



# KILBRED A COLLEGE

## **Child Protection and Safety Policy**



# KILBREDA COLLEGE



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# Child Protection and Safety Policy



## 1. Values

Kilbreda College as part of Kildare Ministries is inspired by the transformative visions of the Christian story and our rich traditions. Our vision is a community where all people are valued, where all creation is recognised as sacred and where hope, justice and courage are our hallmarks.

**Wonder** - Celebrating all that is good with joy and gratitude

**Courage** - *Speaking and acting with integrity*

**Hospitality** – Welcoming All

**Hope** – Bringing a sense of purpose

**Compassion** – Walking with an having empty for all

## 2. Introduction

At Kilbreda College, as a Kildare Ministries school in the Brigidine Tradition there has been a long tradition of particular care for every student. We hold the integrity of each human person sacred and the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. Our commitment is drawn from and inherent in the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel ([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, par. 9).

## 3. Purpose of the Policy

Kilbreda College is committed to being a Child Safe organisation and embedding a child safe culture into our practices and processes to ensure that all children that attend our school are safe at all times. Thus, the purpose of this policy is to demonstrate the strong commitment and uphold Kilbreda College’s care, safety and wellbeing of all children at our school.

All children regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family or social background have equal rights to protection from abuse. Kilbreda College is committed to the cultural safety of Aboriginal children and those from culturally and/or linguistically diverse backgrounds and to provide a safe – environment for children with a disability.

Kilbreda College has zero tolerance for child abuse and are committed to acting in children’s best interests and keeping them safe from harm. All staff employed by Kilbreda College are responsible for the care and protection of the children within our care and to report information about suspected child abuse. The College regards its child protection responsibilities with the utmost importance. This policy provides an outline of the policies, procedures and strategies developed to ensure that all reasonable steps are taken to ensure that students are kept safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations utilised by the school. It 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; and

- Complying with all laws, regulations and standards relevant to child protection in Victoria. This includes the specific requirements of the Victoria Child Safe Standards as set out in [Ministerial Order No. 870](#).

#### 4. Scope

This policy applies to all staff members, volunteers, students aged 18 years and over, Stewardship Council members, the School Parent Community, contractors and clergy.

#### 5. Child Safe 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 College's commitment to child safety is based on the following overarching principles that guide the development and regular review of our work systems, practices, policies and procedures to protect children from abuse.

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

## 6. Definitions used in this policy

**Child:** A child is any person 17 years of age or younger. In the case of Kilbreda College, this definition is extended to include all students who are enrolled at the School, irrespective of their age.

**Child abuse** includes:

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

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

**Child neglect** includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk. The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. ([Safe Schools Hub](#))

**Child physical abuse:** Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour. ([Safe Schools Hub](#))

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

**Child sexual abuse:** Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- Any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as breaching of both personal and public trust that occurs when professional boundaries are violated.
- Any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion.
- Sexual activity between peers that is non-consensual or involves the use of power or coercion.
- Non-consensual sexual activity between minors (e.g. a 14 year old and an 11 year old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of

development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse. ([Safe Schools Hub](#))

**Emotional child abuse** occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence. ([PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#))

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

**Mandatory Reporting:** The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners. ([Safe Schools Hub](#))

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

**School environment:** Any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

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

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

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

## 7. Policy Commitment

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

### Our commitment to our students

- a) We commit to the safety and wellbeing of all children and young people enrolled in our school.
- b) We commit to providing children and young people with positive and nurturing experiences.
- c) We commit to listening to children and young people and empowering them by taking their views seriously, and addressing any concerns that they raise with us.
- d) We commit to taking action to ensure that children and young people are protected from abuse or harm.

- e) We commit to teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- f) We commit to seeking input and feedback from students regarding the creation of a safe school environment.

#### **Our commitment to parents and carers**

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

#### **Our commitment to our school staff (school employees, volunteers, contractors and clergy)**

- a) We commit to providing all Kilbreda College staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- b) We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and young people's protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.
- c) We commit to listening to all concerns voiced by Kilbreda College staff, clergy, volunteers, and contractors about keeping children and young people safe from harm.
- d) We commit to providing opportunities for Kilbreda College employees, volunteers, contractors and clergy to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

## **8. Responsibilities and Organisational Arrangements**

Everyone employed or volunteering at Kilbreda College has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make. ([CECV Commitment Statement to Child Safety](#))

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

### **8.1. Guide to Responsibilities of School Leadership**

The principal, Kildare Ministries and school leaders at Kilbreda College recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety.

Responsibilities include:

- Creating an environment for children and young people to be safe and to feel safe
- Upholding high principles and standards for all staff, clergy, volunteers, and contractors
- promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- Ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- Ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters

- Providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing
- Ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#).
- Ensuring the school takes specific action to protect children from abuse in line with the three new criminal offences introduced under the Crimes Act 1958 (Vic.) and in line with the PROTECT: Identifying and responding to all forms of abuse in Victorian schools.

## 8.2. Guide to Responsibilities of School Staff

Responsibilities of school staff (school employees, volunteers, contractors and clergy) include:

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

## 8.3. Organisational Arrangements

Kilbreda College enacts this commitment to child safety through:

- Appointment of Child Safety Officers. All allegations or evidence will be directed to them as outlined in the Child Safety – Reporting Policy document. (*Appendix 1*)
- A budget allocation to enable regular training and education in order to understand the responsibilities of all staff in relation to child safety and the wellbeing of children and young people.
- Participation in the diocesan child protection professional development sessions.
- The use of school website and newsletter to remind and to keep parents and carers informed of child safety commitments, procedures and arrangements.

## 9. Expectations of our School Staff – Child Safety Code of Conduct

At Kilbreda 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. Each year, staff are expected to complete the Policy Plus online modules relating to Child Safety and the Department of Education and Training's online eLearning mandatory reporting module as per their Victorian Institute for Teaching (VIT) registration requirements.

Kilbreda College has developed a Child Safety Code of Conduct (*Appendix 2*), 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. Each year, staff must complete the Child Safety Code of Conduct and submit it to the Assistant to the Principal.

## 10. Student Safety and Participation

At Kilbreda College, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

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

## 11. Reporting and Responding

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.

Kilbreda College's Child Protection – Reporting Policy (*Appendix 1*), updated on 15 May 2019, 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, 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.

Any school staff member who believes on reasonable grounds that a child or young person is in need of:

- Protection from physical harm or sexual abuse – **must** report their concerns to Child Safety Officer within the College and DHHS Child Protection.
- Protection from harm that is not believed to involve physical harm or sexual abuse – are encouraged to report their concerns to Child Safety Officer within the College and DHHS Child Protection.
- Protection from the predatory conduct of grooming – **must** report their concerns to Child Protection Officers with the College and the police.
- Therapeutic treatment – are encouraged to report their concerns to Child Protection Officers within the College and DHHS Child Protection or Child First / The Orange Door.

Kilbreda College 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. At Kilbreda College, the Assistant Principal: Wellbeing and Engagement and College Counsellors serve as the Child Safety Officers and are a point of contact for those who have questions or concerns or want to report an allegation of child abuse. They have specific responsibility for responding to any complaints made by staff, volunteers, parents or students in relation to child safety.

Kilbreda College has formal avenues for complaints and disclosure processes, which are outlined and detailed in the following policies and procedures:

- Kilbreda College Privacy Policy
- Kilbreda College Complaints Handling Procedure
- Kilbreda College Staff and Student Professional Boundaries

## 12. Screening and Recruitment of School Staff

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

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

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

Kilbreda College will monitor and assess 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.

## 13. Risk Management

At Kilbreda 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.

We enact this commitment through:

- The establishment of a Child Safety Team.
- The development and ongoing review of the school's risk register including controls, actions and monitoring.
- Incident management.
- Risk assessments.
- Review of policies and procedures.

## 14. Child Safety – Education and Training for School Staff

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

**Staff Induction** specifically includes:

- Familiarisation with this Child Safety Policy and its many implications.
- Familiarisation with and a signed commitment to the school's Child Safety Code of Conduct.
- Training about child protection reporting obligations, protocols for receiving/recording complaints.
- Training and familiarisation around the school's policies, codes, practices and procedures governing child safety.

**Staff Professional Learning** provides opportunities for staff (and where appropriate, volunteers) to:

- Maintain, develop and improve skills and capabilities around child safety, including relevant legislative requirements.
- Develop understanding of the risk of harm to children; the different types of harm; and how to identify grooming and abuse.
- Understand and build confidence around their reporting obligations.
- Complete the annual online mandatory reporting module.

## 15. Relevant Legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Working with Children Act 2005* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Privacy Act 1988* (Cth)
- *Crimes Act 1958* (Vic.) – Three new criminal offences have been introduced under this Act:

**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.

**Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

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

## 16. Related Policies

### 16.1. Catholic Education Office Melbourne Policies

- [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](#)
- CEM Guidelines for Behaviour Support
- [CECV Whole School Approaches to Supporting Positive Behaviour](#)

### 16.2. School Policies

- Child Protection – Reporting Obligations
- Staff and Student Professional Boundaries
- Cyber safety Policy
- Information and Communication Technology Policy
- Bullying Prevention and Intervention Policy
- Contractor Management Policy
- Visitor Management Policy

- Volunteer Management Policy
- Pastoral Wellbeing in Kildare Education Ministries School Policy
- Kildare Education Ministries Employment Policy
- Complaints Handling Procedure

## 17. Breach of this Policy

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

Where the **principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact Kildare Education Ministries.

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: *Child Safety – Reporting Obligations; Complaints Handling Procedure* and/or contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

## 18. Review of this Child Safety Policy

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

We will maintain a history of updates to the policy.

### History of Updates to Policy

Date	Comment (e.g. major review, minor review)
July 2016	Original policy created, approved by Leadership, communicated to all staff and published.
May 2019	Major review of policy conducted by Assistant Principal: Wellbeing and Engagement and updates made

<b>Responsibility (Monitor and implement)</b>	Kilbreda College
<b>This version:</b>	May 2019
Ratified by:	
Signed by:	Stephanie Smyth Assistant Principal: Wellbeing and Engagement
Date:	
<b>Last amended</b>	18 June 2019
<b>Next review</b>	