

## CHILD PROTECTION AND SAFETY POLICY

### 1.0 INTRODUCTION

Diocese of Sale Catholic Education Limited (**DOSCEL**) schools are committed to complying with [Ministerial Order 870: Child Safe Standards – Managing the Risk of Child Abuse in Schools](#), and following the Victorian Child Safe Standards.

DOSCEL employees therefore have a duty of care to students during school operating hours and at other times when an employee/student relationship exists. Employees fulfil this duty by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in harm or injury to a student.

Protecting children is everyone's responsibility – parents, communities, governments and business all have a role to play. In Victoria, a joint protocol exists to protect the safety and wellbeing of children and young people, involving:

- the Department of Families, Fairness and Housing (**DFFH**) Child Protection;
- the Department of Education and Training (**DET**);
- licensed children's services; and
- Victorian schools, including Catholic schools.

For the purposes of this joint protocol, acting in the best interests of the child or young person includes:

- reporting to Child Protection all allegations or disclosures of physical abuse, sexual abuse, emotional abuse and neglect;
- reporting to Child Protection when a belief is formed that a child or young person has been harmed or is at risk of being harmed;
- making the child or young person's ongoing safety and wellbeing the primary focus of decision-making;
- sharing appropriate information, expertise and resources with other service providers supporting the child or young person, including as an Information Sharing Entity (**ISE**) under the Child Information Sharing Scheme (**CISS**) and Family Violence Information Sharing Scheme (**FVISS**). The CISS and FVISS, along with the Family Violence Multi-Agency Risk Assessment and Management Framework (**MARAM**), are designed to complement related child safety obligations, such as those under the Reportable Conduct Scheme and Child Safe Standards;
- protecting and promoting the cultural and spiritual identity of a child or young person and maintaining their connection to their family or community of origin;
- enabling the child or young person and the child or young person's family to access appropriate services in order to reduce the long-term effects of abuse or neglect.

## 2.0 PURPOSE

DOSCEL is committed to child protection strategies and procedures to ensure the care, safety and protection of all children and young people in Catholic schools in the Diocese.

This document is to provide guidance to maximise the safety and protection of students in Catholic schools within the Diocese of Sale.

The document sets out the procedures to be followed to ensure that prompt, professional, sensitive and appropriate action is taken by employees in Catholic schools managed and operated by DOSCEL.

## 3.0 PRINCIPLES

In the best interest of the child or young person, the child protection strategies and procedures to be followed are based on the following principles:

- 3.1** Every child and young person has the right to be safe.
- 3.2** Recognition of the diversity of all children and young people, including (but not limited to) the needs of Aboriginal and/or Torres Strait Islander children and young people, children and young people from culturally and/or linguistically diverse backgrounds and children with disabilities and vulnerabilities.
- 3.3** School environments are safe, supportive, inclusive and empowering.
- 3.4** School communities are dedicated to the protection and safety of all children and young people as reflected in the [DOSCEL Commitment Statement to Child Safety](#).
- 3.5** All employees in Catholic schools have a responsibility to care for children and young people and to promote their safety, protection and wellbeing.
- 3.6** All children and young people have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/carers.
- 3.7** In any dealings regarding safety, the dignity, protection and wellbeing of students involved will be maintained and respected.
- 3.8** Principals will ensure all employees adhere to legislation and policies with respect to child protection.
- 3.9** Appropriate confidentiality is maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally (noting that information may be disclosed to other ISEs without the knowledge or consent of any parent, guardian, carer or student, where this is required or authorised by law for the purposes of information sharing under the CISS or FVISS. However, under the CISS, the views and wishes of the child and/or family members should be sought before sharing information where it is safe, reasonable and appropriate to do so. Additionally, under the FVISS, the views of the child and non-violent family members should be sought where it is safe, reasonable and appropriate to do so).

## 4.0 DEFINITIONS

**Abuse:** Any non-accidental behaviour by parents, carers, other adults, siblings or older adolescents that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a child or young person. Such behaviours may be intentional or unintentional and can include acts of omission (neglect) and commission (abuse). Abuse is commonly divided into five main subtypes:

- Physical abuse – the intentional use of physical force against a child or young person that results in, or has a high likelihood of resulting in, harm for the child or young person’s health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. Much physical violence against children or young people is inflicted with the object of punishing.
- Emotional abuse – refers to a parent, carer or other adult’s inappropriate verbal or symbolic acts towards a child or young person and/or a pattern of failure over time to provide a child or young person with adequate non-physical nurturing and emotional availability. Such acts of commission or omission are likely to damage a child or young person's self-esteem or social competence.
- Neglect – includes both isolated incidents, as well as a pattern of failure over time, on the part of a parent, family member or other adult, to provide for the development and wellbeing of a child or young person, where the parent, family member or other adult is in a position to do so in one or more of the following areas:
  - health
  - education
  - emotional development
  - nutrition
  - shelter and safe living conditions.
- Sexual abuse – the involvement of a child or young person in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or that violates the laws or social taboos of society. Children or young people can be sexually abused by both adults and other children who are, by virtue of their age or stage of development, in a position of responsibility, trust or power over the victim.
- Exposure to family violence – forcing a child or young person to live in an environment where there is sustained violence, inclusive of emotional and psychological abuse.

The MARAM Framework provides further guidance regarding the types of conduct that may constitute abuse.

**Bullying:** repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying may involve cyberbullying, which refers to bullying through information and communication technologies. Conflicts or fights between equals and single incidents are not defined as bullying.

**Child Protection:** Statutory services designed to protect children who are at risk of serious harm.

**Duty of Care:** is an element of the law of negligence. In broad terms, the law of negligence provides that if a person suffers injury as the result of a negligent act or omission of another, the injured person should be compensated for loss and damage flowing from that negligence.

**Mandatory Reporting:** The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons in DOSCEL include registered teachers, school principals, school counsellors, registered psychologists and people in religious ministry.

## 5.0 PROCESS

- 5.1 DOSCEL will use the [Child Safe Standards](#) and [Information Sharing and Family Violence Reforms Contextualised Guidance and Toolkit](#) to establish and embed a Child Protection Program which sets out in detail the policies, procedures and workplace systems it has adopted.
- 5.2 All DOSCEL employees who identify concerns regarding the sexual, physical, psychological and emotional abuse or neglect of a child or young person must respond according to Mandatory Reporting, Grooming, Failure to Disclose and Failure to Protect legislation and policies. Consideration should also be given to whether a request for information should be made or whether any information should be voluntarily provided to another ISE under the CISS or FVISS.
- 5.3 When an allegation is directed against a DOSCEL employee (employed in a school or the Catholic Education Office, Diocese of Sale), or a DOSCEL volunteer or contractor, the reporting person is to inform the Executive Manager: Industrial Relations / Human Resources, in addition to following other reporting and information sharing requirements.
- 5.4 Allegations directed against any clergy or members of religious institutes should be reported to Victoria Police and the Bishop of the Diocese, via the Director of Catholic Education, Diocese of Sale. The report person(s) must also fulfil other relevant requirements, including but not limited to, under mandatory reporting, CISS and FVISS.

- 5.5 The Principal shall ensure that school employees receive induction and ongoing professional learning in relation to the child safety and protection policies, inclusive of mandatory reporting, on an annual and ongoing basis.
- 5.6 The Principal shall ensure the school's pastoral care structures reflect all child safety and protection policies and procedures.
- 5.7 All DOSCEL employees, including volunteers and contractors, will be required to follow the DOSCEL Code of Conduct.
- 5.8 For further guidance, refer to documents developed in consultation with the Victorian State Government, Catholic Education Commission of Victoria, Independent Schools Victoria and the Victorian Registration and Qualifications Authority.

For example:

- [PROTECT - Identifying and Responding to Student Sexual Offending](#)
- [PROTECT – Identifying and Responding to All Forms of Abuse in Victorian Schools](#)
- [FOUR CRITICAL ACTIONS FOR SCHOOLS Responding to Incidents, Disclosures and Suspicions of Child Abuse](#)

## 6.0 EXPECTED OUTCOMES

- 6.1 All schools will ensure the care, safety and protection of all students.
- 6.2 DOSCEL employees are informed of child safety and protection. They are expected to be self-aware and adhere to their professional obligations and responsibilities.
- 6.3 All allegations of abuse will be responded to promptly in line with this policy.

## 7.0 RELATED POLICIES

- DOSCEL Child and Family Violence Information Sharing Schemes Policy and Procedure
- DOSCEL Commitment Statement to Child Safety
- DOSCEL Guide to Reporting Conduct under the Reportable Conduct Scheme

## 8.0 REFERENCES

- Child Information Sharing Scheme Ministerial Guidelines
- *Child Wellbeing and Safety Act 2005 (Vic.)*
- *Child Wellbeing and Safety (Information Sharing) Regulations 2018*
- Family Violence Multi-Agency Risk Assessment and Management Framework
- *Family Violence Protection Act 2008 (Vic.)*
- *Family Violence Protection (Information Sharing) Regulations 2018*
- FOUR CRITICAL ACTIONS FOR SCHOOLS Responding to Incidents, Disclosures and Suspicions of Child Abuse
- Information Sharing and Family Violence Reforms Contextualised Guidance

- Information Sharing and Family Violence Reforms Toolkit
- *Ministerial Order 870: Child Safe Standards – Managing the Risk of Child Abuse in Schools*
- PROTECT - Identifying and Responding to Student Sexual Offending
- PROTECT – Identifying and Responding to All Forms of Abuse in Victorian Schools

## **9.0 REVIEW**

**Implementation Date: May 2020**

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