



## LOYOLA COLLEGE

### CHILD SAFETY POLICY

<b>Intended audience</b>	Loyola College Community
<b>Author</b>	Consult
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#### PREAMBLE

At Loyola College we are committed to promoting and enhancing the safety and wellbeing of all students. We draw this commitment from our Ignatian charism and the fundamental values of the Gospel. Central to the vision and mission of Loyola College is an unequivocal commitment to fostering the dignity, self-esteem and integrity of all young people and providing them with a safe, supportive and enriching environment to develop spiritually, physically, intellectually, emotionally and socially.

The purpose of this policy is to demonstrate the strong commitment of Loyola College to the care, safety and wellbeing of all students at our college. It provides an outline of relevant policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in Ministerial Order No. 870. The policy applies to all College staff, including employees, volunteers, contractors and clergy, as well as student teachers, visitors and guest presenters.

#### DEFINITIONS

**Child:** A child or a young person enrolled as a student at the school.

**Child abuse** includes:

- (a) any act committed against a child involving:
  - (i) a sexual offence
  - (ii) an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- (b) the infliction, on a child, of:
  - (i) physical violence
  - (ii) 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.

**Child physical abuse:** Generally, consists of any non-accidental infliction of physical violence on a child by any person.

**Child sexual abuse** is when a person uses power or authority over a child to involve them in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force.

**Emotional child abuse** occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence.

**Grooming** is when a person engages in predatory conduct to prepare a child for sexual activity at a later date. It can include communication and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

**Mandatory Reporting:** The legal requirement under the *Children, Youth and Families Act 2005 (Vic.)* to protect children from harm relating to physical and sexual abuse. The principal, teachers, medical practitioners and nurses at a school are mandatory reporters under this Act.

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

(PROTECT: Identifying and responding to all forms of abuse in Victorian schools)

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

- (a) a campus of the school
- (b) 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)

**College staff** means 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 is an intermediary), including Student Teachers, visitors and guest presenters
- (c) a minister of religion. (Ministerial Order No. 870)

## **GUIDING 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 commitment to child safety at Loyola College.

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our College works in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.
- All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/caregivers.
- All adults in our College, including teaching and non-teaching staff, clergy, volunteers, contractors, student teachers, visitors and guest presenters, have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and children and young people.

- Policies, practices, strategies and procedures demonstrate compliance with legislative requirements and cooperation with the Church, governments, the police and human services agencies.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, clergy, volunteers, contractors, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by 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.

## **COMMITMENTS**

All students enrolled at Loyola College have the right to feel safe and be safe. The wellbeing of students 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 students 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**

We commit to:

- Providing an environment which encompasses the safety and wellbeing of all students and young people enrolled in our College.
- Providing students and young people with positive and nurturing experiences.
- Listening to students and young people and empowering them by taking their views seriously, and addressing any safety and wellbeing concerns that they raise with us.
- Taking action to ensure that students and young people are protected from abuse or harm.
- Teaching students and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- Seeking input and feedback from students regarding the creation of a safe school environment.

### **Our commitment to parents/guardians**

We commit to:

- Communicating honestly and openly with parents and carers about the wellbeing and safety of their children.
- Engaging with, and listening to, the views of parents and carers about our child-safety practices, policies and procedures.
- Providing transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- Acknowledging the cultural diversity of students and families, and being sensitive to the way this may impact on student safety issues.
- Reviewing and improving our systems to protect students from abuse.

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

We commit to:

- Providing all Loyola College staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate professional learning opportunities.
- 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, the Strategies and Procedures document and staff responsibilities to report concerns.
- Listening to all concerns voiced by Loyola College staff, clergy, volunteers, and contractors about keeping students and young people safe from harm.
- Providing opportunities for Loyola College school employees, volunteers, contractors and clergy to receive formal debriefing and counselling arising from incidents of the abuse of a student or young person.

## **RESPONSIBILITIES AND ORGANISATIONAL ARRANGEMENTS**

Everyone employed or volunteering at Loyola College has a responsibility to understand the important and specific role they play 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)

### **Responsibilities of College Leadership**

The Principal, Consult, the College Board and College Leadership at Loyola 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 students 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 students 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 all staff
- Ensuring that College personnel have regular and appropriate professional 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 student and young people's protection and wellbeing.
- Ensuring the school takes specific action to protect children from abuse in line with the three criminal offences introduced under the crimes act 1958 (Vic.); and with the Protect: Identifying And Responding To All Forms Of Abuse In Victorian Schools. (CECV). The three criminal offences are: Failure to Disclose, Failure to Protect, and Grooming.

### **Responsibilities of College Staff**

Responsibilities of College staff (school employees, volunteers, contractors, clergy, student teachers, visitors and guest presenters) include:

- Treating students 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 college 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 students and young people is nurtured
- Undertaking regular professional learning and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- Assisting students 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 and strategies and procedures as outlined by the College

### **Child Safety Officers**

The following two people are nominated by Loyola College to be Child Safety Officers:

Deputy Principal Student Wellbeing  
Deputy Principal Staff and Operations

The Child Safety Officers are the first point of contact for reporting child protection issues within the College.

Key responsibilities of the Child Safety Officers include:

- Managing the College's response to an allegation or disclosure of child abuse
- Ensuring that there are clear procedures to allow staff to discuss or report child protection issues within the College
- Assisting and supporting members of staff in coordinating responses to child protection incidents, including liaising with the police and other external agencies and responding to a child who makes or is affected by an allegation of child abuse
- Ensuring that all members of the College Community have a sound working understanding of the Loyola College Child Safety policy.
- Reviewing and assessing the College's response to an allegation of abuse or incident.

### **Expectations of our College Staff – Child Safety Code of Conduct**

Within the Loyola College community, 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 student at the school. All College 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 College 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 of Conduct also protects College staff by providing clarification of acceptable and unacceptable behaviour.

### **Student Safety and Participation**

At Loyola 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.

Through our Mentor, Personal Development, Learning, Sport and Co-curriculum Programmes, we teach students what to do when 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, according to the four critical actions listed under *Reporting and Responding*.

### **Reporting and Responding**

Our College 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 College 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.

In the event that there is a disclosure of abuse or an alleged disclosure based on reasonable grounds, staff are asked to undertake the following four critical actions as outlined below:

1. **Respond to emergency:**  
If a child is at risk of harm, staff are to respond to the emergency immediately.
2. **Report the incident to the Child Safety Officer:**  
Together with the Child Safety Officer, the incident will be reported to:
  - The College Principal
  - DHHS
  - Victoria Police
  - Diocesan Education Office (CEM)
3. **Communicate with parents/care-givers where appropriate.**  
This is to be done in conjunction with the Child Safety Officer.  
Note: In the event that the parents are named as the alleged abuser, it is not appropriate to contact parents.
4. **Provide ongoing support.**  
Loyola College will provide ongoing support for the parties involved. This may include setting up a safety plan, direct support or referral to wellbeing professionals.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements. Our College's Mandatory Reporting Policy, updated in July 2016 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. All teaching staff must also complete the online Mandatory Reporting module at annually.

Our policy assists staff, volunteers and families to:

- Identify the indicators of a student or young person who may be in need of protection
- Understand how a 'reasonable belief' is formed
- Make a report of a student 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 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. The Child Safety Officers are to be informed about the commencement of these processes.

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

- Parental Complaints Protocol
- Parent-School Relationships: Code of Conduct

### **Screening and Recruitment of College Staff**

Loyola 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 position and working with children.

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.

### **Child Safety – Professional Learning and Training for School Staff**

Loyola College provides employees, volunteers and clergy with regular and appropriate professional learning 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.

As a constant reminder of the College's commitment to Child Safety,

- Child Safety is included as an Agenda item for each staff meeting.
- Posters displaying the Child Safety Code of Conduct, Role of the Child Safety Officer, and Loyola's Statement of Commitment to Child Safety, have been placed in every staff work area.
- "Protect" posters have been placed in all classrooms as a reminder to students of our commitment to Child Safety.
- Professional Learning sessions are regularly provided for all staff to ensure they are well briefed on child safety standards, and understand the mandated obligations.

### **Risk Management**

At Loyola 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.

CONSULT (College Leadership Team) works through Heads of Learning; Heads of House, Student Services, Maintenance and all teachers to ensure that risks to child safety are mitigated. Risks are regularly monitored and steps put in place to minimise harm to students.

Risk Assessments in relation to Child Safety encompass all aspects of the school environment; before, during and after hours; and on and off campus.

### **Breach of Policy**

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

Where any **other member of the College community** is suspected of breaching any obligation, duty or responsibility within this policy, the College is to take appropriate action, including in accordance with Mandatory Reporting Policy, Complaint Policy and/or contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

In addition, the Principal has a responsibility to report any allegation of misconduct to the Commission for Children and Young People (CCYP) within three days of becoming aware of the allegation.

## Review of this Child Safety Policy

Loyola College is 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.

The responsibility of reviewing and updating the policy is held with Deputy Principal Student Wellbeing and the Deputy Principal Staff and Operations, via the Director of Communications and Events.

## RELEVANT LEGISLATION

Children, Youth and Families Act 2005 (Vic.)

Working with Children Act 2005 (Vic.)

Education and Training Reform Act 2006 (Vic.)

Equal Opportunity Act 2010 (Vic.)

Privacy Act 1988 (Cth)

Crimes Act 1958 (Vic.) – Three new criminal offences have been introduced under this Act:

- a) **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- b) **Failure to protect offence:** The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- c) **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.
- d) **Failure to adhere to the Reportable Conduct Law.**

## RELATED POLICIES

### Catholic Education 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

### College Policies

Mandatory Reporting Policy

Positive Relations Policy

Pastoral Care Policy

Social Media Policy

ICT Policy

Complaints Procedure Policy

Child Safety Strategies and Procedures Document

Child Safety Code of Conduct

Acceptable Use of ICT

## 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 2013, CECV.

Congregation for Catholic Education 1997, The Catholic School on the Threshold of the Third Millennium, Vatican.

Department of Education, 2016, PROTECT: Identifying and responding to all forms of abuse in Victorian schools

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

Parliament of Victoria, Family and Community Development