the grooming offence, see the Department of Justice and Community Safety's '[Grooming offence](#)' webpage and [Betrayal of Trust: Factsheet](#).

If an **Insert School Name** staff member in a position of authority fails to take reasonable steps in these circumstances this may amount to a criminal offence.

4. Relevant Legislation

[Children, Youth and Families Act 2005 \(Vic\)](#)

[The Crimes Act 1958 \(Vic\)](#)

[Child Wellbeing and Safety Act 2005 \(Vic\)](#)

[Education and Training Reform Act 2006 \(Vic\)](#)

[Ministerial Order No. 870 – Managing the Risk of Child Abuse in Schools was made under the Education and Training Reform Act 2006 \(Vic\)](#)

5. Review

This Policy is scheduled for review every two years or more frequently if appropriate.

POLICE AND DFFH INTERVIEW PROTOCOL

1. Vision

The vision for Catholic Education Sandhurst Limited (CES) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

2. Background

Both Victoria Police and DFFH Child Protections have a role in investigating allegations of child abuse. Refer to [protect: Responding and Reporting Obligations Policy](#) in this document for more information. When investigating allegations of child abuse, Victoria Police will endeavour to conduct interviews at the police station. Nevertheless, urgent circumstances sometimes arise where Victoria Police may wish to interview a student under the age of 18 at school. When considering how to deal with these requests the principal should be aware of different considerations depending on whether the student is:

- a victim
- a witness
- a suspect

DFFH Child Protection workers normally conduct interviews with students at home with parents or carers present. Nevertheless, as with Victoria Police, situations sometimes arise where Child Protection workers need to interview the child at school.

3. Purpose

These protocols were written to assist principals or relevant school staff to understand and comply with legal requirements when a request is made by Victoria Police or DFFH Child Protection workers to interview students at school with regard to child safety incidents.

4. General Protocols

Principals must:

- facilitate interviews requested by Victoria Police when deemed a matter of urgency or necessity
- facilitate interviews requested by DFFH Child Protection workers when deemed a matter of urgency or necessity
- advise children or young people of their right to have an independent supportive adult, parent or carer present at such an interview.

Note: An independent supportive adult may be the principal or a teacher as long as a conflict of interest does not exist. From a practical perspective, this might include a situation where the principal or teacher is related to the perpetrator of the child safety incident, the child is a family member, or the principal or teacher may be the perpetrator

- arrange for the child to choose an independent supportive adult to be present
- balance their obligation to protect the rights of students with their obligation to assist Victoria Police and DFFH Child Protection in their exercise of duty
- ensure there is someone acting as an independent supportive adult for students interviewed at school by Victoria Police or DFFH Child Protection workers
- observe confidentiality at all times in the management of a mandatory reporting or criminal case.

If legal assistance is required, contact the relevant member of the CES Ltd Executive Leadership Team in the first instance.

Important: Neither Victoria Police nor DFFH Child Protection are permitted to interview a student at school unless someone is acting as an independent supportive adult for that student.

Contacting Parents/Carers Prior to Victoria Police or Child Protection Interviews

In many cases where it is suspected that a child has been or is at risk of being abused, it is extremely important that parents/carers are notified as soon as practicable. This enables parents/carers to take steps to:

- prevent or limit their child's exposure to further abuse
- ensure that their child receives the support they require.

Nevertheless, there are some circumstances where contacting parents/carers may place a

child at greater risk. This is why, before contacting parents/carers, **the principal (or delegate) must contact Victoria Police or DFFH Child Protection**_(depending on who the report was made to). They will advise the principal (or delegate) about whether it is appropriate to contact parents/carers at this stage.

Student as a Victim or Witness

When principals facilitate interviews involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible, unless doing so causes a risk of abuse (including family violence).

If Victoria Police request an interview with a student who has allegedly been abused by another child, this should preferably be done in the presence of the student's parents/carers or another independent supportive adult who is not a school staff member.

If Victoria Police request an interview with a student who has allegedly been abused by another child, this should preferably be done in the presence of the student's parents/carers or another independent supportive adult who is not a school staff member.

An 'independent adult' is defined as a person aged 18 years or over who is not directly connected to the school or to the case being investigated by Victoria Police. For example, a social worker, doctor or nurse, volunteer from the local community (e.g. a youth leader) or legal representative.

If the matter is urgent and the school is unable to find an independent adult, or if the school is unsure about who an independent adult may be in a particular context, the school should seek advice from the relevant of the CES Ltd Executive Leadership Team.

The table (next page) advises how principals should determine when to grant an interview request with a student who may be a victim or witness.

When the principal:	Then the principal should:
receives a request for a student to be interviewed at school	ensure the child's parents/carers are present where it is practical and appropriate. If a parent/carer cannot be present, an independent supportive adult must be present during the interview
receives a request for a student to be interviewed at school without parents/carers present	allow the interview, if there are reasonable grounds to exclude the parents/carers from the interview. E.g., The interview relates to an allegation of abuse involving members of the student's family or a person with

	some relationship to the family, and the student is supported by an independent adult
Is satisfied that urgent action is necessary and cannot contact the parents/carers or the parents/carers do not agree	allow the interview, with the principal (or suitable delegate) representing the parents/carers, so long as a conflict of interest does not exist. If a conflict exists, an independent supportive adult must be present. This may be a senior staff member at the school.
Is not satisfied that immediate action is required	only allow the interview when a parent/carer or their nominee is present, or the parent/carer authorise the principal to act as their representative
Is informed that a number of students need to be interviewed in order to identify potential witnesses	only allow the interview: <ul style="list-style-type: none"> • to identify witnesses for further interviews • to take place with a parent/carer or suitable delegate authorised by parents/carers to act as their representative

Student as a Suspect

Victoria Police cannot question a student under 18 years of age who is suspected of committing a crime, unless a parent or carer is present. If a parent or carer is not available and the principal is satisfied the matter is urgent, an independent supportive adult must be present.

If Victoria Police asks to speak with a student under 18 years of age who has allegedly abused another child, this should be done in the presence of the student's parents/carers or another independent supportive adult who is not a school staff member.

An 'independent adult' is defined as a person aged 18 years or over who is not directly connected to the school or to the case being investigated by Victoria Police. For example, a social worker, doctor or nurse, volunteer from the local community (e.g. a youth leader) or legal representative.

If the matter is urgent and the school is unable to find an independent adult, or if the school is unsure about who an independent adult may be in a particular context, the school should call the relevant member of the CES Ltd Executive Leadership Team.

A student suspect must be given the chance to talk to their parent/carer or an independent adult in a place where they won't be overheard (sections 464E of the *Crimes Act 1958* (Vic)).

Nevertheless, Victoria Police does not have to wait until the parent, carer or independent adult is present where:

- communication would result in the escape of an accomplice or the destruction of

evidence

- the safety of other people means that questioning should not be delayed.

Victoria Police will not interview a student who has allegedly abused another child at school, without a parent or carer present unless the situation is very urgent or extreme.

When advised by Victoria Police that a student suspect is to be interviewed, the principal must:

- try to advise the parents/carers of the situation unless otherwise advised by Victoria Police
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible
- ensure that an independent supportive adult is present at the interview if the student's parents/carers are unavailable.

In cooperating with a legitimate request from Victoria Police, the principal should always consider:

- their duty of care to the student
- their duty of care to all other students at the school
- the rights of the parents/carers.

Acting in the Absence of Parents and Carers

The table next page advises how principals should act in the absence of parents/carers

When the parents/carers:	Then the principal should allow the interview if the questioning of investigation:
cannot be present because they: <ul style="list-style-type: none">• cannot be contacted• have not authorised the principal or their delegate to act as their representative	Is urgently necessary to avert injury to others or a miscarriage of justice
do not agree with the interview	Is so urgent for the safety of other people that it should not be delayed

Duties of Employees as Parent/Carer Representatives

The table below advises how employees should conduct themselves when acting as a support person for students during interviews.

When	The employee should:
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At all times	<p>support the student</p> <p>ensure the student understands what is happening</p> <p>ensure the student understands their rights</p>
Before the interview	<p>be aware that:</p> <ul style="list-style-type: none"> • In more serious cases, the most appropriate advice may be that there is no compulsion to answer police questions and the student should seek legal advice • In less serious cases, the most appropriate advice may be to cooperate fully with Victoria Police <p>inform the student that, although it is advisable to do so, they are not legally obliged to provide their name and address to Victoria Police unless:</p> <ul style="list-style-type: none"> • Victoria Police has reasonable grounds to believe that the student has committed or is about to commit an offence, or the student can assist in the investigation of an indictable offence
During the interview	<ul style="list-style-type: none"> • focus on supporting the student • refrain from providing their own opinions or account of events

5. Revisions made to this document

October 2020	New document created for CES Ltd Board
[Date of 1 st approval]	New Document approved by CES Ltd Board

6. Further Assistance

Related policies

- *PROTECT Responding and Reporting Obligations Policy*
- *PROTECT Responding and Reporting Obligations Procedures*
- *Mandatory Reporting Policy*

Other Resources

- *CEVN - Child Safety*
- *DET - PROTECT*

FORM 8: Child Safe Standards Implementation in Schools Checklist

CHILD SAFE STANDARDS IMPLEMENTATION IN SCHOOLS CHECKLIST

1. Purpose

This implementation checklist allows Child Safe Standards Implementation Teams to rate the status of features to enhance sustainability of CSS systems across the school. Teams use their results to develop action plans to embed an organizational culture of child safety.

2. Intended Users

Principals, Leadership Teams, Pastoral Wellbeing Leader/s, Child Safety Officer

3. Guidelines for Use

- Complete self-assessment at least annually as a leadership team using agreed-upon decision making rules.
- Based on results, develop measurable and actionable steps for high priority areas, including timelines and individuals responsible.

School:

Date Completed:

Team Members completing:

CES Ltd Pastoral Wellbeing Team Member:

CSS 1	Strategies to Embed an Organisational Culture of Child Safety	Not in Place	In Place
1.1	A school team maintains, reviews, and updates a detailed Child Safety implementation action plan to guide decision making.	<input type="checkbox"/>	<input type="checkbox"/>
1.2	School team meets at least monthly, agenda and minutes, decisions are identified, tasks allocated	<input type="checkbox"/>	<input type="checkbox"/>
1.3	School Child Safety implementation action plan is communicated to the community e.g., school council, website, staff meetings	<input type="checkbox"/>	<input type="checkbox"/>
1.4	Principal actively participates on school team and provides policy and procedural authority	<input type="checkbox"/>	<input type="checkbox"/>
1.5	School team aligns/integrates CSS within new and existing school initiatives, interventions, programs and frameworks e.g., camps/excursions, SEL curriculum, building programs, events, OH &S, induction	<input type="checkbox"/>	<input type="checkbox"/>
1.6	Principal and Team ensure roles are identified and allocated e.g., Child Safe Officer/s	<input type="checkbox"/>	<input type="checkbox"/>
1.7	Ensure professional learning for allocated roles e.g., Child Safe Officer/s PROTECT training	<input type="checkbox"/>	<input type="checkbox"/>
1.8	All school personnel have an understanding of CSS and the role they play, school practices and procedures how/why they work	<input type="checkbox"/>	<input type="checkbox"/>
1.9	CSS standing item on agenda and minutes recorded, decisions are identified, and action plan developed e.g., leadership, staff, advisory council	<input type="checkbox"/>	<input type="checkbox"/>
1.10	Child Safety strategies are communicated to the community e.g., newsletter, website, employment applications, events	<input type="checkbox"/>	<input type="checkbox"/>
1.11	Members of the School Advisory Council participate in induction and ongoing learning in child safe standards.	<input type="checkbox"/>	<input type="checkbox"/>
1.12	Ensure policies outline the steps staff, volunteers, children and families should take if they have concerns about the organisation's leadership in regard to child safety.	<input type="checkbox"/>	<input type="checkbox"/>
1.13	<p>The Implementation Plan includes an item ensures community messaging of Child Safety is reviewed and updated annually ready for the commencement of the school year including:</p> <ul style="list-style-type: none"> <input type="checkbox"/> school signage <input type="checkbox"/> website – statement of commitment, CSS policy, CSS staff code of conduct, reporting processes, CSS Implementation plan <input type="checkbox"/> staff handbook <input type="checkbox"/> staff, volunteer, parent representative group induction <input type="checkbox"/> commencement processes 	<input type="checkbox"/>	<input type="checkbox"/>
1.14	The school has a system for making, securing and retaining records of compliance with child safe standards.	<input type="checkbox"/>	<input type="checkbox"/>

CSS 2	Child Safety Policy or Commitment Statement to Child Safety	Not in Place	In Place
2.1	CES Limited and CECV statements of commitment to child safety are visible in the school and on school website	<input type="checkbox"/>	<input type="checkbox"/>
2.2	School has a Child Safety Policy with a review date	<input type="checkbox"/>	<input type="checkbox"/>
2.3	School's Child Safe Policy is accessible e.g., staff handbook, school website	<input type="checkbox"/>	<input type="checkbox"/>
CSS 3	Staff Child Safe Code of Conduct	Not in Place	In Place
3.1	School has a staff Code of Conduct that promotes child safety and sets standards for the school staff are expected to behave with children	<input type="checkbox"/>	<input type="checkbox"/>
3.2	The Staff Code of Conduct is publicly available e.g., website, staff handbook	<input type="checkbox"/>	<input type="checkbox"/>
3.3	Parents/carers and students are made aware of the staff code of conduct.	<input type="checkbox"/>	<input type="checkbox"/>
3.4	Leadership at the commencement of the school year use the Code of Conduct to set standards about the way in which school staff are expected to behave with children. At each presentation the agenda, minutes, decisions are recorded.	<input type="checkbox"/>	<input type="checkbox"/>
3.5	Leadership prior to school community events use the Code of Conduct to set standards of expected staff behaviour with students e.g., graduation, performances, community BBQ, fetes. At each presentation the agenda, minutes, decisions are recorded.	<input type="checkbox"/>	<input type="checkbox"/>
3.6	Leadership prior to high risk school events use the Code of Conduct to set standards of expected staff behaviour with students e.g., overnight camp, excursions, bus travel, sport team events. At each presentation the agenda, minutes, decisions are recorded.	<input type="checkbox"/>	<input type="checkbox"/>
3.7	Leadership identify other high risks events or times when the Code of Conduct needs to be presented to set standards of expected behaviour with students e.g., remote learning, supervision of student on site during remote learning, return of staff member after extended leave, change of role. At each presentation the agenda, minutes, decisions are recorded.	<input type="checkbox"/>	<input type="checkbox"/>
3.8	Procedures for dealing with identified child safety risks or breaches of the code of conduct are clearly communicated and understood.	<input type="checkbox"/>	<input type="checkbox"/>
3.9	Leadership ensure all volunteers are presented with the Code of Conduct to set standards about the way in which volunteers are expected to behave with children. At each presentation the agenda, minutes, decisions are recorded.	<input type="checkbox"/>	<input type="checkbox"/>
3.10	Leadership ensure all contractors are presented with the Code of Conduct to set standards about the way in which contractors are expected to behave with children. At each presentation the agenda, minutes, decisions are recorded.	<input type="checkbox"/>	<input type="checkbox"/>
CSS 4	Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel	Not in Place	In Place
4.1	Leadership implements staff selection, supervision and management practices for a child safe environment.	<input type="checkbox"/>	<input type="checkbox"/>
4.2	Leadership ensures staff selection, supervision and management practices for a child safe environment are aligned with and informed by the CECV Employee Relations Child Safety and Reportable Conduct	<input type="checkbox"/>	<input type="checkbox"/>

4.3	<p>Leadership ensures each job or category of jobs for school staff involving child related work has a clear statement that sets out:</p> <ul style="list-style-type: none"> <input type="checkbox"/> job requirements, duties and responsibilities <input type="checkbox"/> job occupants essential or relevant qualifications, experience and attributes in relation to child safety <input type="checkbox"/> information about the school's child safety practices including Code of Conduct 	<input type="checkbox"/>	<input type="checkbox"/>
4.4	<p>Leadership ensures school processes are in place to make reasonable efforts to gather, verify and record information about a person whom it proposes to engage to perform child-connected work:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Working with Children Check status, or similar check <input type="checkbox"/> Proof of personal identity <input type="checkbox"/> Proof of professional or other qualifications <input type="checkbox"/> Person's history of work involving children <input type="checkbox"/> Reference that address the person's suitability for the job and working with children 	<input type="checkbox"/>	<input type="checkbox"/>
4.5	<p>Leadership must ensure supervision or support arrangements are in place in relation to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Induction of new school staff into school's policies, codes, practices and procedures governing child safety and child-connected work <input type="checkbox"/> Induction of new school volunteer staff into school's policies, codes, practices and procedures governing child safety and child-connected work <input type="checkbox"/> Induction of new contractor staff into school's policies, codes, practices and procedures governing child safety and child-connected work <input type="checkbox"/> Induction of new school ministers of religion (clergy) and religious (sisters, brothers, monks, deacons) into school's policies, codes, practices and procedures governing child safety and child-connected work 	<input type="checkbox"/>	<input type="checkbox"/>
4.6	<p>Leadership must ensure supervision or support arrangements are in place in relation to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Monitor and assess a job occupant's continuing suitability for child-connected work 	<input type="checkbox"/>	<input type="checkbox"/>
4.7	<p>Leadership must ensure supervision or support arrangements are in place in relation to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 'Satisfy*' the principal that people engaged in child-connected work perform appropriately in relation to child safety <p><i>*To be 'satisfied', it is not necessary that the school principal make each decision about the selection and supervision of school staff (including volunteers, contractor and religious) engaged in child-connected work. The principal needs to be satisfied of the appropriateness of the school's arrangements that would regulate or guide others who make decisions for or on behalf of the school about child safety matters and child-connected work.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
CSS 5	Processes for responding to allegations of suspected child abuse	Not in Place	In Place

5.1	School implements the PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools Policy	<input type="checkbox"/>	<input type="checkbox"/>
5.2	School use the Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child abuse (Four Critical Actions)	<input type="checkbox"/>	<input type="checkbox"/>
5.3	School procedures and practices to implement PROTECT – 4 Critical Actions are included in the Child Safety implementation action plan e.g., induction, professional learning, note taking, record keeping, storage of hard and digital copies, storage of individual computers	<input type="checkbox"/>	<input type="checkbox"/>
5.4	Ensure roles are identified and allocated e.g., Child Safe Officer/s	<input type="checkbox"/>	<input type="checkbox"/>
5.5	School ensures reporting procedures are publicly available e.g., website, posters	<input type="checkbox"/>	<input type="checkbox"/>
5.6	School ensures reporting procedures are accessible to children, school staff, and the wider community e.g., website, posters, staff handbook/portal	<input type="checkbox"/>	<input type="checkbox"/>
5.7	<p>Ensure those with identified and allocated child safety roles e.g., Principal, Pastoral Wellbeing Leader, Child Safe Officer/s receive regular training in:</p> <ul style="list-style-type: none"> <input type="checkbox"/> PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools Policy <input type="checkbox"/> Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child abuse (Four Critical Actions) <input type="checkbox"/> Ensure there are adequate numbers of staff trained at this level to cover all contingencies e.g., personal leave, sick leave, LSL, change of role, absence, unavailability <input type="checkbox"/> Reporting processes if the allegation involves ‘reportable conduct’. 	<input type="checkbox"/>	<input type="checkbox"/>
5.8	<p>Ensure all staff are trained in the use of Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child abuse (Four Critical Actions):</p> <ul style="list-style-type: none"> <input type="checkbox"/> On a regular basis e.g., annually <input type="checkbox"/> complete eLearning Module by end of Term One annually 	<input type="checkbox"/>	<input type="checkbox"/>
5.9	Systems for making, securing and retaining records are in place and regularly reviewed.	<input type="checkbox"/>	<input type="checkbox"/>
5.10	Ensure ‘processing for responding’ has a regular system of review and updates e.g., review Recording your actions: Responding to suspected child abuse for fidelity & identify professional learning e.g., note taking, completing every box, internal and external reporting	<input type="checkbox"/>	<input type="checkbox"/>
5.11	Ensure a directory of ‘services’ relevant to the local area is kept, made available and updated regularly e.g., Child First, Orange Door, Lookout	<input type="checkbox"/>	<input type="checkbox"/>
CSS 6	Strategies to identify and reduce or remove the risks of child abuse	Not in Place	In Place
6.1	School staff, trained in risk management contribute to the Child Safe Implementation plan	<input type="checkbox"/>	<input type="checkbox"/>
6.2	A school child safe risk management strategy is part of the school’s Child Safe Implementation Plan	<input type="checkbox"/>	<input type="checkbox"/>
6.3	School has a Child Safe Risk Register	<input type="checkbox"/>	<input type="checkbox"/>

6.4	School child Safe Risk Register includes Child Safe Situational Risk Assessments for school events e.g., fetes, school performance, beginning of year mass, excursions, incursions	<input type="checkbox"/>	<input type="checkbox"/>
6.5	Risks of child abuse associated with characteristics and needs of all children have been identified and strategies to reduce or remove risk developed and recorded	<input type="checkbox"/>	<input type="checkbox"/>
6.6	Risks of child abuse associated with all of the school's environments have been identified and strategies to reduce or remove risk developed and recorded	<input type="checkbox"/>	<input type="checkbox"/>
6.7	Risks of child abuse associated with all school staff roles have been identified and strategies to reduce or remove risk developed and recorded	<input type="checkbox"/>	<input type="checkbox"/>
6.8	The Child Safe Implementation plan includes regular monitoring of the child safe risk management strategy and the effectiveness of implementation of risk controls evaluated	<input type="checkbox"/>	<input type="checkbox"/>
6.9	At least annually, school staff receive appropriate guidance and training in: <ul style="list-style-type: none"> <input type="checkbox"/>their individual and collective obligations for managing the risk of child abuse <input type="checkbox"/>child abuse risks in the environment <input type="checkbox"/>school's current child safety standards 	<input type="checkbox"/>	<input type="checkbox"/>
CSS 7	Strategies to promote the participation and empowerment of children	Not in Place	In Place
7.1	Child Safe Implementation Plan includes standards of behaviour for students attending the school (see CES Ltd Behaviour Management Framework) e.g., PBIS	<input type="checkbox"/>	<input type="checkbox"/>
7.2	Child Safe Implementation Plan includes appropriate education about healthy and respectful relationships (including sexuality) e.g., Resilience, Rights and Respectful Relationship program	<input type="checkbox"/>	<input type="checkbox"/>
7.3	Child Safe Implementation Plan includes appropriate education about resilience e.g., Resilience, Rights and Respectful Relationship program	<input type="checkbox"/>	<input type="checkbox"/>
7.4	Child Safe Implementation Plan includes appropriate education about child abuse awareness and prevention e.g., Resilience, Rights and Respectful Relationship program	<input type="checkbox"/>	<input type="checkbox"/>
7.5	Child friendly versions of child safe documents are accessible e.g., visible in school and on website	<input type="checkbox"/>	<input type="checkbox"/>
7.6	Pastoral Wellbeing programs are known to students e.g., students know how to access service Only include those items that are marked Not in Place	<input type="checkbox"/>	<input type="checkbox"/>

CHILD SAFE STANDARDS (CSS) Action Plan

Only include those items that are marked *Not in Place*

Activity	Activity Task Analysis (What)	Person/s Responsible (Who)	Timeframe (When)
CSS 1 Strategies to Embed an Organisational Culture of Child Safety	Insert Text	Insert Text	Insert date
CSS 2 Child Safety Policy or Commitment Statement to Child Safety	Insert Text	Insert Text	Insert date
CSS 3 Staff Child Safe Code of Conduct	Insert Text	Insert Text	Insert date
CSS 4 Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel	Insert Text	Insert Text	Insert date

Activity	Activity Task Analysis (What)	Person/s Responsible (Who)	Timeframe (When)
CSS 5 Processes for responding to allegations of suspected child abuse	Insert Text	Insert Text	Insert date
CSS 6 Strategies to identify and reduce or remove the risks of child abuse	Insert Text	Insert Text	Insert date
CSS 7 Strategies to promote the participation and empowerment of children	Insert Text	Insert Text	Insert date

REPORTABLE CONDUCT SCHEME POLICY

Insert School Name is a Sandhurst Catholic school which operates with the consent of the Bishop of Sandhurst and is owned and operated by Catholic Education Sandhurst Limited (CES). This Policy forms part of the Child Safety Framework which is available at **Insert School Website**.

Insert School Name is committed to the safety of all children and has 'zero tolerance' for child abuse. The importance of embedding a child safe culture across the school is recognised and paramount; as is our commitment to complying with the requirements of CES Ltd.

Insert School Name is committed to providing a safe environment for all students and young people and takes active steps to protect them against neglect and abuse. The school maintains a comprehensive suite of child safety policies and strategies, and acknowledges its responsibility to report any misconduct by an employee, volunteer or contractor to the CCYP.

1. Purpose

From 1 July 2017, the Victorian Government legislated the introduction of a Reportable Conduct Scheme (RCS) to improve how organisations, including schools, respond to allegations of child abuse and child-related misconduct by employees, volunteers and contractors.

The Reportable Conduct Scheme is focussed on employee, volunteer and contractor conduct and how organisations investigate and respond to suspected child abuse. **Insert School Name** must ensure that it maintains systems that:

- prevent reportable conduct by employees of the school within the course of their employment
- ensure reportable allegations are made to the Principal or made directly to the CES Ltd Executive Director if the reportable allegation concerns the Principal
- ensure reportable allegations that involve employees, volunteers, contractors and the Principal are reported to the CCYP.

2. Scope

This policy applies to all CES Ltd **Insert School Name** employees, volunteers and contractors and those listed in the *Victorian Child Wellbeing & Safety Act 2005, Children's Legislation (Reportable Conduct) Act 2017*.

3. Definitions

Who is an Employee?

For the purposes of the Act, employee is defined as a person aged 18 years or over who is:

- employed by the School whether or not that person is employed in connection with any work or activities of the School that relate to children; or
- engaged by the School to provide services, including as a volunteer, contractor, office holder or officer, whether or not the person provides services to children.

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

- directly engaged or employed by a School governing authority such as teaching and non-teaching staff and school leaders
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary) such as members of school boards, contractors, canteen staff or cleaners
- a minister of religion (clergy, and religious personnel (Brother, Sister, Monk).

4. Policy Statement

Insert School Name will abide by the requirements of the Reportable Conduct Scheme in dealing with allegations of misconduct or child abuse, based on a reasonable belief, that relate to employees, volunteers and contractors in the school. This includes where a reportable allegation is made against the school Principal.

The school principal, or in the case of an allegation about the principal, another school leader, will ensure the reporting of any reportable allegation made about an employee, volunteer or contractor to the CES Ltd Office, Assistant to the Director: Pastoral Wellbeing, who is required to report the matter to the Executive Director, CES Ltd as the head of entity for reportable conduct matters.

Insert School Name Principal does not have to agree with or share the belief that the alleged conduct has occurred. However, they must notify the CES Ltd Office, Assistant to the Director: Pastoral Wellbeing for further advice as to whether the allegation is reportable to the CCYP by the CES Ltd Executive Director.

The CES Ltd Executive Director, will then report the alleged misconduct to the CES Ltd Board and the CCYP within three days of becoming aware of the allegation and update CCYP of progress of the investigation within 30 calendar days. In accordance with CES Ltd Policies and Procedures, the actual notification to CCYP can be made by the Assistant to the Director: Pastoral Wellbeing on behalf of the Executive Director.

5. Policy Implementation

The CES Ltd Executive Director as Head of Entity, in consultation with the school Principal, will report the alleged misconduct to the CCYP within the three (3) days. In the event that an allegation of reportable conduct is made about the school Principal, the matter must be reported to the CES Ltd Office Assistant to the Director: Pastoral Wellbeing who will then notify the Executive Director of CES Ltd.

What is Reportable Conduct?

Table 1: Reportable conduct categories

Sexual Abuse	Sexual Misconduct	Physical Abuse	Psychological or Emotional Harm	Significant Neglect
<ul style="list-style-type: none"> • Rape or Sexual Assault • Sexual activity with or in the presence of a child • Grooming or encouraging a child to engage in sexual activity • Offences relating to child abuse material 	<ul style="list-style-type: none"> • Behaviour, physical contact, speech or other communication of a sexual nature • physical contact without valid reason • Crossing professional boundaries • Voyeurism 	<ul style="list-style-type: none"> • Hitting, kicking, punching • Pushing, shoving, grabbing, throwing, shaking • Use of an object • Inappropriate restraint, excessive force 	<ul style="list-style-type: none"> • Exposure to violence or threats of violence • Anti-social behaviour • Self-destructive behaviour • Persistent hostility or rejection • Humiliation or belittling • Scapegoating 	<ul style="list-style-type: none"> • Deprived from the following: • Clothing or food • Medical Attention or care • Shelter • Supervision • Access to drugs or alcohol.

Any reportable allegation listed above will be immediately reported by the school Principal.

It is important to note that existing Mandatory Reporting obligations have not changed. The school will report any allegation of abuse to DFFH Child Protection.

If the alleged conduct is potentially criminal in nature, Victoria Police must also be notified as a first priority and any investigation by Victoria Police will take precedence.

Where the allegation falls under the Mandatory Reporting domain, the reporting to CCYP is in addition to reporting to Police and DFFH.

Reportable conduct, Mandatory reporting and reporting to VIT

Reportable conduct allegations as listed above are referred to CCYP

Any alleged conduct that is regarded to be of a criminal nature is to be dealt with as mandatory reporting and referred to Victoria Police and DFFH according to the PROTECT: Responding and Reporting Obligations Polic, and Procedures.

If the staff member is a registered teacher and the misconduct involves a charge, conviction or finding of guilt of a sexual offence, the school must notify VIT immediately under Conduct that is Reportable to the Victorian Institute of Teaching.

Responsibilities of the School Principal/CES Ltd Office

The school Principal is responsible for the initial notification of any reportable conduct matter arising from their school and for participating in the investigation of any reportable allegation, in consultation with the appointed representative from the CES Ltd Executive Leadership Team.

Insert School Name staff are not required to make a report directly to the CCYP. It is the responsibility of the Principal to notify CES Ltd Office.

In the event of a reportable allegation against the school principal, this must be reported to the CES Ltd Office Assistant to the Director: Pastoral & Wellbeing who will then notify the Executive Director of CES Ltd who is ultimately responsible for reporting to the CCYP.

Reporting to CCYP

Upon becoming aware of alleged misconduct **Insert School Name** will commit to meeting the following milestones and reporting to the CCYP as included in Table 2: Reporting to CCYP at the end of this document. The head of an organisation (Head of Entity) is the person who is primarily responsible for an organisation's compliance with the Reportable Conduct Scheme. For the purposes of the Reportable Conduct Scheme, the Head of Entity has been identified as the Executive Director of CES Ltd. While heads of organisations are responsible for ensuring their organisations comply with the Scheme, the Commission does not expect heads to carry out their responsibilities alone. Heads of organisations can get help from other people within their organisation to fulfil their obligations under the Scheme. This may include creating and developing systems, sending approved notifications to the Commission, and conducting investigations on their behalf. While heads of organisations can seek internal support and assistance from within their organisations, it is ultimately their responsibility to ensure the Commission is notified of any reportable allegations they become aware of.

Investigating Reportable Allegations

Insert School Name will ensure procedural fairness throughout the entire investigation process.

NOTE: It is anticipated that any investigation will be undertaken by a suitably qualified, third party engaged in consultation with CES Ltd Office Assistant to the Director: Pastoral Wellbeing.

The school will however, ensure that all relevant policies and procedures are used to guide the investigation including Codes of Conduct, processes for managing and investigating complaints, misconduct, discipline, grievances, dispute resolution and employee welfare and support.

Procedural Fairness

Insert School Name acknowledges that the procedures used to conduct an 'initial investigation' into 'reportable conduct' are fair and reasonable. This will usually include ensuring that, before any findings are made or disciplinary action is taken, the subject of an allegation:

- is notified of any adverse information that is credible, relevant and significant
- has a reasonable opportunity to respond to that information.

Procedural fairness; however, *does not* require the school to notify the subject of the allegations when the CES Ltd Office Assistant to the Director: Pastoral Wellbeing or CCYP are first notified or when the reportable allegations are deemed to be unsubstantiated.

The school will give consideration to when the subject of the reportable allegation should be first told about an allegation, in order to ensure the investigation is not compromised, but remains procedurally fair.

Initial Investigation

Upon receipt of a reportable allegation the Principal will immediately contact the CES Ltd Office Assistant to the Director: Pastoral Wellbeing for advice and counsel. Subsequent to this the Principal will commence an initial investigation into the alleged misconduct to determine if it can be substantiated.

When participating in an initial investigation into reportable conduct the Principal will apply the balance of probabilities as the standard of proof. This means that all preliminary enquiries will consider whether it is more likely than not that reportable conduct has occurred.

To establish the balance of probabilities the Principal will gather information by conducting and documenting interviews with the alleged victims, their parents or guardians and any other witness or individual identified as having knowledge of the misconduct.

Time will be taken to compare versions of events given by different witnesses in order to decide which version is the more probable. However, investigations will not undertake a mathematical or mechanical assessment of probabilities. Rather, the person conducting the investigation must be persuaded, based on the information available, that reportable conduct has occurred and must be further investigated.

Upon the conclusion of the initial investigation into the reportable allegation, the Principal will provide a written brief to CES Ltd Office Assistant to the Director: Pastoral Wellbeing for further advice and counsel to ensure school meets its legislative obligations.

If the alleged conduct is potentially criminal in nature, Victoria Police must also be notified as a first priority and any investigation by Victoria Police will take precedence.

Record Keeping and Privacy Act

The school maintains records of these reportable allegations, written reports and reportable conduct investigation findings indefinitely.

The school must not publish information that would enable the identification of:

- a person or who notified the Commission
- a child in relation to whom a reportable allegation was made or a finding of reportable conduct was made.

The Act provides more information on the meaning of publish, which includes making the information publicly available in writing or email.

Table 2: Head of Entity (Executive Director) Reporting to CCYP

Within 3 Business Days	Within 30 Calendar Days	Advice on Investigation	Outcomes of Investigation	Additional Documents
<ul style="list-style-type: none"> •School Contact Details •Name of the employee, volunteer or contractor •Their date of birth •Initial advice on the nature of the allegation •Any Police Report 	<ul style="list-style-type: none"> •Details of the allegation •Details of the school's response •Details regarding disciplinary or other action proposed •Any written response from the employee, volunteer or contractor regarding the allegation, proposed disciplinary or other action 	<ul style="list-style-type: none"> •As soon as is practical: •Name of the investigator •Their contact details 	<ul style="list-style-type: none"> •Copies of the investigation findings •Details regarding disciplinary or other action proposed •Reasons for taking or not taking action 	<ul style="list-style-type: none"> •Promptly providing any further information to the CCYP as requested

6. Relevant Legislation

Child Wellbeing & Safety Act 2005 (Vic)

Children Legislation Amendment (Reportable Conduct) Act 2017 (Vic)

[Protecting Children — Reporting and Other Legal Obligations, Victorian Department of Education, 2020](#)

7. Evaluation

This policy will be reviewed in consultation with members of the wider community as part of the school's three year review cycle.

Update of the policy will occur if and when new legislated requirements are announced to ensure the policy is adequate and effective to meet the requirements for compliance with the legislation.

FORM 10: Child Safety Risk Management

CHILD SAFETY RISK MANAGEMENT

Catholic Education Sandhurst Limited (CES) is committed to zero tolerance of child abuse, as articulated in our *Commitment Statement to Child Safety*.

All staff and members of our school community have a duty of care to protect the safety, health and wellbeing of children in their care.

The consists of a diverse population, including students with a disability, Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds.

Insert School Name, understands its obligations in relation to *Ministerial Order No. 870: Child Safe Standards – Managing the risk of child abuse in schools*, and is committed in ensuring that our compliance and regulatory obligations are met at all times.

This document has alignment with the CES Ltd Child Safety Framework and policies and should be read in conjunction with CES Ltd *Risk Management Framework*.

Child Safety Risk Management

Insert School Name has adopted a risk management approach to child protection by developing and implementing strategies to identify and mitigate our child protection risks based on:

- The nature of all school environments
- The activities students undertake at schools (including the provision of services by contractors or outside the school's physical environment)
- Physical and online environments that exist in our school
- The characteristics and needs of all of our students.

Insert School Name sees the importance of embedding an environment of child safety as part of our school's culture.

Insert School Name has implemented and will continually maintain adherence to the seven (7) Child Safe Standards, namely:

Standard 1: Strategies to embed an organisational culture of child safety.

Standard 2: A child safety policy or a statement of commitment to child safety.

Standard 3: A child safety code of conduct.

Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse.

Standard 5: Procedures for responding to and reporting suspected child abuse.

Standard 6: Strategies to identify and reduce or remove risks of child abuse.

Standard 7: Strategies to promote child participation and empowerment.

Along with compliance with the above standards, **Insert School Name** has implemented the risk mitigation strategies to ensure the school maintains a proactive approach to our duty of care in protecting children from harm and comply with our legal and regulatory obligations, including:

- Provision of child safety training during induction and through ongoing training annually that identifies the risks of child abuse in the school environment and articulating their obligations and responsibilities for managing these risks, how to report and respond to child safety incidents
- The presence of extensive policies and procedures in relation to excursions and camps, ensuring that child safety risks specific to excursions and overnight stays are identified and put in place
- Ongoing, periodic reviews of all physical school environments to eliminate physical isolation risks, such as solid classroom doors or rooms with no windows, or implement procedural controls where elimination is not possible
- The development of procedures for verifying the Working with Children Check (WWCC) status of all staff/visitors, who may have direct unsupervised contact with students, to ensure that students remain safe in all school environments both internal and external to the school grounds.

This document provides guidance for **Insert School Name** staff when conducting risk assessments and should be read in conjunction with the CES Ltd Risk Management Framework.

Child Safe Standard: Risk Assessment Process

As part of child safety, risk assessments should be undertaken for any activity, event, or to test compliance measures that are in place.

Each School will be different, and it is vital that each risk event or environment is assessed. The adequacy of existing controls should be assessed, and risk treatments (initiatives) should be developed if gaps (vulnerabilities) are identified. A risk assessment enables the School to control an identified risk, by the provision of measures to ensure child safety and embedding a culture of proactive child protection, as articulated in the CES Ltd Child Safe Standards.

Below is a list of terms that are used in risk assessments:

Term	Definition
Risk	A situation in where the protection of a child is compromised.
Risk Assessment	A systematic process of evaluating the possible risks that may be linked to an activity of task.
Risk Management	A coordinated approach of managing risks, and ensuring adherence to <i>Child Safe Standards</i> .

TABLE 1: RISK DEFINITION TABLE

Process

The following table details the principles as detailed in *ISO3100:2018 Risk Management – Guideline* and aligning to the *CES Ltd Risk Management Framework*.

Process	Description
Identify Risks	Identify where, when, why and how events could prevent, delay or degrade the main outcome of the event, activity or meeting.
Analyse Risks	Determine the likelihood of the risks to occur and the potential consequences related to the risks and how these could occur (cause and impacts).
Evaluate Risks	Compare the level of risk against the potential adverse outcomes so that decisions can be made on how to manage the priorities.
Control Risks	Develop and implement strategies and action plans which are cost effective and beneficial to all involved.
Monitor and Review Risks	Monitor the effectiveness of the processes put in place. Provide feedback for improvement, considering on any follow up required from incidences.

TABLE 2: RISK MANAGEMENT PRINCIPLES

Establishing the context of risk is the first step in the risk management process, and is essentially termed as “identifying the risk”.

The School must ensure child safety risk is considered. Child safety risks must be assessed as part of standard risk management processes at school level and this includes activities that the school oversees directly and those activities where the school name is used in the arranging and operation of an activity. Child safety risks must be controlled from the initial planning, implementation, monitoring and evaluation of an activity and must be managed throughout the lifecycle of the activity. This could include an excursion, incursion, camp or a risk assessment on school level (e.g. isolated areas of buildings, lack of supervision areas, management/procedural elements, etc.).

Activities can be high risk for a number of reasons. This can be due to their nature, their location, cultural sensitivities and whether other organisations involved, etc.

In addition, **Insert School Name** may be engaging in a low risk activity however the activity may be occurring in a non-School building or environment, which could change the nature of the risk. A child safety risk assessment must be conducted before the activity can proceed.

In other words, the person undertaking the assessment should consider “what is the risk”?

As part of the risk assessment, consideration should be made on what could cause this risk to occur, and what impacts (worse case) could occur if controls are not in place. The type of harm that could impact children should be addressed.

<i>Unintentional/accidental harm</i> <ul style="list-style-type: none"> – Poor physical environment leading to injury. – Poor supervision. – High-risk activity. – Lack of risk mitigation strategies in place. 	<i>Physical abuse</i> <ul style="list-style-type: none"> – Physical punishment. – Pushing, shoving. – Punching, slapping, biting, kicking. 	<i>Cultural abuse</i> <ul style="list-style-type: none"> – Lack of cultural respect. – Racial or cultural vilification or discrimination. – Lack of support to enable a child to be aware of. – Express their cultural identity.
<i>Neglect</i> <ul style="list-style-type: none"> – Lack of supervision. – Not providing adequate nourishment. – Not providing adequate clothing or shelter. – Not meeting the specific physical or cognitive needs of children. 	<i>Sexual abuse</i> <ul style="list-style-type: none"> – Sexual abuse, assault, and exploitation. – Grooming. – Inappropriate touching. – Inappropriate conversations of a sexual nature (either face-to-face, online or via other technology). – Crossing professional boundaries. 	<i>Psychological abuse</i> <ul style="list-style-type: none"> – Bullying. – Threatening language. – Shaming. – Intentional ignoring and isolating (either face-to-face, online or via other technology). – Spiritual.

TABLE 3: TYPE OF HARM - Adapted from the NSW Office of the Children’s Guardian

The assessment should identify what controls are in place to manage or mitigate the risk from occurring. If vulnerabilities or gaps are identified, it is vital that risk treatments (which can be termed as “actions” or “initiatives”) be implemented to reduce the risk.

Risk ratings should be devised using the CES Ltd Risk Management Framework, to deduce likelihood, consequence and risk rating.

All risk assessments should be retained, and included in the **Insert School Name** Risk Register. If risks are uncontrolled they need to be escalated as indicated within the Risk Management Framework.

FORM 11: Child Safety Risk Register

CHILD SAFETY RISK REGISTER

Each Sandhurst Catholic School will be different and must undertake their school specific risk assessment (below is an example template that can be used focussing on Child Safety). The Risk Management Framework should be used to deduce the risk rating. The Risk Descriptions here are an example only and must be customised for each school.

Schools have an obligation to undertake risk assessment pertaining to child safety, and ensure alignment with the *Child Safety Standards*.

Risk Description	Causes	Impacts	Controls	Likelihood	Consequence	Risk Rating	Risk Treatments	Responsibility	New Risk Rating
Inappropriate behaviour noticed by a school community member is not reported and addressed	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Engagement with children online	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Recruitment of an appropriate person	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Unknown people and environments at excursions and camps	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text

Risk Description	Causes	Impacts	Controls	Likelihood	Consequence	Risk Rating	Risk Treatments	Responsibility	New Risk Rating
Ad-hoc contractors on the premises (e.g. maintenance)	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
School/Community Event	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Interschool Event	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Unquestioning trust of long term employees and contractors or norms	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Lack of a critical incident management plan	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Multiple Entry Points to the school	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Unknown people on School grounds	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text

Risk Description	Causes	Impacts	Controls	Likelihood	Consequence	Risk Rating	Risk Treatments	Responsibility	New Risk Rating
Unknown people in immediate vicinity of the school-attempting to engage with children or staring at children, taking images of children	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Student comes to school stating they have been harmed by a family member or another individual	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Student with special needs is enrolled at the school. Students with a disability, students with a health issue, students with aggressive behaviour	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Student displays at risk behaviours: Self harm Depression Substance misuse Eating disorder	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text
Student is injured at school During class time During recess	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text	Insert text