



## Marist Schools Australia Ltd

### Child Safeguarding Framework Policy (Victoria)

#### Background

Marist Schools Australia Ltd (“MSA Ltd”) is a not-for-profit company limited by guarantee. It is a charity registered with the Australian Charities and Not-for-Profits Commission (ACNC), with the purpose of advancing education and advancing religion.

MSA Ltd aims to strengthen the governance of the Education Ministry of the Trustees of the Marist Brothers. MSA Ltd governs, manages and conducts registered non-government schools and school boarding premises in Australia, including in Victoria, and it is particularly focused on ensuring that its Colleges follow all principles of good governance to maintain compliance with Australian legislation including Education Legislation and provide a safe environment for its students.

#### Purpose

The MSA Ltd Child Safeguarding Framework Policy (Victoria) demonstrates the strong commitment of MSA Ltd to child safety specifically in Victoria and to acknowledge the express requirements and accountability of school governing bodies in this state for child safety. This Policy provides an outline of the policies and practices that the Board of MSA Ltd requires its Victorian Colleges, which are listed in **Schedule 1**, to implement to keep the students at MSA Ltd’s Victorian Colleges safe, including from abuse or other harm.

It is an overarching policy that provides the key elements of MSA Ltd’s approach as a child safe organisation and sets out the expectation of the Board of MSA Ltd for the Child Safeguarding Program<sup>1</sup> that it has approved for its Victorian Colleges.

MSA Ltd’s Child Safeguarding Framework Policy (Victoria) is to be read and understood in conjunction with the [National Principles for Child Safe Organisations](#) (National Principles) and the [National Catholic Safeguarding Standards](#).

The MSA Ltd Child Safeguarding Framework Policy (Victoria) provides the framework for:

- the implementation of the Victorian Child Safe Standards and Ministerial Order No 1359 Child Safe Standards – Managing the Risk of Child Abuse in Schools (“MO 1359”), both at MSA Ltd and at its Victorian Colleges

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<sup>1</sup> The “Child Safeguarding Program” is the name given to the full collection of policies and procedures, approved by the Board of MSA Ltd, that assist MSA Ltd schools to be child safe organisations and to meet the requirements of the Victorian Child Safe Standards, Ministerial Order 1359, the National Principles for Child Safe Organisations and the National Catholic Safeguarding Standards. It includes policies and procedures for:

- responding to and reporting child safety incidents and concerns
- child safe human resources management (including WWC clearances)
- participation and empowerment of students
- informing and involving families and relevant communities in child safeguarding issues
- equity and diversity
- child safeguarding risk management strategies
- strategies for embedding a culture of child safety at the College and
- regular reviews and continuous improvement of child safeguarding policies, procedures and practices.

- the implementation of the National Principles for Child Safe Organisations and the National Catholic Safeguarding Standards
- the development of work systems, practices, policies and procedures, consistent with [PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosure and Suspicions of Child Abuse](#) (PROTECT Four Critical Actions), that promote child protection, safety and wellbeing within MSA Ltd and at all of our Victorian Colleges
- the creation of a safe and supportive environment and a positive and robust child safe culture within MSA Ltd and at its Victorian Colleges
- the promotion and open discussion of child safety issues within MSA Ltd
- compliance with all laws, regulations, orders and standards relevant to child protection and child safety in Victoria.

## Scope

MSA Ltd's Child Safeguarding Framework Policy (Victoria) applies to MSA Ltd employees, as well as to all adults in its Victorian Colleges, including any registered boarding premises, including Staff, Volunteers, Contractors, and External Education Providers (i.e. "school staff" within the meaning of Ministerial Order 1359).

These are referred to collectively as "the MSA Ltd community."

This Policy applies in all of MSA Ltd's and its Victorian College's environments, both physical and online.

## Definitions

Definitions of particular terms used in MSA Ltd's Child Safeguarding Framework Policy (Victoria) can be found in Schedule 2.

## Roles and Responsibilities

Child safeguarding is everyone's responsibility. All adults in the MSA Ltd community have a shared responsibility for contributing to the safety and protection of students at its Colleges.

Some roles have specific responsibilities including :

### **Board of MSA Ltd**

The Board of MSA Ltd is the governing authority of the Victorian Colleges, including registered boarding premises, for the purposes of MO 1359. It is responsible for approving each College's Child Safeguarding Program including policies and procedures. It is responsible for promoting a culture of child safety, recognising the diversity of all children and the need for inclusion, and it does this through development of child safeguarding strategies and its policies and procedures. It maintains oversight of child safeguarding in its Colleges through its Executive Management and with support of its standing advisory Board committee being the Professional Standards and Child Safeguarding Committee.

### **Professional Standards and Child Safeguarding Committee**

The Professional Standards and Child Safeguarding Committee assists the Board of MSA Ltd in its approval and oversight of the Child Safeguarding Program and supports it to meet its responsibilities under the Education and Training Reform Act 2006 (Vic) and Regulations 2017 and MO 1359. It does this through ensuring policies and child safeguarding risk management strategies are compliant and consistent with statutory and legislative requirements, receiving and assessing reports from Executive Management on child safeguarding policies, practices and issues and keeping the Board apprised of child safeguarding developments. The minutes of the Committee meeting are tabled at the next MSA Ltd Board meeting.

## **National Director MSA**

The National Director MSA is responsible for the implementation of the Child Safeguarding Program and ensuring that Board approved policies and procedures are implemented and Victorian Colleges maintain compliance with relevant legislation and standards. The National Director MSA is the “head” of MSA Ltd and of each Victorian College for the purposes of the Reportable Conduct Scheme.

The National Director MSA reports to the Board on child safeguarding matters via the Professional Standards and Child Safeguarding Committee. The National Director is assisted by the Regional Director for Victoria and the MSA Child Safeguarding and Compliance Officer.

## **MSA Regional Director for Victoria**

The MSA Regional Director for Victoria is responsible for reporting to the National Director MSA and working directly with Victorian College Principals to ensure that the Victorian Colleges implement and effectively operate their Child Safeguarding Program and comply with relevant legislation and standards.

For the purposes of the Reportable Conduct Scheme, the Regional Director for Victoria has been authorised, by the National Director MSA, to undertake responsibility for reporting and investigating Reportable Allegations that involve the Victorian College Principal.

## **MSA Child Safeguarding and Compliance Officer**

The MSA Child Safeguarding and Compliance Officer is responsible for reporting to the National Director on the implementation of the Child Safeguarding Program and for assisting the Regional Director for Victoria with child safeguarding issues on a day to day basis. The Child Safeguarding and Compliance Officer reviews Victorian Colleges’ child safeguarding risks and incidents and provides a quarterly report to Executive Management. The Child Safeguarding and Compliance Officer oversees an annual child safeguarding self-assessment conducted by the Colleges and provides a report to Executive Management on outcomes and recommended improvements.

## **Principal**

The Principal is responsible, and will be accountable for, the operational management of the Victorian College, and the implementation of their Child Safeguarding Program. The Principal is responsible for taking all practical measures to ensure compliance with this Child Safeguarding Framework Policy and the College’s Child Safeguarding Program is implemented effectively so that there is a strong and sustainable child safe culture maintained within the College. The Principal of the Victorian College reports to the MSA Regional Director for Victoria.

For the purposes of the Reportable Conduct Scheme, the Principal has been authorised, by the National Director MSA, to undertake responsibility for reporting and investigating Reportable Allegations that involve the employees of the Victorian College under the Reportable Conduct Policies and Procedures in each College’s Child Safeguarding Program.

## **College Child Safeguarding Officers**

MSA Ltd requires that each Victorian College appoint a number of senior staff members to be Child Safeguarding Officers.

Child Safeguarding Officers receive additional training with respect to child safety and protection issues. They are a point of contact for raising child safety concerns within each College. They are also responsible for championing child safeguarding within each College and assisting in coordinating responses to child safety incidents.

MSA Ltd also requires that each Victorian College appoint a Senior Child Safeguarding Officer who has additional child safeguarding responsibilities, such as being a first point of contact for all child safety concerns or queries for the wider College community and coordinating the College’s response to child safety incidents in consultation with the Principal.

## Statement of Commitment to Child Safety and Wellbeing

All children and young people who come to MSA Ltd Colleges have a right to feel and be safe. MSA Ltd is committed to providing a child safe and child friendly environment, where children and young people are safe and feel safe and can actively participate in decisions that affect their lives.

MSA Ltd has a zero tolerance for child abuse and other harm and is committed to acting in students' best interests and keeping them safe from harm.

MSA Ltd regards its child safeguarding responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance by all its Colleges with all relevant child protection laws and regulations and maintaining a child safe culture.

Each member of the MSA Ltd community has a responsibility to understand the important and specific role that they play individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all that they do and every decision that they make.

MSA Ltd's Statement of Commitment to Child Safety and Wellbeing has been designed to reflect the Victorian Child Safe Standards, the National Principles for Child Safe Organisations and the National Catholic Safeguarding Standards.

## Child Safeguarding Standards

In addition to implementing the Victorian Child Safe Standards and MO 1359, MSA Ltd's commitment to child safety is based on the National Principles for Child Safe Organisations and the National Catholic Safeguarding Standards.

Requiring compliance with these additional Standards is one of the strategies employed by MSA Ltd to embed a culture of child safety at MSA Ltd and at all of its Colleges around Australia.

MSA Ltd also requires that its Colleges develop specific child safe principles and values relevant to their own specific circumstances to guide their work systems, practices, policies and procedures to protect students from abuse and harm.

### The National Principles for Child Safe Organisations

The National Principles were developed by the Australian Human Rights Commission in response to recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The National Principles are comprised of 10 Principles that were informed by, but go further than, the 10 Child Safe Standards recommended by the Royal Commission.

The National Principles are:

### National Catholic Safeguarding Standards



The National Catholic Safeguarding Standards expand on the National Principles, specifically for Catholic settings. They set out 10 overarching standards that guide the development of a child safe culture for Catholic entities.

Compliance with the NCSS is mandatory for all Catholic entities.

The NCSS are:

	<b>Standard 1</b> Committed leadership, governance and culture	<b>7</b>		<b>Standard 6</b> Effective complaints management	<b>18</b>
	<b>Standard 2</b> Children are safe, informed and participate	<b>10</b>		<b>Standard 7</b> Ongoing education and training	<b>21</b>
	<b>Standard 3</b> Partnering with families, carers and communities	<b>11</b>		<b>Standard 8</b> Safe physical and online environments	<b>23</b>
	<b>Standard 4</b> Equity is promoted and diversity is respected	<b>13</b>		<b>Standard 9</b> Continuous improvement	<b>25</b>
	<b>Standard 5</b> Robust human resource management	<b>14</b>		<b>Standard 10</b> Policies and procedures support child safety	<b>26</b>

### Child Safeguarding Policy and Code of Conduct

The Board of MSA Ltd has developed and approved a Child Safeguarding Policy, which Victorian Colleges must use, subject to College specific contextualisation where indicated. **A copy of the Child Safeguarding Policy is in Schedule 3.**

MSA Ltd has developed and approved a Child Safeguarding Adult Code of Conduct, which Victorian Colleges must use, subject to College specific contextualisation where indicated. **A copy of the Child Safeguarding Adult Code of Conduct is in Schedule 4.**

MSA Ltd requires that each Victorian College publish their Child Safeguarding Policy and Code of Conduct on their public website and provide induction and refresher training about them to all College Staff and to Direct Contact or Regular Volunteers and Contractors.

The MSA Child Safeguarding Officer will review annually the Child Safeguarding Policy and Code of Conduct for each Victorian College for compliance with this policy and provide a report to the National Director MSA.

### Children and Young People’s Rights to Safety, Information and Participation

MSA Ltd is a child safe and child-centred organisation. Its environment, and that of each of its Victorian Colleges, is friendly and welcoming to all children and young people.

MSA Ltd actively seeks to include, and it requires that its Victorian Colleges include, students in decisions that affect them. This includes decisions about organisational planning, delivery of services, management of facilities, and classroom learning and assessment environments.

MSA Ltd ensures students at its Victorian Colleges know about their rights to safety, information and participation. MSA Ltd recognises the importance of friendships and support from peers.

MSA Ltd actively seeks to understand what makes students at its Victorian Colleges feel safe and it requires its Colleges regularly communicate with students about what they can do if they feel unsafe.

## **Parents/Carers, Families and Community Involvement at MSA Ltd**

MSA Ltd recognises that parents and carers have the primary responsibility for the upbringing and development of their children. It ensures they participate in decisions affecting their children.

MSA Ltd ensures that families and relevant communities (Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, other communities that make up our staff and student cohort, and the local community in which our Colleges operate) know about MSA Ltd's and our Victorian Colleges' operations and policies, including their Child Safeguarding Policy and the Child Safeguarding Code of Conduct, record keeping practices, risk management, and complaints and investigation processes.

MSA Ltd actively seeks to include, and require that its Colleges, include families and relevant communities in decisions about organisational planning, delivery of services, management of facilities, and classroom learning and assessment environments.

### **Valuing Diversity in the MSA Ltd Community**

MSA Ltd values diversity and does not tolerate any discriminatory practices. To achieve this, MSA Ltd:

- supports the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students and their families
- supports the cultural safety, participation and empowerment of students from culturally and/or linguistically diverse backgrounds and their families
- supports students with a disability and their families and act to promote their participation
- supports students and families of diverse sexuality and act to promote their participation
- seeks to recruit a workforce that reflects a diversity of cultures, abilities and identities
- ensures all Staff, Direct Contact Volunteers and Direct Contact Contractors at MSA Ltd and at our Colleges have training about Aboriginal and Torres Strait Islander cultures, disability, culturally and/or linguistically diverse backgrounds, and those with particular experiences or needs
- ensures that our Victorian Colleges' physical environments actively celebrate diverse cultures and recognise cultural difference
- commits to ensuring our facilities and those of our Victorian Colleges promote the inclusion of students of all abilities.

## **Embedding a Culture of Child Safety at MSA Ltd and MSA Ltd Colleges**

### MSA Ltd Strategies

The Board of MSA Ltd has in place strategies to embed a culture of child safety including developing a Child Safeguarding Program for Victorian Colleges, forming a standing committee to assist it with matters of child safeguarding, having child safeguarding as a standing agenda item for all Board meetings and employing a Child Safeguarding and Compliance Officer.

### College Child Safeguarding Programs

MSA Ltd has approved a Child Safeguarding Program for each of its Victorian Colleges. This is one of the main strategies employed by MSA Ltd to embed a culture of child safety at all Victorian Colleges.

The Child Safeguarding Program relates to all aspects of child safety and protecting students from abuse or other harm and establishes work systems, practices, policies and procedures to create and maintain a child safe environment and culture.

It includes:

- Child Safeguarding Codes of Conduct
- clear information as to what constitutes child abuse and other harm and associated key indicators of child abuse and other harm

- clear procedures, that are consistent with [PROTECT Four Critical Actions](#), for responding to and reporting child safety incidents or concerns internally to the Principal or a Child Safeguarding Officer, and for responding to incidents or allegations of child abuse or other harm
- strategies to support, encourage and enable Staff, Volunteers, Contractors, parents/carers and students to understand, identify, discuss and report child safety matters
- procedures for recruiting and screening members of the Victorian College leadership team, Staff, Volunteers and Contractors
- procedures for reporting to external agencies, that are consistent with [PROTECT Four Critical Actions](#), including Mandatory Reporting to the Department of Families, Fairness and Housing (Child Protection), Reportable Conduct to the Commission for Children and Young People (CCYP) and Reporting Child Sexual Abuse to Police
- pastoral care strategies designed to empower students and keep them safe
- strategies to support and encourage the participation and inclusion of Aboriginal and Torres Strait Islander students, students from culturally and linguistically diverse backgrounds and students with disability
- child safeguarding training
- information regarding the steps to take after a disclosure of abuse or other harm to protect, support and assist students
- 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, MO 1359, the National Principles and the NCSS)
- a system for continuous review and improvement.

### **Training on and Information About College Child Safeguarding Programs**

MSA Ltd requires that:

- As a part of each Victorian College's induction process, all Staff, as well as Direct Contact and Regular Volunteers and Contractors are required to complete induction training on the College's child safeguarding policies, practices and procedures.
- All Staff, as well as Direct Contact and Regular Volunteers and Contractors also receive refresher and ongoing child safeguarding training at least annually.
- All Visitors to the Victorian Colleges, including Casual Volunteers and Contractors, are provided with information about the Child Safeguarding Policy, Child Safe Adult Code of Conduct and how to report child safety incidents or concerns to the College and to relevant external authorities.
- Staff, Direct Contact and Regular Volunteers and Contractors are provided with support and supervision by their manager, supervisor and/or a Victorian College's Child Safeguarding Officer to ensure that they are compliant with the College's approach to child safety.

### **Responding to Child Safety Incidents or Concerns**

MSA Ltd and its Victorian Colleges will take appropriate, prompt action in response to all child safety incidents or concerns, including all complaints, allegations or disclosures of abuse or other harm, when these are reported to MSA Ltd and/or to the College by Staff, Volunteers, Contractors, students, parents/carers or anyone else.

MSA Ltd's own response will include, and it requires that each Victorian College's response must include:

- all matters that meet the required relevant thresholds being reported externally to Child Protection (Mandatory Reports), the Police (Mandatory Reporting of Child Sexual Abuse), the CCYP (Reportable Conduct), and/or the Victorian Institute of Teaching (Teacher Misconduct), depending on the issues raised and consistent with **PROTECT Four Critical Actions**
- fully cooperating with any resulting investigation by an external agency

- protecting any student connected to the child safety incident or concern until it is resolved and providing ongoing support to those affected
- taking particular measures in response to child safety incidents or concerns about an Aboriginal or Torres Strait Islander student, a student from a culturally and linguistically diverse background, a student with a disability, a student who is unable to live at home or a student who identifies as lesbian, gay, bisexual, transgender or intersex
- sharing information with, or requesting information from, external people or agencies as permitted or required under the Child Information Sharing Scheme and/or the Family Violence Information Sharing Scheme
- securing and retaining records of the child safety incident or concern and the College's and/or MSA Ltd's response to it.

### **Child Safeguarding Human Resources Management**

MSA Ltd applies, and requires that its Victorian Colleges apply, best practice standards in the recruitment and screening of Staff, Volunteers and Contractor to engage the most suitable and appropriate people to work with children and young people.

MSA Ltd's practices include, and require that each Victorian College's own practices must include:

- requiring all Staff and Direct Contact or Regular Volunteers and Contractors to maintain a valid VIT Registration or WWC (working with children) clearance.
- ensuring that all Staff and Direct Contact and Regular Volunteers and Contractors undergo child safeguarding induction, and ongoing education and training
- ensuring that Staff, and Direct Contact or Regular Volunteers and Contractors who engage with students, are provided with regular supervision and performance monitoring by their manager or designated member of Staff
- ensuring that professional development programs for Staff include child safeguarding education and training programs.

### **Child Safeguarding Risk Management**

MSA Ltd recognises the importance of a risk management approach to minimising the potential for child abuse or harm to occur and it uses this information to inform its policies, procedures and activity planning.

MSA Ltd's Child Safeguarding Risk Management Strategy is outlined in the MSA Ltd Risk Management Policy.

The Board of MSA Ltd requires that each Victorian College identifies, assesses and manages child safety risks in all of the Colleges' environments, based on a range of factors including the nature of the Colleges' activities, physical and online environments and the characteristics of the student body, through its risk management program.

MSA Ltd and its Victorian Colleges use this information to inform policy development, procedures and activity planning.

### **Child Safeguarding Record Keeping**

MSA Ltd is committed to best practice record keeping about child safety incidents and concerns.

MSA Ltd requires that all internal and external reports of child safety incidents and concerns made to its Victorian Colleges, as well as any other responses by the College, are recorded using [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#).

Similarly, all internal and external reports of child safety incidents and concerns made to MSA Ltd itself, as well as any other responses by MSA Ltd are recorded using [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#).

All child safety incidents and concerns are recorded on the MSA Child Protection Incident Reporting system by the College Principal and reviewed by the Regional Director and Child Safeguarding Officer.

When keeping records of child safety incidents or concerns, MSA Ltd maintains, and requires each College to maintain, confidentiality and privacy for students and families in accordance with federal and state privacy legislation.

### **Child Safeguarding Strategies and Program Review**

MSA Ltd is committed to the review and continuous improvement of its child safeguarding strategies and the policies and procedures making up its Victorian Colleges' Child Safeguarding Programs.

The Board of MSA Ltd will review child safeguarding strategies annually, taking into account child safeguarding incidents that have occurred, legislative or regulatory developments, changes in its Victorian Colleges' environments and its Victorian Colleges' strategies.

The Child Safeguarding Program as a whole is reviewed annually by the Board of MSA Ltd through the Professional Standards and Child Safeguarding Committee for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards.

It is also reviewed outside this time frame by each Victorian College, in the event of:

- a consistent issue being regularly raised in complaints and/or other feedback from the College's community
- a change in law, regulation or best practice
- following any externally reportable child safety incident or concern occurring at or involving the College.

When undertaking these reviews, the Board of MSA Ltd will seek input from its Victorian Colleges about feedback from students, families, College Staff, Volunteers and Contractors, and will communicate any adjustments or amendments widely throughout MSA Ltd and/or the College community.

### **Child Safeguarding Procedures**

***Whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.***

#### **Reporting Child Safety Incidents or Concerns**

Each Victorian College's Child Safeguarding Program provides detailed guidance for College Advisory Council members, Staff, Volunteers and Contractors on how to identify key indicators of child abuse and other harm and how to report child safety incidents or concerns internally to the College.

These reports should be made to the Principal or College Child Safeguarding Officer.

Where the incident or concern involves the Principal, internal reports should instead be made to the MSA Regional Director for Victoria.

Each Victorian College's Child Safeguarding Program also contains detailed guidance for Staff, Volunteers and Contractors about when and how to report child safety incidents or concerns to relevant external authorities.

We recognise that some individuals, particularly children, face additional vulnerabilities to child abuse and other harm, as well as additional barriers to disclosing child safety incidents or concerns. Each Victorian College's Child Safeguarding Program provides guidance on identifying additional vulnerabilities and barriers, and contains strategies for supporting these individuals to participate in the MSA Ltd community and enabling them to disclose child safety incidents or concerns to individual Victorian Colleges and to MSA Ltd.

Students at MSA Ltd Colleges are provided with information about and encouraged to use multiple pathways to raise child safety incidents or concerns about or at their College. Each College is required to provide informal and formal pathways, an 'anonymous' pathway, and through external child advocacy or child safety organisations.

Parents/carers, family members and other community members who have child safety concerns or who suspect that a child or young person associated with an MSA Ltd College may be subject to abuse or other harm can contact:

- the Victorian College's Senior Child Safeguarding Officer, using the contact details set out in their College's Child Safeguarding Policy or
- the Principal, or if the concern relates to the Principal, the MSA Regional Director for Victoria
- Any person can also contact the Principal, the MSA Regional Director for Victoria or the MSA Child Safeguarding and Compliance Officer if they have concerns regarding MSA Ltd's leadership in relation to child safety.

Communications will be treated confidentially on a "need to know basis".

### **MSA Ltd's Response to and External Reporting of Child Safety Incidents or Concerns**

Each Victorian College's Child Safeguarding Program sets out the procedures, consistent with [PROTECT Four Critical Actions](#), that the College must follow for any child safety incident or concern involving a student, Staff, Volunteer, Contractor or Visitor, or other person connected to the College or the College environment.

It also provides guidance for all Staff, Volunteers and Contractors on their obligations to respond to and report, to relevant external authorities, child safety incidents and concerns.

These procedures and guidance are summarised in the **MSA Ltd's Child Protection- Responding and Reporting Obligations Policy** and MSA Ltd requires that each Victorian College has a Board approved policy contextualised to its own circumstances on its public website.

### **Support for Students, Families and Staff Following Child Safety Incident or Disclosure**

MSA Ltd recognises that child safety incidents or concerns can cause trauma and significantly impact on the mental health and wellbeing of children, as well as on their families. In addition to reporting and referral to the relevant authorities, MSA Ltd plays a central role in addressing this trauma and has a duty of care to ensure that students at its Victorian Colleges feel safe and supported.

MSA Ltd and its Victorian Colleges employ a range of measures to support students affected by a child safety incident or concern, depending on the particular circumstances of the matter and of the student and their family:

- Victorian College staff will work with the student and their family to develop a Student Support Plan.
- Support strategies that could be considered for students and/or their families might include offering or organising referrals to internal or external support, such as counsellors, bi-cultural workers and/or translators, or an external support agency and/or child advocacy organisation which specialises in supporting children and young people impacted by abuse or other harm.

Former students who may disclose historical child safety incidents or concerns from their time at an MSA Ltd College are also offered similar support by MSA Ltd.

Witnessing a child safety incident or receiving a disclosure of abuse or other harm can be a distressing experience for Staff, Volunteers and Contractors involved. MSA Ltd and its Colleges assist impacted Staff, Volunteers and Contractors to access necessary support.

## Compliance

### College Child Safeguarding Program Compliance

MSA Ltd requires that each Victorian College Principal provide to the Regional Director for Victoria an annual attestation of child safeguarding compliance. The attestation of compliance involves completion of a self-assessment of how the College is implementing all requirements of the College's Child Safeguarding Program designed to meet all aspects of the National Principles for a Child Safe Organisation and the National Catholic Safeguarding Standards, which include requirements under the Victorian Child Safe Standards and MO 1359. Where full compliance with any aspect of the program is not met MSA Ltd requires that the College provide an action plan and time frame for reaching compliance.

In addition to this, the MSA Child Safeguarding Officer provides reports as required to the Regional Director for Victoria and the National Director MSA on matters concerning child safeguarding and Victorian Colleges' compliance with this Policy.

The Principal will make available and the MSA Child Safeguarding Officer will review the child safeguarding training records for each College and provide a report to the Regional Director for Victoria.

### Incident Reporting

All child safeguarding incidents must be recorded in the MSA Child Protection Incident Reporting system by the Principal or delegate or if the matter involves the Principle by the Regional Director for Victoria. The Regional Director for Victoria and the MSA Child Safeguarding Officer receive an automatic alert that a matter has been reported. The incident remains open in the system until the incident has been resolved and it is then closed by the Regional Director. A report from this system is prepared by the MSA Child Safeguarding and Compliance Officer quarterly for review by Executive Management and a report is prepared for review at each Child Safeguarding and Professional Standards Committee meeting. The Child Safeguarding and Professional Standards Committee minutes are tabled at the next MSA Ltd Board meeting.

### **Breach of Policy**

MSA Ltd enforces the MSA Ltd Child Safeguarding Framework Policy (Victoria) and the Child Safeguarding Code of Conduct and in the event of any non-compliance a review will be undertaken that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

### **Source of Obligation**

The MSA Ltd Child Safeguarding Framework Policy (Victoria) implements, and is to be read and understood in conjunction with:

- the Victorian Child Safe Standards and MO 1359
- the National Principles for Child Safe Organisations
- the National Catholic Safeguarding Standards

Related policies include:

- MSA Ltd Child Protection – Victorian Responding and Reporting Obligations Policy
- MSA Ltd Child Safeguarding Recruitment, Screening and Suitability Assessment Policy
- MSA Ltd Risk Management Policy

### Policy History and Review Schedule

<b>Version</b>	2
<b>Approved by</b>	Board of MSA Ltd
<b>Policy Owner</b>	MSA National Director
<b>Date Developed</b>	September 2022
<b>Next Review Date</b>	September 2023

## Schedule 1

### Victorian Colleges

- (a) Assumption Catholic College, Kilmore VIC, ABN 85 917 803 177:
  - (i) Registered Non-Government School
  - (ii) associated Registered School Boarding Premises, registered under the Education and Training Reform Act 2006 (Vic) and the Education and Training Reform Regulations 2017 as amended from time to time
- (b) Lavalla Catholic College, Traralgon VIC, ABN 74 453 482 885
- (c) Marcellin Catholic College, Bulleen VIC, ABN 77 413 001 496
- (d) Marist College Bendigo, Bendigo VIC, ABN 48 218 856 996

## Schedule 2

### Definitions

#### *Key definition:*

#### **Child safety incident or concern**

The MSA Child Protection – Victorian Responding and Reporting Obligations Policy (and each College’s Child Safeguarding Program) uses the phrase “child safety incident or concern” rather than the more limited concept of “child abuse”.

**Child safety incidents or concerns** can take many forms. These include not only “abuse” of a child or young person by their parents/carers, but also conduct by other people that can cause harm to a child or young person.

In Victoria, MSA Ltd and each of our Victorian Colleges define “child safety incidents or concerns” as:

- incidents of or concerns about child abuse as defined in Ministerial Order 1359, the Education and Training Reform Act 2006 (Vic) (ETR Act) and Child Wellbeing and Safety Act 2005 (Vic) (CWS Act)
- incidents of or concerns about other harm (defined in Additional Definitions, below)
- incidents of or concerns about Reportable Conduct as defined in the CWS Act
- incidents of or concerns about a breach of the MSA Child Safe Adult Code of Conduct or the Staff and Student Professional Boundaries Policy, by MSA community members in Victoria, no matter how minor the breach
- incidents of or concerns about child abuse or other harm of a student by another student or by another person while at an MSA Ltd College or an MSA Ltd College event.

Definitions of all of the above terms are set out in the **Additional Definitions** section below.

#### *Additional definitions*

For definitions of all of the different types of child abuse and other harm, a comprehensive list of the indicators of these types of harm, and advice on identifying perpetrators of child sexual abuse, refer to the protocol [PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools](#).

#### **Child Abuse**

**Child abuse** is defined in Ministerial Order 1359, the ETR Act and CWS Act as:

- any act committed against a child involving:
  - a sexual offence<sup>2</sup> or
  - a grooming offence under section 49M(1) of the Crimes Act 1958 (Vic)<sup>3</sup>
- the infliction, on a child, of—

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<sup>2</sup> Sexual offences against children and young people include:

- sexual offences against children aged under 16
- sexual offences against children aged 16-17 who are under the care, supervision or authority of the offender
- grooming by an adult of children aged under 16
- encouragement by an adult of child aged under 16, or a child aged 16-17 under the care, supervision or authority of the adult, to engage in or be involved in sexual activity
- offences related to child abuse material, including making (including by involving a child in making), producing, distributing, possessing, and administering websites containing this material offences

<sup>3</sup> This grooming offence involves grooming by an adult of another adult who has the child under their care, supervision or authority.

- physical violence or
- “serious” emotional or psychological harm
- the “serious” neglect of a child.<sup>4</sup>

### **Other Harm**

Because the definition of “child abuse” in the Ministerial Order, the ETR Act and CWS Act is quite limited, reference to other kinds of harm to children and young people, that must be reported internally to each College and to MSA Ltd and that must be responded to in accordance with this policy and its procedures, is required.

**Other harm** includes:

- children and young people who may be “in need of protection”, as set out in the Children, Youth and Families Act 2005 (Vic) (CYF Act)<sup>5</sup>
- children and young people who may be “in need of therapeutic treatment for sexually abusive behaviours,” as set out in the CYF Act
- other situations in which there are significant concerns for the wellbeing of a child or young person such that a report should be made under the CYF Act.

### **Reportable Conduct**

**Reportable Conduct** is defined in the CSW Act to include:

- a sexual offence or sexual misconduct committed against, with or in the presence of, a child (it does not matter whether or not a criminal proceeding in relation to the offence has been commenced or concluded)
- physical violence committed against, with or in the presence of, a child
- any behaviour that causes “significant” emotional or psychological harm to a child
- “significant” neglect of a child.<sup>6</sup>

It does not matter whether the Reportable Conduct is alleged to have occurred in the course of the employee’s engagement by the College.

It does not matter whether the child is a student at the College.

### **“Child Abuse and Other Harm”**

We refer to all of above definitions and concepts relevant to “child abuse” and “harm” to a child or young person, that are set out in the multiple Victorian child protection laws, as “child abuse and other harm.”

**Child abuse and other harm** therefore includes:

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<sup>4</sup> “Serious” emotional or psychological harm and “serious” neglect involve harm that has a lasting permanent effect.

<sup>5</sup> The grounds set out in the CYF Act for a child to be considered “in need of protection” include:

- abandonment by or death/incapacitation of their parents, and no suitable person can be found who is willing and able to care for the child
- the child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected, or are unlikely to protect, the child
- the child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is, or is likely to be, significantly damaged, and the child's parents have not protected, or are unlikely to protect, the child
- the child's physical development or health has been, or is likely to be, significantly harmed because the child's parents have not provided, arranged or allowed the provision of, or are unlikely to provide, arrange or allow the provision of, basic care or effective medical, surgical or other remedial care.

<sup>6</sup> “Significant” emotional or psychological harm and “significant” neglect involve harm that is more than trivial or insignificant, but need not be as high as “serious” and need not have a lasting permanent effect

- sexual offences and sexual abuse
- grooming behaviours, grooming offences (including grooming of an adult with care, supervision and authority for a child) and encouragement offences
- physical violence and physical abuse
- serious/significant emotional or psychological harm
- serious/significant neglect.

*Other terms used in the Policy*

**“Direct Contact Volunteers/Contractors”**

Direct Contact Volunteers/Contractors are Volunteers and Contractors who provide support, guidance and supervision directly to students or who could potentially have direct contact with students during the normal course of providing their service.

**“Regular Volunteers/Contractors”**

Regular Volunteers/Contractors are Volunteers and Contractors who provide services to a College more than seven times per calendar year, during which they may have only incidental or indirect contact with students.

**“Education Legislation”** means the laws of Australia applicable to Marist Schools Ltd including the Colleges, including separately as Registered Non-Government Schools, school boarding premises and as Registered School Boarding Premises under Marist Schools Ltd’s proprietorship, from time to time including the Australian Education Act 2013 (Cth), the Australian Education Regulation 2013 and the Education Acts (by whatever name) and Regulations made under those Acts, applicable in the states and territories in which the Colleges operate, as amended from time to time. The Education Legislation governs registration, regulation and funding of the Colleges. The Education Legislation includes legislative instruments made under Acts and Regulations such as Ministerial Order 1359 which applies to the Colleges located in and operating in Victoria, the Education and Training Reform Act 2006 (Vic) in so far as it applies to the Colleges including separately as the Registered Non-Government Schools and as the Registered School Boarding Premises located in and operating in Victoria and other instruments, ministerial orders, guidelines and registration requirements applicable in the states and territories in which the Colleges operate, as amended from time to time.

**“Education Ministry”** includes the governance, management, conduct and operation of the Colleges with the object of providing, within a Christian environment, the highest standard of education. The Education Ministry includes, but is not limited to, the governance, management and conduct of early learning centres and out of school care, Registered Training Organisations and schools registered with the Commonwealth Register of Institutions and Courses for Overseas Students which cater for the students of the Colleges and further includes the provision of other services that are related or ancillary to the Company’s purpose and object of advancing education and charitable work.

**“Executive Management”** means the National Director MSA, Regional Directors, MSA Head of Business and all other members of the MSA executive as determined by the National Director MSA.

## Schedule 3

### Child Safeguarding Policy Template

\*College Name\* Child Safeguarding Policy

#### Background

Marist Schools Australia Ltd (“MSA Ltd”) is a not-for-profit company limited by guarantee. It is a charity registered with the Australian Charities and Not-for-Profits Commission (ACNC), with the purpose of advancing education and advancing religion. MSA Ltd aims to strengthen the governance of the Education Ministry of the Trustees of the Marist Brothers.

#### **\*College to insert introduction/background to the College.\***

The \*CollegeName\* Child Safeguarding Policy has been approved by the Marist Schools Australia Ltd Board (MSA Board) on {{CollegeChildSafePolicyApprovalDate}}. It is to be reviewed on {{CollegeChildSafePolicyNextReviewDate}}.

#### Purpose

#### **\*College to insert introductory paragraph about its own approach to child safety\***

The \*CollegeName\* Child Safeguarding Policy was written to demonstrate the College’s strong commitment to child safety. It implements the Marist Schools Australia Child Safeguarding Policy (Victoria) and outlines the policies and practices that we have developed to keep the students at our College safe, including from abuse or other harm.

The \*CollegeName\* Child Safeguarding Policy is an overarching policy that provides the key elements of our approach to the College as a child safe organisation and sets the tone for the College’s entire Child Safeguarding Program.<sup>7</sup>

It provides the framework for:

- the implementation of the **Victorian Child Safe Standards** and **Ministerial Order No 1359**
- the implementation of the **National Principles for Child Safe Organisations** and the **National Catholic Safeguarding Standards**
- the development of work systems, practices, policies and procedures, consistent with [PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosure and Suspicions of Child Abuse](#) (PROTECT Four Critical Actions), that promote child protection, safety and wellbeing within the College
- the creation of a safe and supportive environment and a positive and robust child safe culture within the College

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<sup>7</sup> The “Child Safeguarding Program” is the name given to the full collection of policies and procedures that assist the College to be a child safe organisation and to meet the requirements of the Victorian Child Safe Standards, Ministerial Order 1359 and the National Principles for Child Safe Organisations. It includes policies and procedures for:

- responding to and reporting child safety incidents and concerns
- child safe human resources management (including WWC clearances)
- participation and empowerment of students
- informing and involving families and relevant communities in child safeguarding issues
- equity and diversity
- child safeguarding risk management strategies
- strategies for embedding a culture of child safety at the College and
- regular reviews and continuous improvement of child safeguarding policies, procedures and practices.

- the promotion and open discussion of child safety issues within the College
- compliance with all laws, regulations and standards relevant to child protection and child safety in Victoria.

### Scope

The College’s Child Safeguarding Policy applies to all adults in the College community, including Staff, Volunteers, Contractors, and External Education Providers (i.e. “school staff” within the meaning of Ministerial Order 1359), as well as to Visitors.

This policy applies in all College environments, both physical and online, and on-site and off-site College grounds (e.g. camps and excursions).

**\*College to insert reference to Boarding Premises if relevant to ensure Boarding Premises and operations are included in the scope of the Policy.**

### Definitions

Definitions of particular terms used in the College’s Child Safeguarding Policy can be found in **Child Safeguarding Program Definitions**.

Of particular importance to this policy are the following key definitions:

#### **Child safety incident or concern**

The College uses the phrase “child safety incident or concern,” rather than the more limited concept of “child abuse”.

“Child safety incidents or concerns” can take many forms. These include not only “abuse” of a child or young person by their parents/carers, but also conduct by other people that can cause harm to a child or young person.

We define “child safety incidents or concerns” as an incident of or concern about:

- “child abuse” as defined in Ministerial Order 1359, the Child Wellbeing and Safety Act (2005) (Vic) (CWA Act) and the Education Training and Reform Act (2006) (Vic) (ETR Act).

These Acts and the Ministerial Order define “child abuse” as:

- a sexual offence against a child
- the criminal offence of grooming, which includes grooming of a child or of a person with care, supervision or responsibility for the child with the intention of facilitating the child being engaged or involved in the commission of a sexual offence
- the infliction, on a child, of physical violence or “serious” emotional or psychological harm
- the “serious” neglect of a child;<sup>8</sup>
- a child “in need of protection” as defined in the Child, Youth and Families Act 2005 (Vic) (CYF Act), which includes:
  - abandonment of the child by their parents and no other suitable person can be found who is willing and able to care for the child
  - the child’s parents are dead or incapacitated and no other suitable person can be found who is willing and able to care for the child

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<sup>8</sup> “Serious” harm/neglect is harm that has a lasting permanent effect.

- “significant” harm as a result of physical injury, from which the child’s parents have not or are not likely to protect the child
- “significant” harm as a result of sexual abuse (including likely future sexual abuse as a result of grooming), from which the child’s parents have not or are not likely to protect the child
- “significant” emotional or psychological harm, from which the child’s parents have not or are not likely to protect the child
- “significant” neglect by the child’s parents;<sup>9</sup>
- “reportable conduct” as defined in the CWS Act, which means conduct by Staff, Volunteers and Contractors that involves:
  - a sexual offence committed against or in the presence of a child
  - sexual misconduct committed against or in the presence of a child
  - physical violence committed against or in the presence of a child
  - any behaviour that causes “significant” emotional or psychological harm to a child
  - “significant” neglect of a child;
- a criminal offence against a child as set out in the Crimes Act 1958 (Vic), such as:
  - sexual penetration or sexual assault of, or sexual activity in the presence of, a child aged under 16 or of a child aged 16 or 17 under the care, supervision or authority of the offender
  - grooming a child aged under 16 or a child aged 16 or 17 under the care, supervision or authority of the offender
  - grooming an adult who has a child under their care, supervision or authority
  - encouraging of a child aged under 16 or a child aged 16 or 17 under the offender’s care, supervision or authority to be involved in sexual activity;
- a breach of the Child Safeguarding Codes of Conduct, such as:
  - a teacher engaging in unauthorised after hours meetings with a student
  - a Volunteer sports coach engaging in inappropriate online personal communications with a student
  - a Contractor music tutor publishing online photos, movies or recordings of a student without parental/carer consent.

### **School Staff**

“School staff” and “School boarding premises staff” are a particular phrases used in Ministerial Order 1359, and are defined as “an individual working in a school/school boarding premises 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.”

The engagement or employment of all Staff, Volunteers and Contractors at the College (other than the Principal) is undertaken by the College on behalf of the MSA Ltd Board.

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<sup>9</sup> “Significant” harm/neglect harm is harm that is more than trivial or insignificant, but need not be as high as “serious” and need not have a lasting permanent effect.

This means that all Staff, all Volunteers and all Contractors at the School are “school staff” for the purposes of Ministerial Order 1359, no matter their age or the manner or frequency of their engagement.

### **Staff/Staff Member**

The terms “Staff” and “staff member” include all teaching and non-teaching Staff, including the Principal. They include all those employed by the College on a permanent, temporary or casual basis.

### **Volunteers/Contractors**

A Volunteer is a person who works without payment or financial reward for the College. Volunteers may be family members of students, or from the wider College or local community.

A Contractor is someone engaged by the College to perform specific tasks. Contractors are not employees of the College.

The College categorises Volunteers and Contractors as either:

#### ***Direct Contact Volunteers/Contractors:***

Direct Contact Volunteers/Contractors are Volunteers and Contractors who provide support, guidance and supervision directly to students or who could potentially have direct contact with students during the normal course of providing their service.

Examples include:

- Volunteers who work directly with students, such as: attending camps or excursions; assisting students during learning activities; volunteering as a coach, manager, or assistant extracurricular activities; volunteering in the canteen or uniform shop
- Contractors who work directly with students or unsupervised in College environments when students are present, such as: regular maintenance workers who work during school hours when students are present (e.g. contracted cleaners and gardeners); specialist music tutors; sporting team or other extracurricular coaches; external education providers.

All Direct Contact Volunteers/Contractors (other than those who are themselves children) are engaged in child-connected work within the meaning of Ministerial Order 1359.

#### ***Regular Volunteers/Contractors***

Regular Volunteers/Contractors are Volunteers and Contractors who provide services to a College more than seven times per calendar year, during which they may have only incidental or indirect contact with students.

Examples include:

- Volunteers who provide services that are not aimed at students, such as: volunteering in the College’s administration office in roles that do not involve contact with students (e.g. as an accountant or bookkeeper); volunteering on advisory committees
- Contractors who do not work directly with students or who provide regular services in settings when students are not present, such as: regular maintenance workers who work outside school hours when students are not expected to be present; consultants; regular umpires, referees and linesmen at sporting events; regular caterers for Staff events.

Regular Volunteers/Contractors (other than those who are themselves children) who work in any College environment while children are present or are expected to be present are engaged in “child-connected work” within the meaning of Ministerial Order 1359.

Regular Volunteers/Contractors who are children or who work in any College environment while children are not present or are not expected to be present are not engaged in “child-connected work” within the meaning of Ministerial Order 1359.

### **Casual Volunteers/Contractors**

Casual Volunteers/Contractors are Volunteers and Contractors who provide services to a College seven or less times per calendar year, during which they may have only incidental or indirect contact with students.

Examples include:

- Volunteers who provide one-off services that are not aimed at students or that are aimed at the general public, such as: volunteering at a working bee to cover books or landscape a garden; volunteering on a stall at a College fete; volunteering on a BBQ at a sporting event
- Contractors who provide one-off services that do not involving working directly with students or in settings when students are not present, such as: maintenance workers providing emergency repairs; presenters or performers at a one-off College event; assisting at one-off College events (e.g. a lifeguard at an annual swimming carnival).

Casual Volunteers/Contractors (other than those who are themselves children) who work in any College environment while children are present or are expected to be present are engaged in “child connected work” within the meaning of Ministerial Order 1359.

Casual Volunteers/Contractors who are children or who work in any College environment while children are not present or are not expected to be present are not engaged in “child-connected work” within the meaning of Ministerial Order 1359.

### **Visitor**

The term “Visitor” refers to any adult who attends a College event or is in a College environment on a one-off or casual basis. Examples of Visitors include, but are not limited to:

- Casual Volunteers/Contractors
- parents, carers and other adult family members of students, when they are attending College events or in a College environment
- people invited by the College or a staff member to attend a College event or to be in a College environment
- people who attend a College environment for commercial purposes, such as for deliveries or sales purposes.

### **External Education Provider**

An external education provider is any organisation that the College has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the College.

The delivery of such a course may take place on College premises or elsewhere.

### Roles and Responsibilities

(Victorian Child Safe Standard 1, Ministerial Order 1359 clause 7(1)(b) & 11(3)(c), National Principle/NCSS 1)

Child safeguarding is everyone’s responsibility. All adults in the College community have a shared responsibility for contributing to the safety and protection of students.

Specific responsibilities are summarised at the end of this policy.

### Statement of Commitment to Child Safety

(Victorian Child Safe Standard 2, Ministerial Order 1359 clause 8 , National Principle/NCSS 1)

All children and young people who come to \*CollegeName\* have a right to feel and be safe. 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.

We have a zero tolerance for child abuse and other harm and are committed to acting in students' best interests and keeping them safe from harm.

The College regards its child safeguarding responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintaining a child safe culture.

### Child Safeguarding Standards

In addition to implementing the Victorian Child Safe Standards, the College's commitment to child safety is based on the National Principles for Child Safe Organisations and National Catholic Safeguarding Standards, which set out the following overarching standards that guide the development and regular review of our work systems, practices, policies and procedures to protect students from abuse and other harm. These standards are similar to the Victorian Child Safe Standards.

Requiring compliance with these additional Child Safeguarding Standards is one of the strategies employed by MSA Ltd to embed a culture of child safety at the College.

\*CollegeName\* also has developed specific child safe principles and values relevant to its own specific circumstances and that guide our work systems, practices, policies and procedures to protect students from abuse and harm.

### **The National Principles for Child Safe Organisations**

The National Principles were developed by the Australian Human Rights Commission in response to recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The National Principles are comprised of 10 Principles that were informed by, but go further than, the 10 Child Safe Standards recommended by the Royal Commission.

The National Principles are:



## The National Catholic Safeguarding Standards

The NCSS expand on the National Principles for Child Safe Organisations, specifically for Catholic settings. They set out 10 overarching standards that guide the development of a child safe culture for Catholic entities. Compliance with the NCSS is mandatory for all Catholic entities.

The NCSS are:

 <b>Standard 1</b> <span style="float: right;">7</span> Committed leadership, governance and culture	 <b>Standard 6</b> <span style="float: right;">18</span> Effective complaints management
 <b>Standard 2</b> <span style="float: right;">10</span> Children are safe, informed and participate	 <b>Standard 7</b> <span style="float: right;">21</span> Ongoing education and training
 <b>Standard 3</b> <span style="float: right;">11</span> Partnering with families, carers and communities	 <b>Standard 8</b> <span style="float: right;">23</span> Safe physical and online environments
 <b>Standard 4</b> <span style="float: right;">13</span> Equity is promoted and diversity is respected	 <b>Standard 9</b> <span style="float: right;">25</span> Continuous improvement
 <b>Standard 5</b> <span style="float: right;">14</span> Robust human resource management	 <b>Standard 10</b> <span style="float: right;">26</span> Policies and procedures support child safety

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### **\*CollegeNamePossessive\* Child Safe Principles and Values**

**\*College to insert additional child safe principles/values relevant to its specific circumstances\***

[\\*CollegeNamePossessive\\* Policy](#)

### **Child Safeguarding Codes of Conduct**

(Victorian Child Safe Standard 3 & 7, Ministerial Order 1359 clause 6, National Principle/NCSS 1 & 2)

MSA Ltd has developed and approved an **MSA Child Safeguarding Adult Code of Conduct**, which applies to all adults at the College.

MSA Ltd has also approved a **Staff and Student Professional Boundaries Policy**, which applies to all Staff, Volunteers and Contractors at the College.

MSA Ltd has also approved a Student Code of Conduct, which the College is required to adapt to our particular circumstances and include in our own **Student Code of Conduct**. Our Student Code of Conduct applies to all students at the College.

Together, we refer to these as the College's Child Safeguarding Codes of Conduct.

The College's Child Safeguarding Codes of Conduct are published on the College's public website. They are included in induction and refresher training for all College Staff and relevant Volunteers and Contractors, and in our child safeguarding curriculum for students.

**Child-friendly versions** are provided to all students.

### **Children and Young People's Rights to Safety, Information and Participation**

(Victorian Child Safe Standard 7, Ministerial Order 1359 clause 7, National Principle/NCSS 2)

\*CollegeName\* is a child safe and child-centred organisation. Our environment is friendly and welcoming to all children and young people.

We actively seek to include students in decisions that affect them. This includes decisions about organisational planning, delivery of services, management of facilities, and classroom learning and assessment environments.

We ensure students know about their rights to safety, information and participation. We recognise the importance of friendships and support from peers. We actively seek to understand what makes students feel safe in our [#schoocCAPS] and regularly communicate with students about what they can do if they feel unsafe.

#### Parents/Carers, Families and Community Involvement at the College

(Victorian Child Safe Standards – Principles 1 and 2, Ministerial Order 1359 clause 8, National Principle/NCSS 3)

The College recognises that parents and carers have the primary responsibility for the upbringing and development of their children. We ensure they participate in decisions affecting their children.

We ensure that families and relevant communities (Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities, other communities that make up our staff and student cohort, and the local community in which our College operates) know about the College's operations and policies, including its Child Safeguarding Policy and the Child Safe Codes of Conduct, record keeping practices, risk management, and complaints and investigation processes.

We actively seek to include families and relevant communities in decisions about organisational planning, delivery of services, management of facilities, and classroom learning and assessment environments.

We build cultural safety at the College through partnerships with relevant communities.

#### Valuing Diversity in the College Community

(Victorian Child Safe Standards – Principles 1, 2 & 3, Ministerial Order 1359 clause 9, National Principle/NCSS 4)

Our College values diversity and does not tolerate any discriminatory practices. To achieve this, we:

- support the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students and their families
- support the cultural safety, participation and empowerment of students from culturally and linguistically diverse backgrounds and their families
- support students with a disability and their families and act to promote their participation
- support all vulnerable children, including students and families of diverse sexuality and students who are unable to live at home, and act to promote their participation
- seek to recruit a workforce that reflects a diversity of cultures, abilities and identities
- ensure all Staff, Direct Contact Volunteers and Direct Contact Contractors have training about Aboriginal and Torres Strait Islander cultures, disability, culturally and/or linguistically diverse backgrounds, and those with particular experiences or needs
- have a physical environment that actively celebrates diverse cultures and recognises cultural difference
- commit to ensuring our facilities promote the inclusion of students of all abilities.

#### Embedding a Culture of Child Safety

(Victorian Child Safe Standard 1, Ministerial Order 1359 clause 6, 12 and 14, National Principle/NCSS 1)

#### **Our Child Safeguarding Program**

Our Child Safeguarding Program itself is one of the strategies employed by MSA Ltd and \*CollegeName\* to embed a culture of child safety at the College. It has been approved by the MSA Board.

Our Child Safeguarding Program relates to all aspects of child safety and protecting children from abuse and establishes work systems, practices, policies and procedures to create and maintain a child safe environment and culture at the College. It includes:

- the College's Child Safeguarding Codes of Conduct
- clear information as to what constitutes child abuse and other harm and associated key indicators of child abuse and other harm
- clear procedures, that are consistent with [PROTECT Four Critical Actions](#), for responding to and reporting child safety incidents or concerns internally to a {{ChildProtectionOfficer}}, and for responding to incidents or allegations of child abuse or other harm
- strategies to support, encourage and enable Staff, Volunteers, Contractors, External Education Providers, parents/carers and students to understand, identify, discuss and report child safety matters
- procedures for recruiting and screening members of the [#MgmtTitle], Staff, Volunteers and Contractors
- procedures for reporting to external agencies, that are consistent with [PROTECT Four Critical Actions](#), including Mandatory Reporting to the Department of Families, Fairness and Housing (Child Protection), Reportable Conduct to the Commission for Children and Young People (CCYP) and Reporting Child Sexual Abuse to Police
- pastoral care strategies designed to empower students and keep them safe
- strategies to support and encourage the participation and inclusion of Aboriginal and Torres Strait Islander students, students from culturally and/or linguistically diverse backgrounds and students with disability
- child safeguarding training
- information regarding the steps to take after a disclosure of abuse or other harm 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 1359 and the NCSS)
- a system for continuous review and improvement.

### **Training on and Information about the Child Safeguarding Program**

As a part of \*CollegeNamePossessive\* induction process, all Staff as well as relevant Volunteers and Contractors are required to complete induction training on our child safeguarding policies, practices and procedures.

All Staff, as well as Direct Contact Volunteers and Direct Contact Contractors also receive refresher and ongoing child safeguarding training at least annually.

Regular Contractors and Regular Volunteers receive information sheets about the College's child safeguarding policies, practices and procedures prior to commencing work at the College.

All Visitors to the College, including Casual Volunteers and Contractors, are provided with information about the Child Safe Codes of Conduct and how to report child safety incidents or concerns to the School and to relevant external authorities.

Staff, Direct Contact and Regular Volunteers, and Direct Contact and Regular Contractors are provided with support and regular supervision by their Manager, the College's {{ChildProtectionOfficer}}s and/or the College {{MgmtTitle}} to ensure that they are compliant with the College's approach to child safety.

## The College's Response to Child Safety Incidents or Concerns

The College will take appropriate, prompt action in response to all child safety incidents or concerns, including all complaints, allegations or disclosures of abuse or other harm, when these are reported to the College by Staff, Volunteers, Contractors, students, parents/carers or anyone else.

The College's response will include:

- all matters that meet the required relevant thresholds being reported externally to Child Protection (Mandatory Reports), the Police (Mandatory Reporting of Child Sexual Abuse), the CCYP (Reportable Conduct), and/or the Victorian Institute of Teaching (Teacher Misconduct), depending on the issues raised and consistent with [PROTECT Four Critical Actions](#)
- fully cooperating with any resulting investigation by an external agency
- protecting any student connected to the child safety incident or concern until it is resolved and providing ongoing support to those affected
- taking particular measures in response to child safety incidents or concerns about an Aboriginal or Torres Strait Islander student, a student from a culturally and linguistically diverse background, a student with a disability, and other vulnerable children (such as students and families of diverse sexuality and students who are unable to live at home)
- sharing information with, or requesting information from, external people or agencies as permitted or required under the Child Information Sharing Scheme and/or the Family Violence Information Sharing Scheme
- securing and retaining records of the child safety incident or concern and the College's response to it
- reporting all child safeguarding incidents that occur at or involve the College or its Staff, Volunteers or Contractors to MSA Ltd.

## Child Safe Human Resources Management

\*CollegeName\* applies best practice standards in the recruitment and screening of Staff and relevant Volunteers. Our recruitment procedures ensure that all reasonable steps are taken to engage the most suitable and appropriate people to work with children and young people. Our practices include:

- requiring all Staff and relevant Volunteers and Contractors to maintain a valid WWC (working with children) clearance
- ensuring that all Staff and Direct Contact Volunteers and Direct Contact Contractors undergo child safeguarding induction, and ongoing education and training as part of our commitment to safeguarding children from harm
- ensuring that Staff, Direct Contact Volunteers and Direct Contact Contractors are provided with regular supervision and performance monitoring by their manager/a senior member of Staff
- ensuring that professional development programs for Staff include child safeguarding education and training programs.

## Child Safe Risk Management

(Victorian Child Safe Standard 6, Ministerial Order clause 12, National Principle/NCSS 1 & 8)

\*CollegeName\* recognise the importance of a risk management approach to minimising the potential for child abuse or harm to occur and we use this information to inform our policies, procedures and activity planning.

We identify, assess and manage child safety risks in all College environments, based on a range of factors including the nature of our College's activities, physical and online environments and the characteristics of the student body, through our Risk Management Program. We use this information to inform our policies, procedures and activity planning.

## Child Safeguarding Record Keeping

(National Principle/NCSS 1)

The College is committed to best practice record keeping about child safety incident and concerns.

All internal and external reports of child safety incidents and concerns, as well as any other responses by the College are recorded using [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#).

When keeping records of child safety incidents or concerns, the College maintains confidentiality and privacy for students and families in accordance with federal and state privacy legislation.

## Child Safeguarding Strategies and Program Review and Improvement

(Victorian Child Safe Standard 6, Ministerial Order clause 7(1)(e) & 12(4), National Principle/NCSS 9)

\*CollegeName\* is committed to the continuous improvement of the policies and procedures making up our entire Child Safeguarding Program.

The Child Safeguarding Program as a whole is reviewed annually by MSA Ltd for overall effectiveness and to ensure that the College complies with all child protection related laws, regulations and standards.

It is also reviewed outside this time frame by the College, in the event of:

- a consistent issue being regularly raised in complaints and/or other feedback from the College's community
- a change in law, regulation or best practice
- following any externally reportable child safety incident or concern occurring at or involving the College.

When undertaking these reviews, the College actively seeks, actions, and incorporates feedback from students, families, the wider College community, Staff, Volunteers and Contractors, and will communicate any adjustments or amendments widely throughout the College community.

## Child Safeguarding Compliance

(Victorian Child Safe Standard 1, Ministerial Order 1359 all clauses, National Principles/NCSS 9 & 10)

MSA Ltd requires that the Head of the College sign and provide to MSA Ltd an annual attestation of compliance with the National Principles/NCSS.

This attestation of compliance involves completion of a self-assessment of how the College is implementing all requirements of the College's Child Safeguarding Program designed to meet all aspects of the National Principles/NCSS (and therefore, for Victorian Colleges, any related Victorian Child Safe Standards and Ministerial Order 1359 requirements).

Where compliance with a particular National Principle/NCSS or an aspect of it is "in progress" or "not compliant", MSA Ltd requires that the College provide an action plan and time frame for reaching compliance.

In addition to this, the MSA Child Safeguarding Officer undertakes an annual review of the College's compliance with the child safety standards under Ministerial Order 1359 and provides a report to the National Director MSA and to the Child Safeguarding and Professional Standards Committee of the MSA Board, whose minutes are tabled at the next MSA Ltd Board meeting.

## Child Safeguarding Procedures

### **Reporting Child Safety Incidents or Concerns to the College**

(Victorian Child Safe Standard 5, Ministerial Order 1359 clause 11, National Principle/NCSS 2, 3 & 6)

**Whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.**

#### Staff

Our Child Safeguarding Program provides detailed guidance for **Staff, Volunteers and Contractors** on how to identify key indicators of child abuse and other harm and how to report child safety incidents or concerns internally at the College.

These reports can be made to a \*ChildProtectionOfficer\* or the Principal.

Where the incident or concerns involves the Principal, internal reports should instead be made to the MSA Regional Director by {{regionaldirectorcontact}}.

Our Child Safeguarding Program also contains detailed guidance for Staff, Volunteers and Contractors about when and how to report child safety incidents or concerns to relevant external authorities.

We recognise that some individuals, particularly children, face additional vulnerabilities to child abuse and other harm, as well as additional barriers to disclosing child safety incidents or concerns. Our Child Safeguarding Program provides guidance on identifying additional vulnerabilities and barriers, and contains strategies for supporting these individuals to participate in the College community and enabling them to disclose child safety incidents or concerns to the College.

#### Students, Parents/Carers and Community Members

**Students** at the College are provided with information about and encouraged to use multiple pathways to raise child safety incidents or concerns about or at the College. These are explained in our **Child Safe Complaints Management** policy, and include informal and formal ways, an ‘anonymous’ way, and through external child advocacy or child safety organisations.

**Parents/carers, family members and other community members** who have child safety concerns or who suspect that a child or young person associated with the College may be subject to abuse or other harm can contact:

- the College’s Senior \*ChildProtectionOfficer\* (whose contact details are set out in Roles and Responsibilities, below) or
- **\*(if the Senior \*ChildProtectionOfficer\* is different from the Principal) the Principal or,\*** if the concern relates to the Principal, the MSA Regional Director.

**Students, parents/carers, family members and other community members** can also raise child safety incidents or concerns through the College’s **Complaints Handling Policy**.

**Any person** can also contact the Senior \*ChildProtectionOfficer\*, **\*(if the Senior \*ChildProtectionOfficer\* is different from the Principal) the Principal\*** or MSA Regional Director if they have concerns regarding the College’s leadership in relation to child safety.

Communications will be treated confidentially on a “need to know basis”.

#### **The College’s Response to and External Reporting of Child Safety Incidents or Concerns**

(Victorian Child Safe Standard 5, Ministerial Order 1359 clause 11, National Principle/NCSS 6)

Our Child Safeguarding Program sets out the policies, procedures and practices that the College will follow to any child safety incident or concern involving a student, College Staff, Volunteer, Contractor or Visitor, or other person connected to the College or the College environment.

It also provides guidance for all Staff, Volunteers and Contractors on their obligations to respond to and report, to relevant external authorities, child safety incidents and concerns.

These are summarised in our public facing Procedures for Responding to and Reporting Child Safety Incidents and Concerns and public facing Procedures for Managing Child Safety Incidents or Concerns At or Involving the College or its Staff Members.

## Support for Students, Families and Staff Following Child Safety Incident or Disclosure

(Victorian Child Safe Standard 2 & 5, Ministerial Order 1359 clause 12.2, National Principle/NCSS 2, 3 & 6)

Child safety incidents or concerns can cause trauma and significantly impact on the mental health and wellbeing of children, as well as on their families. In addition to reporting and referral to the relevant authorities, the College plays a central role in addressing this trauma and has a duty of care to ensure that students feel safe and supported at College.

The College employs a range of measures to support students affected by a child safety incident or concern, depending on the particular circumstances of the matter and of the student and their family:

- \*ChildProtectionOfficer\*s will work with the student and their family to develop a Student Support Plan.
- Support strategies that could be considered for students and/or their families might include offering or organising referrals to internal or external support, such as the College [#counsellor], bi-cultural workers and/or translators, or an external support agency and/or child advocacy organisation which specialises in supporting children and young people impacted by abuse or other harm
- **\*College to insert specific College processes, roles and names of relevant staff\*.**

Former students who may disclose historical child safety incidents or concerns from their time at the College are also offered similar support by the College.

Witnessing a child safety incident or receiving a disclosure of abuse or other harm can be a distressing experience for Staff, Volunteers and Contractors involved. The College assists impacted Staff, Volunteers and Contractors to access necessary support.

### Responsibilities for Child Safeguarding at the College

(Victorian Child Safe Standard 1, Ministerial Order 1359 clause 6 & 11, National Principle/NCSS 1)

Child Safeguarding is everyone's responsibility. Specific responsibilities at the College include:

#### **The College's \*ChildProtectionOfficer\*s**

A number of senior staff members are nominated as the College's \*ChildProtectionOfficer\*s. Our \*ChildProtectionOfficer\*s receive additional specialised training with respect to child safety and protection issues. They are a point of contact for raising child safety concerns within the College. They are also responsible for championing child safeguarding within the College and assisting in coordinating responses to child safety incidents.

Contact details for our \*ChildProtectionOfficer\*s are set out below:

Name	Position	Contact No.	Email Address

### **The Senior \*ChildProtectionOfficer\***

\*CollegeName\* has also appointed \*insert name/position of Senior CPO\* as the College's Senior \*ChildProtectionOfficer\*. The Senior \*ChildProtectionOfficer\* is contactable by phone on \*insert Senior CPO phone number\* or by emailing \*insert Senior CPO email address\*.

The Senior \*ChildProtectionOfficer\* has additional child safeguarding responsibilities, such as being a first point of contact for all child safety concerns or queries for the wider community and coordinating the College's response to child safety incidents in consultation with \*(if different from the Principal) the Principal,\* the [#MgmtTitle] and MSA Ltd.

### **Marist Schools Australia Ltd (MSA Ltd)**

MSA Ltd is a not-for-profit company limited by guarantee, with the purpose of advancing education and advancing religion. It manages and conducts registered non-government schools around Australia. MSA Ltd is the proprietor of the College.

### **The Marist Schools Australia Board Ltd (MSA Ltd Board)**

The MSA Ltd Board, is the College's "governing authority" for the purposes of Ministerial Order 1359. It has responsibility for MSA Ltd's strategic directions, operational policy and risk management frameworks.

It is responsible for:

- ensuring that the College meets all requirements for registration
- approving and reviewing the College's Child Safeguarding Program.

### **National Director Marist Schools Australia**

The National Director MSA is the Chief Executive Officer of MSA Ltd. They implement the strategies and policies approved by the MSA Ltd Board and appoint staff to fulfill the leadership, management and operational structure of MSA Ltd.

They ensure that the College has appropriate resources to effectively implement the Victorian Child Safe Standards, Ministerial Order 1359, the National Principles, the NCSS and their Child Safeguarding Programs.

The MSA National Director is the "head" of the College for the purposes of the Reportable Conduct Scheme.

### **The MSA Regional Director for Victoria**

The MSA Regional Director is responsible for overseeing the College's compliance with relevant legislation, the Victorian Child Safe Standards, Ministerial Order 1359, the National Principles, the NCSS and their Child Safeguarding Programs.

For the purposes of the Reportable Conduct Scheme, the MSA Regional Director has been authorised by the MSA National Director to undertake responsibility for reporting and investigating Reportable Allegations that involve the Principal under our Reportable Conduct Policies and Procedures.

### **The Principal**

The Principal is responsible, and will be accountable for, the operational management of the College, and the implementation of our Child Safeguarding Program.

The Principal is responsible for taking all practical measures to ensure that the \*CollegeName\* Child Safeguarding Policy and the College's Child Safeguarding Program are implemented effectively and that a strong and sustainable child safe culture is maintained within the College.

### **The College Advisory Council**

Under the MSA Ltd governance structure, the College Advisory Council acts in an advisory capacity to the Principal. The purpose of the Council is to provide advice and support to the Principal in order that

the Principal can lead the College effectively as a Catholic school community, with its evangelising and educational mission shaped by Marist spirituality and educational practice.

### **Staff Members**

All Staff must comply with the \*CollegeName\* Child Safeguarding Policy and the Child Safeguarding Codes of Conduct, be familiar with our Child Safeguarding Program and understand their legal obligations with respect to the reporting of child abuse and other harm, and WWC Checks.

All Staff must be aware of key indicators of abuse and other harm, to be observant, and to raise all child safety incidents and concerns with one of the College's \*ChildProtectionOfficer\*s.

### **Volunteers and Contractors**

All Volunteers and Contractors must comply with the \*CollegeName\* Child Safeguarding Policy and the Child Safeguarding Codes of Conduct.

Direct Contact and Regular Volunteers/Contractors must understand and comply with their legal obligations with respect to the reporting of child abuse and other harm.

All Volunteers and Contractors should be aware of key indicators of child abuse and other harm, be observant, and raise all child safety incidents or concerns with one of the College's \*ChildProtectionOfficer\*s.

The College may include these requirements in the written agreement between it and a Contractor.

### Implementation

The \*CollegeName\* Child Safeguarding Policy is published on our public website.

It is provided to new Staff, and to Direct Contact and Regular Volunteers/Contractors at their induction or prior to them commencing work at the College.

Information about it (including in particular the Child Safeguarding Codes of Conduct and how to report child safety incidents or concerns to the College and to relevant external authorities) is provided to all Visitors to the College (including Casual Volunteers and Casual Contractors), through **\*College to insert: eg an information sheet available at reception, posters at reception, etc\***.

The \*CollegeName\* Child Safeguarding Policy is also communicated to Staff, Volunteers, Contractors and other members of the College community through other mediums such as **\*College to insert, e.g newsletters, our annual report and welcome packs for staff members\***.

A child-friendly version of the \*CollegeName\* Child Safeguarding Policy and is provided to all students and can be found **here**.

### Non-Compliance with the \*CollegeName\* Child Safeguarding Policy

\*CollegeName\* enforces this Child Safeguarding Policy and the Child Safeguarding Codes of Conduct. In the event of any non-compliance, we will instigate a review that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension or
- in the case of serious breaches, termination of employment, contract or engagement.

### Source of Obligation

The Child Safeguarding Policy implements, and is to be read and understood in conjunction with:

- **Victorian Child Safe Standards**
- **Ministerial Order 1359**
- **National Principles for Child Safe Organisations**
- **National Catholic Safeguarding Standards**

### Related Policies and Procedures

- **Marist Schools Australia Child Safeguarding Policy (Victoria)**
- **Child Safeguarding Codes of Conduct**
- **\*College to insert other relevant policies\***

### Related Forms and Documents

- **\*College to insert, e.g. online reporting form?\***

### Policy Administration

- Status – Draft, Current or Archived
- Person Responsible and Contact Details
- Approver(s): The MSA Board is responsible for ensuring that this policy and its procedures are reviewed and updated as needed, and for approving this policy.
- {{CollegeChildSafePolicyApprovalDate}}.
- Approval Date
- Version Number
- Version History
- Review Frequency: A review of this policy and its procedures is conducted {{regularreviewtimeframe}}, or earlier if required, such as due to changes in legislation.
- {{CollegeChildSafePolicyNextReviewDate}}.
- Document Classification
- Location

## Schedule 4

### School name Child Safe Adult Code of Conduct

The Child Safe Adult Code of Conduct outlines appropriate standards of behaviour for all adults in the College environment towards students. It serves to protect students, reduce any opportunities for abuse or harm to occur, and promote child safety in the College environment. It provides guidance on how to best support students and how to avoid or better manage difficult situations.

**It is \*CollegeName\*'s policy that any breach of the Child Safe Adult Code of Conduct is a child safety incident that must be reported internally.**

**Any breach that meets the threshold for external reporting must also be reported to the relevant external authority.**

For more information, refer to [Procedures for Responding to and Reporting Child Safety Incidents or Concerns](#).

The Child Safe Adult Code of Conduct is reviewed annually. The Marist Schools Australia Ltd Board has approved the Child Safe Adult Code of Conduct.

The Child Safe Adult Code of Conduct is published on our public website. A PDF version of our Child Safe Adult Code of Conduct is available [here](#).

Our Child Safeguarding Program also includes a [Staff and Student Professional Boundaries](#) policy that provides detailed guidance for all Staff, Volunteers, Contractors and External Education Providers on how to maintain professional boundaries between students and adults at \*CollegeName\*.

#### Scope

The Child Safe Adult Code of Conduct applies to:

- the Principal and the College Leadership Team
- Advisory Councils and sub-committees
- all staff members, including non-teaching Staff and temporary or casual Staff
- all Volunteers
- all Contractors
- External Education Providers
- teaching students on placement at the College
- parents/carers and other adult family members of students.

***Together referred to as “the College Community” for the purposes of this Code.***

The Child Safe Adult Code of Conduct applies in all College environments, including Boarding Premises. College environments include both physical and online environments, as well as any environment (including Boarding Premises and those outside the College’s grounds) where College-related activities are occurring.

Certain staff members, Volunteers and Contractors at the College may have other professional or occupational codes of conduct that regulate their profession or occupation. These codes of conduct must also be complied with. In the event that the staff member, Volunteer or Contractor considers that there is a conflict between their professional or occupational code of conduct and the Child Safe Adult Code of Conduct in a particular matter, the relevant staff member, Volunteer or Contractor must seek advice from their professional or occupational regulatory body and/or a [#ChildProtectionOfficer], and must advise the Principal of their proposed course of action.

## The Child Safe Adult Code of Conduct

Each member of the College Community is responsible for promoting the safety and wellbeing of students by adhering to the following standards of behaviour:

### **DO:**

- Uphold \*CollegeName\*'s Statement of Commitment to Child Safety at all times which includes a zero tolerance for child abuse.
- Comply with applicable guidelines published by the College with respect to child safety, such as the **Staff and Student Professional Boundaries** policy.
- Behave as a positive role model to students.
- Promote the safety, welfare and wellbeing of students.
- Be vigilant and proactive with regard to student safety and child protection issues.
- Provide age appropriate supervision for students.
- Treat all students with respect.
- Promote the safety, participation and empowerment of students with a disability.
- Promote the cultural safety, participation and empowerment of linguistically and/or culturally diverse students and Aboriginal and Torres Strait Islander students.
- Use positive and affirming language towards students.
- Encourage students to 'have a say' and participate, and then listen to them with respect.
- Respect cultural, religious and political differences.
- Help provide an open, safe and supportive environment for all students to interact, and socialise.
- Intervene when students are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way.
- Report any breaches of this Child Safe Code of Conduct.
- Report concerns about child safety to one of the College's [#ChildProtectionOfficer]s and ensure that your legal obligations to report child abuse or other harm externally are met.
- Where an allegation of child abuse or other harm is made, ensure as quickly as possible that the student involved is safe.
- Call the Police on 000 if you have immediate concerns for a student's safety.
- Respect the privacy of students and their families and only disclose information to people who have a need to know.

### **DO NOT:**

- Engage in any form of inappropriate behaviour towards students or expose students to such behaviour.
- Engage in prejudicial or oppressive behaviour, or use inappropriate language with students.
- Express personal views on cultures, race or sexuality in the presence of students or discriminate against any student based on culture, race, ethnicity or disability.
- Engage in open discussions of an adult nature in the presence of students.
- Engage in any form of sexual conduct with a student including making sexually suggestive comments and sharing sexually suggestive material.
- Engage in inappropriate or unnecessary physical conduct or behaviours including doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes.
- Engage in any form of physical violence towards a student including inappropriately rough physical play.
- Use physical means or corporal punishment to discipline or control a student.

- Engage in any form of behaviour that has the potential to cause a student serious emotional or psychological harm.
- Develop 'special' relationships with students that could be seen as favouritism (for example, the offering of gifts or special treatment for specific students).
- Engage in undisclosed private meetings with a student who is not your own child.
- Engage in activities with a student who is not your own child, outside of school hours and without permission from the student's parent/carer.
- Engage in inappropriate personal communications with a student through any medium, including any online contact or interactions with a student.
- Take or publish (including online) photos, movies or recordings of a student without parental/carer consent.
- Post identifying information about a student online unless it is necessary for the school's activities or you have consent from the student and/or their parent/guardians. Identifying information includes things such as the student's: full name; age; e-mail address; telephone number; residence; school; or details of a club or group they may attend.
- Ignore or disregard any suspected or disclosed child abuse or other harm.

#### Agreement to Child Safe Adult Code of Conduct

A copy of the Child Safe Adult Code of Conduct is provided to all Staff, Direct Contact and Regular Volunteers and Direct Contact and Regular Contractors at induction, or otherwise prior to them commencing work at the College. It is also communicated via refresher training at regular intervals for all Staff, as well as Direct Contact Volunteers and Direct Contact Contractors.

All Staff, as well as Direct Contact and Regular Volunteers must sign an agreement to adhere to the Child Safe Adult Code of Conduct prior to commencing work at College.

The Child Safe Adult Code of Conduct forms part of the contract between the College and any Direct Contact and Regular Contractors. Therefore, all Direct Contact and Regular Contractors are deemed to have agreed to adhere to the Child Safe Adult Code of Conduct upon signing the contract or upon commencing work at the College.

A copy of the Child Safe Adult Code of Conduct is provided to parents/carers, who must sign an agreement to abide by the Child Safe Adult Code of Conduct on enrolment.

#### Consequences for Breaching the Child Safe Adult Code of Conduct

Staff, including the Leadership Team and Principal, Volunteers and Contractors who breach this Code of Conduct may be subject to disciplinary actions that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- appointment to an alternate role
- suspension or
- in the case of serious breaches, termination of employment, contract or engagement.

Where any other member of the College Community breaches any obligation, duty or responsibility within the Child Safe Adult Code of Conduct, \*CollegeName\* will take appropriate action.

## Report Any Concerns

It is MSA Ltd's policy that any breach of the Child Safe Adult Code of Conduct is a child safety incident. Therefore, all Staff, Direct Contact and Regular Volunteers, and Direct Contact and Regular Contractors who witness, or suspect, any breach of this Code of Conduct must report their concern internally and, if required, also externally.

Our Child Safeguarding Program includes information for the College Leadership Team, Staff, Volunteers and Contractors about how to identify key indicators of child abuse or other harm and how to report child safety incidents or concerns internally. It also contains detailed procedures with respect to the reporting of child safety incidents or concerns to relevant authorities.

See **Procedures for Responding to and Reporting Child Safety Incidents or Concerns**.

Students are provided with information about and encouraged to use multiple pathways to raise child safety incidents or concerns about or at the College, including breaches of the Child Safe Adult Code of Conduct. These include informal and formal ways, an 'anonymous' way, and external child advocacy or child safety organisations.

Parents/carers, family members or other community members who witness or suspect that there has been a breach of this Code of Conduct, or have concerns that a child or young person associated with the College may be subject to abuse or harm from a member of Staff, a Volunteer or a Contractor, should contact:

- the College's Senior [#ChildProtectionOfficer] **\*insert name/position of Senior CPO\***, by phoning **\*insert contact phone number\*** or emailing **\*insert contact email address\***, or
- **\*(if the Senior [#ChildProtectionOfficer] is different from the Principal) the Principal or,\*** if the concern relates to the Principal, the MSA Regional Director.

You can also raise a concern through the College's **Complaints Handling Policy**.

Communications will be treated confidentially on a 'need to know basis'.

**Whenever there are concerns that a child is in immediate danger, the Police should be contacted on 000.**