

St Paul's College - Commitment to Child Safety Policy

VMCH takes a zero-tolerance approach to child abuse and is fully committed to ensuring that its strategies, policies, procedures and practices meet all Child Safety Standards as specified in Ministerial Order No. 460 (2018) and the National Catholic Safeguarding Standards.

Children and young people have the right to feel safe and be safe from sexual, physical, psychological and emotional abuse or neglect. This policy has been developed in accordance with the *Child Wellbeing and Safety Act 2005 (Vic)* to ensure compulsory child safe standards are implemented within Villa Maria Catholic Homes (VMCH) to protect children and young people from harm.

This policy has a specific focus on safeguarding children and young people in any VMCH Community & Disability service against sexual, physical, psychological and emotional abuse or neglect, but it also applies across the entire organisation. It has been developed in accordance with the Victorian Government's Child Safe Standards as well as the National Catholic Safeguarding Standards, to demonstrate our commitment to the safety of the children and young people who participate in our programs or otherwise access our services.

1. Statement of Commitment to Child Safety

VMCH is committed to protecting the students in our care at St Paul's College. We are committed to providing a child-safe and child-friendly environment, where children and young people are safe and feel safe and are able to actively participate in decisions that affect their lives.

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

2. Purpose and Commitment

VMCH is fully committed to child safety:

- We want children and young people that access our services to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.
- We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our clear policies and procedures.
- We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- VMCH is committed to preventing child abuse and identifying risks early and removing and reducing these risks.
- We have excellent human resources and recruitment practices for all staff and volunteers.
- VMCH is committed to regularly training and educating our staff and volunteers on child abuse risks.

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- We support and respect all children that access our services, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse background, and to providing a safe environment for all children living with a disability.
- We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

If we believe a child is at immediate risk of abuse we will phone 000.

3. Scope

This policy applies to all St Paul's College activities during and outside of school hours. This includes St Paul's College activities that are occurring on school campus, offsite, online, extracurricular, sport activities and programs, excursions, camps, interstate and overseas travel.

This policy applies to all VMCH staff, visitors, volunteers, contractors and board members who engage with St Paul's College activities.

This policy applies to St Paul's College specifically the Child Safe Policy applies to all other VMCH activities involving children.

4. Responsibility

Child protection is everyone's responsibility. At VMCH, Board members and staff, and volunteers, have a shared responsibility for contributing to the safety and protection of children. Specific responsibilities include:

The Board of VMCH has ultimate oversight and responsibility for the safety of children and is reflected in the VMCH Risk Appetite and Enterprise Risk Framework. The Board is responsible for ensuring that appropriate policies and procedures exist, a culture of reporting and a Child Safe Code of Conduct is in place, endorsing this policy, ensuring the policy is reviewed as needed, reviewing VMCH's compliance with the policy.

The CEO of VMCH is responsible for:

- Dealing with and investigating reports of child abuse;
- Within a reasonable time, advising the Board on detection and/or investigation where appropriate;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Child Safe - Code of Conduct;
- Ensuring that all adults within the VMCH community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures;
- Ensuring that all staff, contractors and volunteers are aware of their obligation to observe the Child Safe - Code of Conduct; and
- Providing support for staff, contractors and volunteers in undertaking their child protection responsibilities.

All managers must ensure that they:

- Promote child safety at all times;
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible;
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

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Management should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All **staff members** (including teaching, non-teaching, casual and emergency relief teachers, sporting coaches, tutors and instrumental music teachers), volunteers and contractors share the responsibility for the prevention and detection of child abuse.

Staff members must:

- Be familiar with the content of VMCH's Child Protection and Safety Policy, Child Safety Code of Conduct and our Child Protection Program;
- It is the individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with the Child Safety Officer.

All volunteers must ensure that they:

- Familiarise themselves with the relevant laws, the Child Safe - Code of Conduct, and VMCH's policy and procedures in relation to child safety, and comply with all requirements;
- Be familiar with the content of VMCH's Child Protection and Safety Policy, Child Safety Code of Conduct and our Child Protection Program
- We do not distinguish between direct and indirect volunteers as all volunteers on our premises may have contact with students giving rise to a duty of care to protect our students. Volunteers should not be left alone with students, but our policy and procedures will be designed assuming this may inadvertently occur.
- It is the individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the Child Safety Officers.
- Report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police and/or the Department of Health and Human Services (DHHS)) and fulfil their obligations as mandatory reporters.

All contractors engaged by VMCH are responsible for contributing to the safety and protection of children in the VMCH environment. Contractors include, for example, outsourced maintenance and building services, consultants, catering providers and cleaners.

- This also includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, rather than the School, but have an agreement with the School to use the School's facilities.
- All contractors engaged by VMCH are required to be familiar with our Child Protection and Safety Policy, the Child Safety Code of Conduct.
- VMCH will also include this requirement in the written agreement between it and the third-party contractors.

All external education providers:

- engaged by St Paul's College are responsible for contributing to the safety and protection of children in the school environment.
- Are required to be familiar with our Child Protection and Safety Policy, the Child Safety Code of Conduct.
- VMCH will also include this requirement in the written agreement between it and the third-party contractors.

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5. Objective

This policy provides the framework for:

- The implementation of work systems, practices, policies and procedures that promote child protection within VMCH including St Paul's College.
- The creation of a positive and robust child protection culture.
- The promotion and open discussion of child protection issues within the VMCH including St Paul's College.
- Complying with all laws, regulations and standards relevant to child protection in Victoria

6. Application

The policy is to be applied in conjunction with provisions in the VMCH and St Paul's College Child Safety Codes of Conduct and all other relevant VMCH child safety and protection policies and procedures.

7. Child Safe Standards

VMCH'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.

1. All children have the right to be safe.
2. The welfare and best interests of the child are paramount.
3. The views of the child and a child's privacy must be respected.
4. Clear expectations for appropriate behaviour with children are established in the VMCH and St Paul's Child Safety Code of Conduct.
5. The safety of children is dependent upon the existence of a child-safe culture.
6. Child safety awareness is promoted and openly discussed within our VMCH community including the St Paul's College community.
7. Procedures are in place to screen all staff, external education providers, contractors, and volunteers who have direct contact with children.
8. Child safety and protection is everyone's responsibility.
9. Child protection training is mandatory for all Board members, staff and volunteers.
10. Procedures for responding to alleged or suspected incidents of child abuse are simple and accessible for all members of the VMCH community, including the St Paul's College community.
11. Children from culturally or linguistically diverse backgrounds have the right to special care and support including those who identify as Aboriginal or Torres Strait Islander.
12. Children who have any kind of disability have the right to special care and support.

8. Child Protection Program

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

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

- Clear information as to what constitutes child abuse and associated key risk indicators.
- Clear procedures for responding to and reporting allegations of child abuse.
- Strategies to support, encourage and enable staff, students, parents and carers, external education providers, contractors and volunteers to understand, identify, discuss and report child protection matters.
- Procedures for recruiting and screening School Advisory council members, staff (including sports coaches) and long-term contractors and volunteers.
- Pastoral care strategies designed to empower students and keep them safe.
- Policies with respect to cultural diversity and students with disabilities.
- A child protection training program.
- Information regarding the steps to take after a disclosure of abuse to protect, support and assist children.
- Guidelines with respect to record keeping and confidentiality.
- Policies to ensure compliance with all relevant laws, regulations and standards including the Victorian Child Safe Standards, Ministerial Order 870 and Ministerial Order 706.
- A system for oversight, monitoring, continuous improvement and review.

As a part of the induction process, all Board members, staff and volunteers are required to complete training modules on the content of our Child Protection Program and additional ongoing training at least annually.

9. Supporting our St Paul's College Community

Key principles that we must apply in the design of policy, procedure, interventions, support and reporting in our child protection program are to ensure we:

- promote the cultural safety of Aboriginal children and young people
- promote the cultural safety of children from culturally and linguistically diverse backgrounds
- promote the safety of children with any form of disability

10. Reporting Child Protection Concerns

Our Child Protection Program provides detailed guidance for members of the Board, staff and volunteers as to how to identify key risk indicators of child abuse and how to report child abuse concerns to one of our nominated Child Safety Officer. It also provides detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

11. Legislative responsibilities

VMCH takes its legal responsibilities seriously, including:

1. **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.
2. **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

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3. Any personnel who are **mandatory reporters** must comply with their duties.

Any staff member, volunteer or contractor who has a reasonable belief of abusive activity must immediately notify the DHHS and/or the police. They should also advise their supervisor about their concern.

In situations where the supervisor is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and also to any external regulatory body such as the police, DHHS Child Protection Unit, the Commission for Children and Young People, DHHS CIMS, DET, NDIS Quality and Safeguards Commission (where relevant). See the Child Safe – Reporting Procedure for further information on which external bodies to report to and when.

12. Support for Affected Students

Ensuring a student feels safe and supported following an incident is of critical important to our School. St Paul's College will work closely with the student, parents and carers, and our wellbeing team to provide all additional support services that are available. Each matter will be a case-by-case basis an individual may be supported with:

- Referral to our College counselling team.
- Referral to external specialist agencies.
- Family counselling.
- Academic support.

13. Definitions

Child means a person below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

External Provider is any organisation that VMCH has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at St Paul's College. The delivery of such a course may take place on premises or elsewhere.

Reasonable belief is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- the child is in need of protection,
- the child has suffered or is likely to suffer "significant harm as a result of physical injury," or
- the parents are unable or unwilling to protect the child.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation.

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A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:

- a child states that they have been physically or sexually abused;
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- someone who knows a child states that the child has been physically or sexually abused;
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
- signs of abuse lead to a belief that the child has been physically or sexually abused.

14. Policy review

This policy will be reviewed annually and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and children living with a disability.

15. Related Internal Documents

Child Safe – Code of Conduct
Child Safe – Mandatory Reporting Procedure
Performance Management and Disciplinary Procedure
Safeguarding Individuals Policy
Code of Conduct
Risk Management Framework

16. Key Legislation, Acts, Standards

Children, Youth and Families Act 2005
Crimes Act 1958
Child Wellbeing and Safety Act 2005 (Vic)
Child Safe Standards contained in Ministerial Order No. 460 (2018)
Education and Training Reform Act 2006 (Vic)
National Catholic Safeguarding Standards
NDIS Act 2013
Victorian ECI Standards 2016
NDIS National Quality and Safeguarding Framework
Victorian Disability Safeguards Code of Conduct
The United Nations Convention on the Rights of the Child
Victorian Reportable Conduct Scheme

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Fit and Proper Person Declaration

About this declaration

This declaration is to be completed by a responsible person who is defined in the Education and Training Reform Regulations 2017 as:

- the proprietor (the individual or all persons involved in directing the body)
- each governing body member and each person who is conferred responsibility in the school governance structure for managing the school or its finances
- the principal
- any other person who by their conduct assumes a position of authority over the governance or management of the school

PRIVACY DISCLAIMER

The VRQA requires all the information collected in this application for the purpose of registering schools under the *Education and Training Reform Act 2006* (the Act). Once registered, some information about schools will be made available to the public on the State Register. Information may also be shared with other government organisations if required for their functions, in accordance with the Act. The VRQA is committed to handling all personal information securely in accordance with the *Privacy and Data Protection Act 2014*. To learn more about how the VRQA handles personal information, access the VRQA's privacy statement on the VRQA website.

VRQA Fit and Proper Person Declaration – January 20

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Statutory declaration

I, _____ (full name)
of _____ (address)
_____ (occupation)

do solemnly and sincerely declare that:

1.	Are you able to carry out your responsibilities in relation to the operation of the school in compliance with the laws of the Commonwealth, a state or a territory as they relate to the provision of school education?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	Have you been found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.	Have you been the subject of or associated with an adverse finding or other action taken by a court, tribunal, commission of inquiry, professional discipline body or regulatory authority (in Victoria or elsewhere) where the adverse finding or other action involves dishonest, misleading or deceptive conduct, non-compliance with an obligation relating to the provision of education, or a breach of duty (including a duty of disclosure)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.	Are you a represented person? (Do you have an appointed guardian?)	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.	Have you ever been in breach of any requirements of the <i>Working with Children Act 2005</i> if required to obtain an assessment notice to carry out any responsibilities in relation to the school?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.	Are you or have you ever been bankrupt or have you taken the benefit of any law for the relief of bankrupt debtors, or compounded with your creditors or made an assignment of your property for your benefit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.	If you answered 'yes' to any questions between 2 and 6, please provide further details on a separate sheet of paper and attach it to this declaration.	

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____ (location of signing)

in the State of Victoria, this _____ (day), of _____ (month), 202_ (year)

(signature of person making this declaration –
to be signed in front of an authorised witness)

Authorised witness*

Before me

_____ (witness name)

_____ (title)

_____ (address)

_____ (signature)

* The authorised witness must write, type or stamp their name, the capacity in which they have authority to witness a statutory declaration and their address under section 30 of the *Oaths and Affirmations Act 2018* (as of 1 March 2019), previously *Evidence (Miscellaneous Provisions) Act 1958*. For a list of authorised persons who may witness statutory declarations under section 30 of the *Oaths and Affirmations Act 2018* see:

www.justice.vic.gov.au/statdecs VRQA Fit and Proper Person Declaration – January 2020

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