



CHILD PROTECTION

POLICY NAME: Child Safety

ADOPTED: July 2016

LAST AMENDED: October 2020

Child Safety Policy

Killester College has developed the following Child Safety Policy. This policy is an overarching document that provides key elements of our approach to protecting children from abuse.

The policy forms the foundation of the College's procedures, practices, decision-making processes and ultimately the College's culture with respect to child safety.

It is designed to be published on our public website as well as communicated through other mediums such as newsletters, our annual report and in induction and welcome packs for Stewardship Council members, staff and volunteers.

The College's Child Safety Policy has been approved and endorsed by the Kildare Education Ministries (KEM Board) Board and Stewardship Council and is regularly reviewed by the Board.

Our Child Safety Policy

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

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

Objectives

This policy provides the framework for:

- the development of work systems, practices, policies and procedures that promote child protection within the College
- the creation of a positive and robust child protection culture
- the promotion and open discussion of child protection issues within the College
- complying with all laws, regulations and standards relevant to child protection in Victoria, including the Victorian Child Safe Standards.

Statement of Commitment to Child Safety

Child abuse includes sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and a child's exposure to family violence. Killester College is committed to the protection of all children from all forms of child abuse and demonstrates this commitment through the implementation of a comprehensive Child Safety program designed to keep children safe.

At Killester College we are committed to acting in children's best interests and keeping them safe from harm. We do not and will not tolerate child abuse. The College regards its child protection responsibilities with the utmost importance and as such is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintain a child safe culture. All students deserve as a fundamental right, safety and protection from all forms of abuse and neglect.

Child Safe Values and Principles

Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, their voices are heard and they are safe and feel safe (CECV [Commitment Statement to Child Safety](#)).

The following principles underpin our approach to Child Safety:

1. All children have a fundamental right to be safe and protected from all forms of abuse and neglect.
2. The welfare and best interests of the child are paramount.
3. The safety of children is dependent upon the existence of a child safe culture.
4. All staff, volunteers, contractors and clergy have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
5. All children have the right to special care and support including (but not limited to) those who identify as: Aboriginal or Torres Strait Islander, those from culturally or linguistically diverse backgrounds, children with disabilities and children who are vulnerable.
6. All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.

In addition to the above, the following overarching principles guide the development and regular review of our work systems, practices, policies and procedures to protect children from abuse.

1. All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers.
2. The views of the child and a child's privacy must be respected in the community.
3. Clear expectations for appropriate behavior with children are established in our [Child Safety Code of Conduct](#) and [Staff and Student Professional Boundaries Policy](#).

4. Child safety awareness is promoted and openly discussed within our College community.
5. Procedures are in place to screen all staff, Direct Contact Volunteers**, third party contractors and external education providers who have direct contact with children.
6. Child safety training is mandatory for all KEM Board and Stewardship Council members, staff and Direct Volunteers.
7. Procedures for responding to alleged or suspected incidents of child abuse are simple and accessible for all members of the College community.
8. Child Safety Officers are trained and appointed to support the implementation of this policy and related procedures.

***Direct Contact Volunteers are those volunteers who are involved in providing support, guidance and supervision directly to students and could potentially have direct contact with students during the normal course of providing the volunteer service.*

The Working with Children Act 2005 (Vic) defines 'direct contact' as any contact between a person and a child (aged under 18) that involves:

- *Physical contact: or*
- *Face to face contact: or*
- *contact by post or other written communication; or*
- *contact by telephone or other oral communication; or*
- *contact by email or other electronic communication.*

Examples of Direct Contact Volunteer activities may include volunteers involved in College camps and excursions, coaching sporting teams or assisting in learning activities.

Child Safety Program

Killester College is committed to the effective implementation of our Child Safety program and ensuring that it is appropriately reviewed and updated. We adopt a risk management approach by identifying key risk indicators and assessing child safety risks based on a range of factors including the nature of our College's activities, physical and online environments and the characteristics of the student body.

Our Child Safety program relates to all aspects of protecting children from abuse and establishes work systems, practices, policies and procedures to protect children from abuse. It includes:

- clear information as to what constitutes child abuse and associated key risk indicators
- clear procedures for responding to and reporting allegations of child abuse
- strategies to support, encourage and enable staff, volunteers, third party contractors, clergy, external education providers, parents and students to understand, identify, discuss and report child protection matters
- procedures for recruiting and screening KEM Board and Stewardship Council members, staff and Direct Contact Volunteers

- procedures for reporting reportable conduct and/or misconduct
- pastoral care strategies designed to empower students and keep them safe
- policies with respect to those who identify as: Aboriginal or Torres Strait Islander, culturally or linguistically diverse backgrounds, children with disabilities and children who are vulnerable
- a child safety training program
- formation of a Child Safety Committee to support and promote the College's Child Safety program
- information regarding the steps to take after a disclosure of abuse to protect, support and assist children
- guidelines with respect to record keeping and confidentiality
- policies to ensure compliance with all relevant laws, regulations and standards (including the Victorian Child Safe Standards)
- a system for continuous improvement and review.

As a part of Killester College's induction process, all staff and Direct Contact Volunteers are provided with a copy of the relevant Child Safety Policies in our Child Safety program.

All staff, Direct Contact Volunteers, KEM Board and Stewardship Council members are provided with additional, ongoing child safety training annually.

Staff, volunteers, third party contractors and external education providers are supported and supervised by a Child Safety Leader and Child Safety Officers, the Business Manager or a member of the Leadership Team to ensure that they are compliant with the College's approach to child safety.

Responsibilities

Child safety is everyone's responsibility. At Killester College all members of the KEM Board and Stewardship Council, staff, contractors, and clergy, as well as volunteers, have a shared responsibility for contributing to the safety and protection of children. Specific responsibilities include:

Board and Stewardship Council

Each member of the KEM Board and Stewardship Council is required to ensure that appropriate resources are made available to allow the College's Child Safety Policy and the Child Safety program to be effectively implemented within the College and are responsible for holding the Principal and Leadership Team accountable for effective implementation.

The Principal

The Principal is responsible, and will be accountable for, taking all practical measures to ensure that this Child Safety Policy and the College's Child Safety program are implemented effectively and that a strong and sustainable child protection culture is maintained within the College.

The College's Child Safety Leader and Child Safety Officers

A number of staff members are nominated as College's Child Safety Leader and Child Safety Officers. Our Child Safety Leader and Child Safety Officers receive additional specialised training with respect to child protection issues. They are the first point of contact for raising child protection concerns within the College. They are also responsible

for championing child protection within the College and assisting in coordinating responses to child protection incidents.

Staff Members

All staff are required to be familiar with the content of our Child Safety Policy and our Child Safety program and their legal obligations with respect to the reporting of child abuse. It is each individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with either the College's Child Safety Leader or one of the Child Safety Officers.

At Killester College, we expect school employees, volunteers, contractors and clergy to proactively ensure the safety of students at all times and to take appropriate action if there are concerns about the safety of any child at the school. All school staff must remain familiar with the relevant laws, the Code of Conduct, and policies and procedures in relation to child protection and to comply with all requirements. We have developed a Child Safety [Code of Conduct](#), which recognises the critical role that school staff play in protecting the students in our care and establishes clear expectations of school employees, volunteers, contractors and clergy for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

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

Direct Contact Volunteers

All Direct Contact Volunteers, as defined in this policy, are required to be familiar with the content of our Child Safety Policy and our Child Safety program and their legal obligations with respect to the reporting of child abuse. It is each individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the College's Child Safety Leader and Child Safety Officers.

Indirect Contact Volunteers

Indirect Contact Volunteers (or 'indirect volunteers') are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students. Indirect contact volunteers are not responsible for supervising students and would not have 'unsupervised' contact with students during the normal course of providing the volunteer service.

All indirect volunteers are responsible for contributing to the safety and protection of children in the College environment.

All indirect volunteers are required by the College to be familiar with our Child Safety Policy and our Child Safety Code of Conduct.

Examples of Indirect Contact Volunteer activities may include assisting with College functions, or the College canteen and fundraising events.

Third Party Contractors

All Third Party Contractors (service providers) engaged by the College are responsible for contributing to the safety and protection of children in the College environment.

All service providers engaged by the College are required by the College to be familiar with our Child Safety Policy and our Child Safety program.

The College may include this requirement in the written agreement between it and the service provider.

Third Party Contractors include, for example, maintenance and building personnel, consultants, casual teachers, tutors, sports coaches and Killester College cleaners.

This also includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, rather than the College, but have an agreement with the College to use the College's facilities.

Direct Contact Contractors

Direct Contact Contractors are:

- Those who have direct contact** with students during the normal course of their work
- those who may be in a position to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare (for example full-time maintenance personnel)
- any contractors whom a school is legally required to screen.

The Working with Children Act 2005 (Vic) defines 'direct contact' as any contact between a person and a child (aged under 18) that involves:

- physical contact, or
- face to face contact, or
- contact by post or other written communication, or
- contact by telephone or other oral communication, or
- contact by email or other electronic communication.

Indirect Contact Contractors

Indirect Contact Contractors are those contractors who do not meet the definition of 'Direct Contact Contractor'. Refer to Third Party Contractors' Responsibilities for more information.

All service providers engaged by the College are required by the College to be familiar with our Child Safety Policy and our Child Safety program. The College may include this requirement in the written agreement between it and the service provider.

External Education Providers

An external education provider is any organisation that the College has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the College.

The delivery of such a course may take place on College premises or elsewhere.

All external education providers engaged by the College are responsible for contributing to the safety and protection of children in the College environment.

All external education providers engaged by the College are required by the College to be familiar with our Child Safety Policy and our Child Safety program.

Killester College may include this requirement in the written agreement between it and the external education provider.

Reporting Child Safety Concerns

Our Child Safety Program provides detailed guidance for KEM Board and Stewardship Council members, staff, and Direct Contact Volunteers as to how to identify key risk indicators of child abuse and how to report child abuse concerns to Killester College's Child Safety Leaders and/or Child Safety Officers. It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

Our staff must act, by following the [Four Critical Actions](#), as soon as they witness an incident, receive a disclosure or form a reasonable belief that a child has, or is at risk of being abused. Staff must act if they form a suspicion/ reasonable belief, even if they are unsure and have not directly observed child abuse (e.g. if the victim or another person tells them about the abuse).

Staff, third party contractors, clergy, external education providers, volunteers, students, parents/guardians and other community members who have concerns that a child may be subject to abuse or grooming are asked to contact the College's Child Safety Leader or one of the Child Safety Officers. The College's Child Safety Leader, Luana Doko is contactable by phoning (03) 9582 6304 or emailing ldoko@killester.vic.edu.au.

Communications will be treated confidentially on a 'need to know basis'.

Whenever there are concerns that a child is in immediate danger the Police should be called on **000**.

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

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

Our school's [Child Safety: Reporting Obligations Policy](#), updated in October 2020, sets out the actions required under the relevant legislation when there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

Our policy assists staff, clergy, volunteers and families to:

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

Our school has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

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

- [Child Safety – Reporting Obligations](#)
- [Complaints Policy](#)
- [Pastoral Care Policy](#)
- [Staff and Student Professional Boundaries Policy.](#)

Screening and Recruitment of School Staff

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

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

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

When employing contractors and volunteers involved in child-connected work, we make all reasonable efforts to confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant).

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

Risk Management

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

Our Child Safety policies are reviewed regularly as part of our policy review cycle and our risk management strategies are reviewed annually.

Definitions

Child Abuse

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 listed in the Crimes Act 1958 (Vic)

- the infliction of physical violence, serious emotional or psychological harm
- the serious neglect of a child.

A child is defined by the Act as a person who is under the age of 18 years.

Family Violence

Whilst the term 'family violence' does not form part of the official definition of 'child abuse', the impact of family violence on a child is commonly referred to as a form of child abuse.

In Victoria section 5 of the Family Violence Protection Act 2008 (Vic) defines "family violence" as behaviour by a person towards a family member that is:

- physically or sexually abusive
- emotionally or psychologically abusive
- economically abusive
- threatening
- coercive
- in any other way controlling or dominating the family member and causes them to feel fear for their own, or other family member's safety or wellbeing.

Behaviour that causes a child to hear, witness or be exposed to the effects of such behaviour also falls within the definition of 'family violence'.

Sexual Offences

A sexual offence occurs when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to the child's age and development. Children may be bribed or threatened physically and psychologically to make them participate in the activity.

Sexual abuse can involve a wide range of sexual activity and may include fondling, masturbation, oral sex, penetration, voyeurism and exhibitionism. It can also include exploitation through pornography or prostitution as well as **grooming behaviour**.

Grooming

Grooming refers to predatory conduct undertaken to prepare a child for sexual activity at a later time. It is a sexual offence under section 49B of the Crimes Act 1958 (Vic) carrying a maximum 10-year term of imprisonment.

Grooming behaviour typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour.

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

Certain behaviours or acts will not in isolation constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

Physical Violence

Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or using weapons (such as belts and paddles).

Physical abuse does not mean reasonable discipline, though it may result from excessive or inappropriate discipline.

Serious Emotional or Psychological Harm

Serious emotional or psychological abuse may occur when a child is repeatedly rejected, isolated or frightened by threats or the witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological harm could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Psychological or emotional abuse may occur with or without other forms of abuse.

Serious Neglect

Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

Family Violence

In Victoria 'family violence' is a defined term under the Family Violence Protection Act 2008. It is a criminal offence.

When dealing with children it is important to remember that 'family violence' extends to behaviour that causes a child to hear, witness, or be exposed to the effects of 'family violence'.

As family violence can result in one or more forms of child abuse (being sexual offences, physical violence, serious emotional or psychological harm or serious neglect) the physical and behavioural indicators of these types of abuse may also be indicative of a family violence situation.

Related Policies and Procedures

Relevant Legislation

- *Children, Youth and Families Act 2005 (Vic.)*
- *Child Wellbeing and Safety Act 2005 (Vic.)*
- *Working with Children Act 2005 (Vic.)*
- *Education and Training Reform Act 2006 (Vic.)*
- *Equal Opportunity Act 2010 (Vic.)*
- *Privacy Act 1988 (Cth)*
- *Crimes Act 1958 (Vic.)* – Three new criminal offences have been introduced under this Act:
 - a) **Failure to disclose offence**: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
 - b) **Failure to protect offence**: The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of

a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

- i) **Grooming offence:** This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

Catholic Education Melbourne Policies

- CECV [Guidelines Relating to the Employment of Staff](#)
- Policy 2.19: [Child Protection – Reporting Obligations](#)
- Policy 2.19a: [School Guidelines –Police and DHHS Interview Protocols](#)
- Policy 2.20 [Complaints Policy](#)
- Policy 2.26: [Pastoral Care of Students in Catholic Schools](#)

College Policies

- [Child Safety – Code of Conduct](#)
- [Child Safety- Reporting Obligations](#)
- [Pastoral Care](#)
- [Complaints](#)
- [Staff and Student Professional Boundaries](#)

College Programs

- Risk Management Program
- Compliance Program
- Human Resources Program
- Student Duty of Care Program
- Occupational Health & Safety Program
- Child Safety Staff Training
- Recruitment & Selection Procedures
- Induction Procedures

Disciplinary Procedures

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, Killester College may start the process under clause 13 of the [Victorian Catholic Education Multi Enterprise Agreement 2018](#) (VCEMEA) for managing employment concerns. This may result in disciplinary consequences.

Where the **principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact [Kildare Education Ministries](#), the employer. Relevant notification should also be made to Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with the College's [Child Safety Reporting Obligations Policy](#)

and/or contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Policy and Program Review

Killester College is committed to the continuous improvement of our Child Safety Program. The program is regularly reviewed for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards.

References

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

Catholic Education Commission of Victoria Ltd (CECV) 2013, [Victorian Catholic Education Multi Enterprise Agreement 2018](#), CECV.

Congregation for Catholic Education 1997, [The Catholic School on the Threshold of the Third Millennium](#), Vatican.

Safe Schools Hub 2014, [National Safe Schools Framework Glossary](#), Australian Government Department of Education and Training.

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

Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#)

Last Review: 26 October 2020

Ratified by KEM Board:

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| KEM Board Chairperson signature: | |
| Date: | |

Last Updated: 13 October 2020

File to be uploaded to: Complispace, school website and T:share.