



MSA Ltd Child Safeguarding Recruitment, Screening And Suitability Assessment 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 and it is particularly focused on ensuring that the Colleges follow all principles of good governance to maintain compliance with Australian legislation including the Education Legislation and provide a safe environment for its students.

Purpose

A child safe organisation must have recruitment and selection processes of Staff, Volunteers and Contractors that promote child safety. In the context of MSA Ltd and its Victorian Colleges (listed in Schedule 1), these processes must be designed to:

- select appropriate College Advisory Council members, Staff (including members of the College’s Leadership Team, Direct Contact and Regular Volunteers, and Direct Contact and Regular Contractors
- discourage inappropriate people from working within its Victorian Colleges.

With respect to the recruitment of potential “**school staff**”, Ministerial Order 1359 Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises (“MO 1359”) requires MSA Ltd to ensure that its Victorian Colleges:

- have clear job statements, for all jobs or categories of jobs for school staff that involve “**child-connected work,**” which meet certain requirements
- inform all applicants for jobs that involve child-connected work about the College’s child safety and wellbeing practices (including the MSA Child Safe Adult Code of Conduct).

In addition, with respect to screening and suitability assessment of potential school staff, MO 1359 requires MSA Ltd to ensure that its Victorian Colleges make reasonable efforts – in accordance with any applicable legal requirement or College policy – to gather, verify and record the following information about a person it proposes to engage to perform child-connected work:

- proof of personal identity and any professional or other qualifications;
- the person's history of work involving children; and
- references that address the person's suitability for the job and working with children.

MSA Ltd is committed to ensuring that its Victorian Colleges' recruitment practices and their screening and suitability assessment procedures for potential school staff in child-connected work create a safe and supportive environment for all students.

In particular, MSA Ltd recognises that an over-reliance on WWC (working with children) Checks as the sole employment screening tool can in fact increase, rather than decrease, the risk of child abuse or harm. MSA Ltd therefore requires its Victorian Colleges to implement additional screening and selection processes for Staff, Volunteers and Contractors to promote child safety.

The MSA Ltd Child Safeguarding Recruitment, Screening and Suitability Assessment Policy is an overarching policy that provides the key elements on which each College's child safe recruitment, screening and suitability assessment policies and procedures are based. Each College's full set of approved child safe human resources management policies and procedures are set out in the College's Child Safeguarding Program,¹ which has also been approved by the Board of MSA Ltd for each of its Victorian Colleges, and are to be read and understood in conjunction with each College's general human resources management policies and procedures.

Principles

MSA Ltd is committed to ensuring the safety, wellbeing, and participation of all students in its care.

The MSA Ltd Child Safeguarding Recruitment, Screening and Suitability Assessment Policy, and all of the child safe human resources management policies and procedures that have been approved by MSA Ltd for each of its Victorian Colleges, are designed and implemented taking into account the diverse characteristics of its Victorian College communities.

Scope

The MSA Child Safeguarding Recruitment, Screening and Suitability Assessment Policy applies to the engagement of all staff members (including members of Victorian College Leadership Teams and College Advisory Council members) by its Victorian Colleges.

It also applies – where indicated below – to the engagement of Volunteers and Contractors by its Victorian Colleges. However, the recruitment, suitability and assessment procedures used for Volunteer and Contractor roles may not include all, or may be modified versions of, these procedures, as set out below.

¹ The "Child Safeguarding Program" is the name given to the full collection of policies and procedures that assist MSA Ltd's Victorian Colleges to be a child safe organisation and to meet the requirements of the Victorian Child Safe Standards, Ministerial Order 1359, the National Principles for Child Safe Organisations and – as a Catholic entity – the National Catholic Safeguarding Standards. It includes not only policies and procedures about child safe recruitment, screening and suitability assessment but also policies and procedures about:

- responding and reporting child safety incidents and concerns,
- 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.

These other policies and procedures are summarised in MSA Ltd's Child Safeguarding Policy (Victoria).

The same selection and screening procedures are used when proposing to receive clergy, religious or staff members from overseas or other Australian jurisdictions, who are currently engaged by the same entity as, or a similar entity to, MSA Ltd.

Definitions

Of particular importance to this policy, and to each College's Child Safeguarding Human Resources policies and procedures, are the following key definitions:

School Staff

For the purposes of MO 1359, "school staff" or "school boarding premises staff" is defined as an individual working in a school environment or boarding premises who is:

- directly engaged or employed by MSA Ltd
- a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary); or
- a minister of religion.

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

This means that, at the Victorian Colleges, **all staff members, all Volunteers and all Contractors**, as well as any minister or religion, are considered "school staff".

Child-Connected Work

For the purposes of MO 1359, "child-connected work" is defined as "work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present." A similar definition appears for school boarding premises.

Under this definition, at the Victorian Colleges, **all staff members**, including teaching and non-teaching Staff, are engaged in child-connected work.

Under this definition, at the Victorian Colleges, many but not all **Volunteers** and **Contractors** are engaged in child-connected work, as set out below.

"Child-connected work" is broader than "child-related work" as defined in the Worker Screening Act 2002 (Vic) for the purposes of WWC clearance requirements. "Child-connected work" does not need to involve direct contact with children, whereas "child-related work" does. For example, a consultant engaged by a College to work with the College Advisory Council and who attends the College for meetings during school hours when children are present is not engaged in "child-related work" for the purposes of WWC clearance obligations but is engaged in "child-connected work" for the purposes of MO 1359.

Staff and Staff Members

The terms "Staff" and "staff members" include all persons employed by the Victorian Colleges, whether full-time or part-time, or on a permanent, temporary or casual basis. These terms include all teaching and non-teaching Staff and, unless otherwise stated, the Principal.

Volunteers

A Volunteer is a person who works without payment or financial reward for the Victorian Colleges. Volunteers may be family members of students, or from the wider College or local community. Volunteers make a considerable contribution to the Victorian Colleges' communities by giving their time and sharing their skills and expertise with others.

Contractors

On occasion it may be necessary for the Victorian Colleges to engage outside, independent contractors to perform specific tasks. These Contractors are not employees of MSA Ltd or of the College. Contractors may include, for example, maintenance and building personnel, consultants, tutors, sports coaches and cleaners.

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 MO 1359.

Regular Volunteers/Contractors

Regular Volunteers/Contractors are Volunteers and Contractors who provide services to a Victorian 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 a 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 Victorian College environment while children are present are or are expected to be present are engaged in “child-connected work” within the meaning of MO 1359.

Regular Volunteers/Contractors who are children or who work in any Victorian 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 MO 1359.

Casual Volunteers/Contractors

Casual Volunteers/Contractors are Volunteers and Contractors who provide services to a Victorian 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 Victorian College environment while children are present are or are expected to be present are engaged in “child connected work” within the meaning of MO 1359.

Casual Volunteers/Contractors who are children or who work in any Victorian 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 MO 1359.

Roles and Responsibilities

General roles and responsibilities relevant to child safeguarding at MSA Ltd and the Victorian Colleges are set out in MSA Ltd’s Child Safeguarding Framework Policy, available on MSA Ltd’s public website.

MSA Ltd’s Policy

Recruitment, Selection and Suitability Assessment Practices

When engaging Staff, Volunteers and Contractors, MSA Ltd requires that each of its Victorian College implements:

- [CECV Guidelines on the Employment of Staff in Catholic Schools](#)
- [CECV Guidelines on the Engagement of Volunteers in Catholic Schools](#)
- [CECV Guidelines on the Engagement of Contractors in Catholic Schools](#)

(together referred to as the “CECV Guidelines”).

Acknowledgment of College Child Safeguarding Policy and the Child Safe Code of Conduct

All new Staff at a Victorian College must, as a condition of employment, sign a written statement indicating that they have read and acknowledge the College's Child Safeguarding Policy, the Child Safe Adult Code of Conduct and the Staff and Student Professional Boundaries Policy prior to commencing at the College. These written acknowledgements are then required annually for ongoing Staff.

All Direct Contact and Regular Volunteers/Contractors engaged by a Victorian College must sign a written statement indicating that they have read and acknowledge the College's Child Safeguarding Policy, the MSA Child Safe Adult Code of Conduct and the Staff and Student Professional Boundaries Policy before being engaged by the College. These written acknowledgements are then required annually for ongoing Direct Contact and Regular Volunteers/Contractors.

Whenever possible and practicable, Casual Volunteers/Contractors must be given a copy of, or information about, the Victorian College's Child Safeguarding Policy and Procedures and the MSA Child Safe Adult Code of Conduct when they are first engaged by the College.

Assessing the Suitability of Potential Staff and Contractors

Assessing the suitability to work with children requires more than just criminal background checking. While the WWC Check is a useful tool to keep children safe, it is only one part of creating a child safe environment.

In addition to WWC Checks, MSA Ltd requires that its Victorian Colleges use a range of screening procedures to assess the suitability of all applicants for Staff, Direct Contact Contractor and "child-connected" Regular Contractor roles. These include:

- personal identity verification and background checking
- verification of professional or other qualifications relevant to the job
- an examination of their history of child-connected work
- verbal reference checking that addresses the person's suitability for the job and working with children and young people
- specific selection criteria concerning attitudes to and application of child safeguarding measures to which applicants must respond
- values-based interviewing.

Application to Direct Contact and Regular Volunteers

People that a Victorian College proposes to engage in Direct Contact Volunteer or "child-connected" Regular Volunteer roles may undergo the following screening (or modified versions of it, depending on their role) prior to commencing any work at the College:

- personal identity verification and background checking;
- verification of professional and other qualifications if relevant to their role;
- an examination of their history of child-related work; and

- reference checking that addresses the person's suitability for the job and working with children and young people.

This policy does not apply to parents/carers of students who are volunteering in an activity in which their child is participating.

Application to Casual Volunteers/Contractors Engaged in “Child-Connected Work”

MSA Ltd recognises that it may not generally be practicable for any of the above recruitment, screening and suitability assessment procedures to be applied to the engagement of Casual Volunteers or Casual Contractors by a Victorian College, even if they are likely to undertake “child-connected work” while at the College. This is particularly the case for those who are engaged at short notice, such as emergency maintenance workers or Volunteers, other than parent volunteers, who fill in when another Volunteer does not attend their rostered activity.

In line with MSA Ltd’s risk-based approach to child safety and protection, where it is not practicable for a Victorian College to undertake relevant recruitment, screening and suitability assessment of a Casual Volunteer/Contractor, MSA Ltd requires its Victorian Colleges undertake additional measures to ensure the safety of students at the College. These measures may include but are not limited to:

- direct supervision of the Casual Volunteer or Casual Contractor by a member of staff;
- restricting access of students to the area a Casual Volunteer or Casual Contractor may be working.

Recruitment Record Keeping

Recruitment records for all Staff, and engagement records for Direct Contact and Regular Volunteers/Contractors, including:

- applications and tenders, and any supporting documentation
- copies of identification verification documents
- notes of interviews, child-related work history check and reference check conversations

must be kept securely by the College.

Procedures

The following procedures set out specific ways in which some aspects of the CECV guidelines must be implemented by MSA Ltd’s Victorian Colleges.

Employment Advertising

All job advertisements and employment packages for its Victorian Colleges must clearly state the College’s commitment to child safety.

Employment packages sent to all potential applicants must include the College’s Child Safeguarding Policy and the Child Safe Adult Code of Conduct.

Job Descriptions and Duty Statements

Each of its Victorian Colleges must develop clear job descriptions and duty statements (together called “position descriptions”) for each Staff position at the College.

Duty statements must also be developed for Direct Contact and Regular Volunteer/Contractor roles, or for generalised categories of these roles, including but not limited to those roles involved in child-connected work.

All positions must be assessed for the expected level of contact with children and appropriate child safe recruitment procedures implemented for each position.

Position descriptions for Staff roles must clearly state:

- the College’s commitment to child safety
- the expected level of contact with children
- the duties and tasks of the role, including any specific requirements, duties and responsibilities relating to child safeguarding for those in the position
- the qualifications, experience and attributes applicants must have, including requirements to have a WWC Check
- the level of responsibility and supervision with the position
- that there is a clear expectation to have and maintain a commitment to child safety.

Position descriptions for Volunteer and Contractor roles must include a description of the role, the expectation to provide a safe and supportive environment for students, and the requirement to comply with the College’s Child Safeguarding Policy, the MSA Child Safe Adult Code of Conduct and the Staff and Student Professional Boundaries Policy.

All applicants for child-connected work at a College must be informed about the requirements of their role as set out in the relevant position description.

Identity Checks

The Victorian Colleges must confirm the identity of every applicant for employment as a staff member and for engagement as a Direct Contact or Regular Contractor at the College, using the [Victorian Institute of Teaching’s Identity Verification Documents](#).

Selection Criteria and Values-Based Interviewing

The Victorian Colleges must use formal selection criteria and values-based interviewing to assess the suitability of applicants for all Staff roles, Direct Contact Contractor roles and “child-connected work” Regular Contractor roles at the College.

These processes may also be used when selecting Direct Contact Volunteers, depending on the specific role being undertaken by the Volunteer.

The College must assess an applicant based on the following areas, and include these in its selection criteria and interview questions:

- motivation to work with children or an organisation where children are present or expected to be present (personal and/professional)

- understanding of children’s physical and emotional needs
- understanding of professional boundaries
- attitudes to children’s rights and how they can be upheld
- attitudes to, understanding of and ability to apply child safeguarding measures
- values (honesty, integrity, reliability, fairness and non-discrimination) and attitudes towards working with children.

Written responses to selection criteria and values-based interviews are required when a staff member or Contractor will be working closely with students or will be working while students are present or expected to be present, particularly students that are more vulnerable or have special needs.

The College must provide in-depth guidance to its human resources Staff so that they can identify factors in responses to selection criteria and interviews that could indicate that an applicant is not suitable for roles requiring child safe settings.

Verification of Professional Qualifications, Child-Connected Work History and Verbal Reference Checks

Professional Qualifications and Work History Checks

The professional qualifications, child-connected work histories and details provided by applicants in respect of previous employment must be checked for accuracy by its Victorian Colleges, for all applicants for Staff, Direct Contact Contractor and “child-connected” Regular Contractor roles at the College.

This may occur as part of or separate to checking an applicant’s references.

Reference Checks

Reference checks are crucial for engaging Staff and relevant Contractors at a College – a failure to properly check applicants’ references can compromise the safety of students and the College.

Wherever possible, references must be checked for all applicants for Staff, Direct Contact Contractor and child-connected Regular Contractor roles, as follows:

- direct verbal conversations are held with at least 2 professional referees
- at least one referee provided by an applicant is their current or most recent direct supervisor
- the identity of the referee being communicated with is verified
- at least one staff member who is on the interview panel is appropriately trained in undertaking reference checks and this person conducts these reference checks
- reference check conversations are appropriately documented.

Key questions asked of referees include:

- Have you observed the person interacting with children?

- Can you describe the types of relationships and interactions the person has had with children?
- Would you employ the person again?
- Do you have any concerns about the applicant working directly with children?
- Are you comfortable knowing that the applicant might sometimes be working alone with children or when children are present or expected to be present?
- Did you have any disciplinary matters relating to the person or concerns about their adherence with the organisation's Code of Conduct?

Child Safeguarding Recruitment and Other Legislation

MSA Ltd's Victorian Colleges' recruitment practices are subject to State and Federal anti-discrimination legislation and the requirements of the Privacy Act when obtaining, using, disclosing, and storing information from applicants and referees.

Implementation

The MSA Ltd Child Safeguarding Recruitment, Screening and Suitability Assessment Policy is published on MSA Ltd's website.

The child safeguarding human resources policies and procedures that implement it at each of its Victorian Colleges have been approved by the Board of MSA Ltd as part of each College's Child Safeguarding Program.

Each of its Victorian Colleges' child safe human resources policies and procedures are made available, as part of the College's Child Safeguarding Program, to all College Staff, Volunteers, and Contractors, via the College's intranet or on request. They are included in induction training and in ongoing refresher training for College Staff and relevant Volunteers and Contractors.

These policies and procedures are also made available to parents/carers, students and the wider College community in summary in each College's Child Safeguarding Policy.

Breach of MSA Ltd Policy

MSA Ltd enforces the MSA Ltd Child Safeguarding Recruitment, Screening and Assessment Policy (Victoria). In the event of any non-compliance, it 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 MSA Ltd Child Safeguarding Recruitment, Screening and Suitability Assessment Policy (Victoria) implements:

- Victorian Child Safe Standards (Standard 4)
- Ministerial Order 1359 (clause 10)
- National Principles for Child Safe Organisations (Principle 5)
- National Catholic Safeguarding Standards (Standard 5).

Related Policies and Procedures

The Child Safeguarding Recruitment, Screening and Suitability Assessment Policy is to be read and understood in conjunction with:

- MSA Ltd's Child Safeguarding Framework Policy (Victoria)
- MSA Ltd Privacy Policy

References and Resources

- Commission for Children and Young People, [Standard 4: human resource practices](#), 2018
- [CECV Guidelines on the Employment of Staff in Catholic Schools](#)
- [CECV Guidelines on the Engagement of Volunteers in Catholic Schools](#)
- [CECV Guidelines on the Engagement of Contractors in Catholic Schools](#)

Policy Administration

The MSA Board is responsible for ensuring this policy and its procedures are reviewed and updated as needed, and for approving this policy.

Version	2
Approved by	Board of MSA Ltd
Policy Owner	National Director MSA
Date Developed	September 2022
Next Review Date	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