

Ss Michael & John's Primary School

Child Safety Policy

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Next Review: 2022

Introduction

As partners with parents/carers in Catholic education and open to God's presence, Ss Michael and John's Primary School pursues fullness of life for all its students and the school community. Together in God's love, Ss Michael and John's Primary School will empower students to encounter the future with respect, courage and kindness, enriched by life-giving relationships and inspired to bring the Gospel to life.

The school ensures the care, safety, wellbeing, and protection of its students in keeping with the Catholic tradition, which honours the sacred dignity of each person.

At Ss Michael and John's Primary School we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. ([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).

The Ss Michael and John's Primary School Child Safety Policy reflects the school community's shared commitment and expectations in relation to child safety in our school. This Policy provides an overview of our child safety commitments, clear expectations, strategies and processes in place in our school to embed a culture where the safety of children is paramount.

This Policy provides an overview of how Ss Michael and John's Primary School will:

- promote child safety and protection of children from abuse
- comply with the requirements of Ministerial Order 870 – Child safe Standards – Managing the risk of child abuse in Victorian Schools;
- seek to mitigate and prevent the risk of abuse; and
- respond to any allegations of child abuse in our school community.

This Policy should be read in conjunction with all other Child Safety policies, which provide more detailed procedures and with the CECV Positive Behaviour Guidelines 2018.

School Profile

About Ss Michael and John's Primary School:

Ss Michael and John's Primary School is committed to providing equitable access and opportunity for all. The school considers that awareness of, recognition of, and responsiveness to the needs and rights of all individuals are essential to human dignity. Inclusive practices embrace and celebrate diversity, invite belonging and provide opportunities for participation and achievement of appropriate learning outcomes.

Our school community is diverse. We draw from both the urban and rural sectors of the community. There is a range of socio-economic circumstances within our community. Our school is made up of a growing number of culturally diverse families as well as students with disabilities.

Purpose and Scope

The purpose of this policy is to demonstrate the strong commitment of Ss Michael and John's Primary School to the care, safety and wellbeing of all students at our school. It provides an outline of the 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](#). DOBCEL, as governing authority, and the Principal have direct responsibility for ensuring that the requirements of MO 870 are met within the school.

This policy applies to school staff, including school employees, volunteers, contractors, and those in religious ministry.

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

1. DOBCEL Child Safe Governance Policy
2. DOBCEL Safeguarding Children and Young People: Code of Conduct
3. DOBCEL Child Safe School Policy
4. DOBCEL PROTECT: Reporting and Responding Obligations Policy
5. Ss Michael and John's Primary School PROTECT: Reporting and Responding Obligations Procedures for Schools

Principles

Ss Michael and John's Primary School has a moral, legal and mission-driven responsibility to create a nurturing school environment 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 Ss Michael and John's Primary School:

- All students deserve, as a fundamental right, safety, and protection from all forms of abuse and neglect and as such we take a preventative, proactive and participatory approach to child safety.
- Our school is committed to our school vision, mission and mantra of Caring, Learning, Growing Every Child Every Day
- Our school is committed to a vision of empowering students who understand respect and kindness and are courageous in their lives
- Our school operates 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 education in all aspects of personal safety, in partnership with their parents/carers.
- 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 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 and practices 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.
- We foster a culture of openness that empowers Staff, clergy, volunteers, contractors, parents/carers, and students so they are able 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.

Definitions

Child: A child or a young person in attendance within the school environment.

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. [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)

Child physical abuse: Generally, consists of any non-accidental infliction of physical violence on a child by any person. [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)

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. [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)

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 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. [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)

Mandatory Reporting: The legal requirement under the *Children, Youth and Families Act 2005 (Vic.)* to make a report to the designated authority in order to protect children from harm relating to physical and sexual abuse. The principal, teachers, medical practitioners, nurses, student counsellors and those in religious ministry are mandatory reporters under this Act. [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#)

Reasonable Belief: When school staff, or other mandated person, 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](#)

Reportable Conduct: Five types of "reportable conduct" are listed in the Child Wellbeing and Safety Act 2005 (Children's Legislation Amendment (Reportable Conduct) Act 2017). These include:

1. sexual offences (against, with, or in the presence of, a child)
2. sexual misconduct (against, with, or in the presence of, a child)
3. physical violence (against, with, or in the presence of, a child)
4. behaviour that is likely to cause significant emotional or psychological harm
5. significant neglect

School 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 campus of the school
- online school environments (including email and intranet systems)
- 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 means an individual working in a school environment who is:

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

Policy Commitments

All students enrolled at Ss Michael and John's Primary School 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 (ATSI) children, those from culturally and/or linguistically diverse backgrounds, and children with a disability. Our policies, procedures and strategies ensure we are an inclusive community, including ATSI students, students with a disability, from culturally or linguistically diverse backgrounds and those who are vulnerable.

Our commitment to our students

- We commit to the safety and wellbeing of all children and young people enrolled in our school.
- We commit to providing children and young people with positive and nurturing experiences.

- 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.
- We commit to taking action to ensure that children and young people are protected from abuse or harm.
- We commit to teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- We commit to seeking input and feedback from students regarding the creation of a safe school environment.

Our commitment to parents and carers

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

- We commit to providing all Ss Michael and John's Primary School staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- 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 Safeguarding Children and Young People: Code of Conduct, and staff responsibilities to report concerns.
- We commit to listening to all concerns voiced by Ss Michael and John's Primary School employees, clergy, volunteers, and contractors about keeping children and young people safe from harm.
- We commit to providing opportunities for Ss Michael and John's Primary School employees, volunteers, contractors, and clergy to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

CSS1 and 2 Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Ss Michael and John's Primary School 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. The school principal has overall responsibility for monitoring compliance with the Child Safe Standards in the school.

Guide to Responsibilities of School Leadership

Diocese of Ballarat Catholic Education Limited (DOBCCEL), the Principal and school leaders at Ss Michael and John's Primary School recognise their particular responsibility in relation to the Child Safe Standards. The Principal has overall responsibility to monitor compliance with the Child Safe Standards, to manage the response to allegations of child abuse and to ensure the development of policy and strategies to promote and embed a culture of openness, awareness of and shared responsibility for child safety. Responsibilities of the Principal include:

- creating an environment and culture 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](#)
- ensuring processes are in place for concerns about Reportable Conduct to be raised and investigated if required.

Guide to Responsibilities of School Staff

Responsibilities of school staff (school employees, volunteers, contractors, and those in religious ministry) 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
- 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.

Organisational Arrangements

The Child Safety Officer has a role description that is available in the staff and parent handbooks, and school website:

- The Child Safety Officer will participate in the diocesan child safety network
- The Child Safety Officer works in identifying and mitigating risks in child safety.
- The Child Safety Officer is responsible for informing staff, students and school community on policies, procedures and practices and identifying professional learning.

Having a child safety team does not remove or displace any other obligations that arise if a person reasonably believes that a child is at risk of child abuse. If you form a reasonable belief, you must act.

At Ss Michael and John's Primary School the Child Safety Officer undertakes risk management assessment, develops strategies for the risk register and ensures that staff are informed of strategies to mitigate risks as well as policy, procedures, and practices to support child safety. All staff are responsible to consider risk management and child safety measures. The dedicated Child Safety Officer is listed in the Ss Michael and John's Primary School *PROTECT: Reporting and Responding Obligations Procedures for Schools* and in Section 5 of this policy.

An annual budget allocation is provided for regular training and professional learning in order to understand individual and collective responsibilities in relation to child safety and the wellbeing of children and young people. This would include opportunities to participate in training/learning for the wider school community.

Ss Michael and John's Primary School website and newsletter will provide information to keep parents and carers informed of child safety commitments, procedures, and arrangements.

School policies for Child Safety

There are a number of considerations in reporting and responding to child safety. The following policies, including this Child Safety Policy, are to be understood and should be consulted if you are unsure of the action to undertake:

- DOBCEL Child Safe Governance Policy and Procedures
- DOBCEL Child Safe School Policy
- DOBCEL PROTECT: Reporting and Responding Obligations Policy
- Ss Michael and John's Primary School *PROTECT: Reporting and Responding Obligations Procedures for Schools*

Expectation of our School Staff – Child Safety Code of Conduct

As a child safe community, we expect school staff, volunteers, contractors and those in religious ministry 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 staff at Ss Michael and John's Primary School must remain familiar with the relevant laws, the codes of conduct for DOBCEL

employees and for professional organisations such as the Victorian Institute of Teaching (VIT) and policies and procedures in relation to child protection and to comply with all requirements.

The DOBCEL Safeguarding Children and Young People Code of Conduct 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.

The child safety policies and procedures apply to allegations or disclosures of child abuse made by or in relation to a child, school staff, visitors or other persons while connected to a Ss Michael and John's Primary School environment.

The DOBCEL Safeguarding Children and Young People: Code of Conduct also protects school staff by clarifying and identifying of acceptable and unacceptable behaviour. The school will monitor the ongoing suitability of staff for child-related work.

CSS 4 – Screening and Recruitment of School Staff

Ss Michael and John's Primary School will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. All teachers are required to have registration with the Victorian Institute of Teaching (VIT). 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 DOBCEL Safeguarding Children and Young People: Code of Conduct and all child safety policies and procedures prior to commencement of employment.

Each job description for staff involved in child-connected work has a clear statement that sets out the requirements, duties and responsibilities regarding child protection for those in that role and the occupant's essential qualifications, experience and attributes in relation to child protection.

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

- confirm the applicant's VIT, 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 relevant to the position
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the job and working with children.

Once employed, staff are taken through an induction process that further reiterates the person's duties and responsibilities regarding child safety and child protection. All staff and volunteers are

required to read and sign the DOBCEL Safeguarding Children and Young People: Code of Conduct prior to commencing work. All new staff and volunteers are supervised regularly to ensure their behaviour towards children is appropriate and to monitor their compliance with the school's child safe policies.

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. The ongoing suitability of staff for child-connected work is monitored and assessed as a part of the Annual Review Meeting process.

Child Safety – Education and Training for School Staff

Ss Michael and John's Primary School provides employees, volunteers and those in religious ministry 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. All mandatory reporters are required to complete the online modules, *Protecting Children – Mandatory reporting and other obligations online modules* <https://www.vit.vic.edu.au/news/news/2018/protecting-children-mandatory-reporting-elearning-modules>

CSS 5 – Reporting and Responding

Ss Michael and John's Primary 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.

Any child safety complaints, disclosures, or breaches of the DOBCEL Safeguarding Children and Young People: Code of Conduct are documented and stored in accordance with security and privacy requirements.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements. The different policies at Ss Michael and John's Primary School set out the responsibilities and procedures that apply.

The DOBCEL PROTECT: Reporting and Responding Obligations Policy, 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. It is a requirement that DOBCEL Schools implement the joint protocol *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* for responding to and reporting allegations of child abuse.

Ss Michael and John's Primary School adopts and implement the Four Critical Actions for responding to and reporting allegations of child abuse.

The *Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse* are:

1. Responding to an Emergency

2. Reporting to Authorities
3. Contacting Parents/Carers
4. Providing Ongoing Support

The Ss Michael and John's Primary School PROTECT: Reporting and Responding Obligations Procedures for Schools details the procedures for 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.

Staff are to use the template provided in [*Protect: Responding to Suspected Child Abuse: A Template for all Victorian Schools*](#) to record their notes.

The internal procedures for mandatory reporting are contained in the Ss Michael and John's Primary School *PROTECT: Reporting and Responding Obligations Procedures for Schools*.

At Ss Michael and John's Primary School if any member of our school community has concerns for a child's safety they need to discuss, they can report this to the school principal or the Child Safety Officer

If the principal or the Child Safety Officer are not available, and the matter is urgent, then it should be reported to a staff member (All staff members are obliged to assist with child safety).

The principal, Child Safety Officer or staff member will follow the step-by-step guide to making a report as outlined in [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#).

Persons Responsible for Responding to Allegations of Suspected Child Abuse

These policy and procedures cover all forms of child abuse as defined in the *Education Training and Reform Act 2006 (Vic)*.

The following persons and positions of responsibility are obliged to manage promptly the school's response to an allegation or disclosure of child abuse made by or in relation to a child, school staff, visitors, of other persons while connected to the Ss Michael and John's Primary School environment.

Person(s)	Position of Responsibility	Responsibility
Andrea Cox	Principal	Manage promptly the school's response to an allegation or disclosure of child abuse and ensure that the allegation or disclosure is taken seriously.
Louise Chesterfield	Child Safety Officer	
Louise Chesterfield	Child Safety Officer	Monitor overall school compliance with this procedure
Angela Watson	School Compliance Officer	
Lisa Glatz	Member of School Leadership Team	Manage promptly the school's response to an allegation or disclosure of child abuse, and ensure that the allegation or disclosure is taken seriously if the principal is unavailable/unable to do so
Ange Jones	Assistant Director: People and Development, DOBCEL (03) 5337 7135	Manage promptly the response where the principal is the subject of a child safety incident, disclosure, or suspicion.
Tom Sexton	Executive Director DOBCEL (03) 5337 7135	Head of entity

The roles and responsibilities contained in the DOBCEL PROTECT: Reporting and Responding Obligations Policy and Ss Michael and John's Primary School PROECT: *Reporting and Responding Obligations Procedures for Schools* do not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

The school will make, secure, and retain records of any allegation of child abuse and the school's response.

The school commits to protect any child connected to alleged child abuse until the allegation is resolved.

Responding to Student Sexual Offending

There are Four Critical Actions for Schools: Responding to Student Sexual Offending which must be taken when responding to and reporting a child protection incident, disclosure or suspicion:

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

The Ss Michael and John's Primary School PROTECT: Reporting and Responding Obligations Procedures for Schools outlines the procedures that should be followed.

CSS 6 - Risk Management

Ss Michael and John's Primary School is committed to proactively identifying and assessing risks to student safety across our school environments 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.

At Ss Michael and John's Primary School the Child Safety Officer, assisted by the Risk and Compliance Officer undertakes risk management assessment, develops strategies for the risk register and ensures that staff are informed of strategies to mitigate risks as well as policy, procedures and practices to support child safety. All staff are responsible to consider risk management and child safety measures.

See also Ss Michael and John's Primary School [Child Safety Risk Assessment](#).

CSS 7 - Student Empowerment and Participation

Students at Ss Michael and John's Primary School are actively encouraged to openly express their views and feel comfortable about giving voice to the things that are important to them.

In our learning and teaching programs, students learn 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 that students, or their parents or carers, raise with us.

The curriculum design integrates appropriate knowledge and skills to enhance student's understanding of being safe and knowing how to report instances when they do not feel safe. Teaching and learning strategies that acknowledge and support student voice are implemented.

Publication and Communication

All Ss Michael and John's Primary School child safety policies and procedures are available on the school website and the Parent Access Module (PAM) or in print from the school administration office on request. Child friendly versions to explain protective behaviours, right relationships and personal safety are available. These policies will be explained to students through the personal and social learning curriculum using age appropriate language and activities. The age appropriate policies will also include information for children about how to report to someone if they are feeling unsafe or have been abused.

Students will take an active part in setting and embedding standards of behaviour, building their ownership of school culture and empowering them to seek support and make positive changes within their environment. This will be achieved through programs such as eSmart and ReLATE models which enable students to understand the importance of keeping themselves and others safe and the best ways to communicate and let others know when they are feeling unsafe or have been abused.

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.

Staff should refer to the DOBCEL PROTECT: Reporting and Responding Obligations Policy and Ss Michael and John's Primary School *PROTECT: Reporting and Responding Obligations Procedures for Schools* for more information about these offences and the responsibilities for staff in relation to them.

Related Policies

DOBCEL Policies and Documents

- DOBCEL Child Safe Governance Policy and Procedures
- DOBCEL Child Safe School Policy
- DOBCEL PROTECT Reporting and Responding Obligations Policy
- DOBCEL Safeguarding Children and Young People: Code of Conduct
- Ss Michael and John's Primary School PROTECT: Reporting and Responding Obligations Procedures for Schools

Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty, or responsibility within this Policy, Ss Michael and John's Primary School 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 the DOBCEL Assistant Director: People and Development.

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 DOBCEL PROTECT: Reporting and Responding Obligations Policy and Procedures, the school's Complaints Resolution Policy and/or to contact Catholic Education Ballarat.

Review of this Child Safety Policy

This policy will be reviewed as part of our policy review cycle or when there are changes to requirements or legislation. We will maintain a history of updates to the policy.

Appendices

- Appendix 1: DOBCEL Safeguarding Children and Young People: Code of Conduct

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.*](#)

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 (DET). 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 Committee. 2013. [*Betrayal of Trust*](#)