

CHILD SAFETY AND WELLBEING POLICY

Marian College (the College), inspired by the Brigidine Sisters and Gospel teachings, fosters a nurturing environment focused on strength and kindness. Our Vision Statement guides us as an educational community, emphasising faith, love, service, achievement, and forward-thinking.

The College is owned by the Trustees of Kildare Ministries and is operated and governed by Kildare Education Ministries (KEM).

Purpose

To demonstrate the strong commitment of the College has to the care, safety and wellbeing of all students at our school. It provides an outline of the policies, procedures, actions and strategies that will be implemented to ensure that a child safe culture is championed and modelled at all levels of the school, to keep students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

This Policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Child Safe Standards as set out in [Ministerial Order No. 1359](#): Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises. It also aligns to KEM Governance Safeguarding Policy.

Policy

All students enrolled at the college have the right to feel safe and be safe. The safety and wellbeing of children in our care will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, children with a disability, children who are unable to live at home, international students, and LGBTIQ+ students.

Scope

Everyone employed or volunteering at the college has a responsibility to understand the important and specific role they play individually and collectively to ensure a child safe culture in which the wellbeing and safety of all students is at the forefront of all they do and every decision they make ([VCEA Statement of Commitment to Child Safety](#)).

This policy applies to all school staff, volunteers and contractors whether or not they work in direct contact with students. It also applies to stewardship council members.

The policy applies to all physical and online school environments used by students during or outside of school hours, including other locations provided by our school for a student's use (for example, a school camp) and those provided through third-party providers.

This policy should be read together with our other child safety and wellbeing policies, procedures, and codes including:

1. PROTECT: Identifying and Responding to Abuse – Reporting Obligations Policy and associated procedures.
2. Child Safety Code of Conduct.

3. Engaging Families in Child Safety Policy
4. Reportable Conduct Policy.

Please refer to the related school policies section below for further information.

The school has allocated roles and responsibilities for child safety and wellbeing as follows:

Child Protection Officers: Assistant to the Principal – Student Wellbeing & Director of Students Principles

Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, have agency, their voices are heard, and they are safe and feel safe (VCEA Statement of Commitment to Child Safety).

The following principles underpin our commitment to child safety and wellbeing at the college:

All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.

Our school staff work in partnership with families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and wellbeing and protection.

All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/guardians/carers.

All adults in our school, including teaching and non-teaching staff, clergy, volunteers and contractors, have a responsibility to:

- Care for children and young people positively promote their wellbeing identify and mitigate risks related to child safety and wellbeing in the school environment protect them from any kind of harm or abuse, and encourage and support children to express their culture and enjoy their cultural rights.
- Our school community is committed to equity and inclusion and recognising and respecting the diverse needs of all children.
- All adults in our school will take all reasonable measures to prevent child abuse and harm resulting from discrimination based on disability, race, ethnicity, religion, sex, intersex status, gender identity or sexual orientation.
- All members of the school community (including students and their families) are kept informed of child safety and wellbeing matters (where appropriate) and are involved in promoting child safety and wellbeing.
- Staff, clergy, volunteers, contractors, parents and students should feel free to raise concerns about child safety and wellbeing, knowing these will be taken seriously by school leadership.
- Appropriate confidentiality is maintained, with information being provided to those who have a right or a need to be informed, either legally (including under legislated information sharing schemes being Child Information Sharing Scheme (CISS) or Family Violence Information Sharing Scheme (FVISS)) or pastorally

Our commitment to our students

We commit to the safety and wellbeing of all children and young people enrolled in our school.

We commit to providing children and young people with positive and nurturing experiences.

We commit to encouraging and actively supporting Aboriginal and Torres Strait Islander children to express their culture and enjoy their cultural rights

We commit to paying particular attention to the needs of students with disability, students from culturally and linguistically diverse backgrounds, students who are unable to live at home, international students, and lesbian, gay, bisexual, trans and gender diverse, intersex and queer (LGBTIQ+) students

We commit to listening to children and young people and empowering them by ensuring that they understand their rights (including to safety, information and participation), and by taking their views seriously and addressing any concerns that they raise with us.

We commit to taking action to ensure that children and young people are protected from abuse or harm.

We commit to ensuring that the needs of all children and young people enrolled in our school are met,



including those who are most vulnerable.

We commit to recognising the importance of friendships and to encouraging support from peers, to help children and young people feel safe and less isolated.

We commit to developing a culture that facilitates and provides opportunities for student participation, and that strengthens the confidence and engagement of children and young people by being responsive to their input.

We commit to teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.

We commit to empowering children and educating them about their rights (including to safety, information and participation), how to raise concerns, how to maintain their personal safety and wellbeing, and how to support the safety and wellbeing of other children.

We commit to seeking input and feedback from students regarding the creation of a safe school environment.

Our commitment to parents, guardians and carers

We recognise that families are the first and ongoing educators of their children.

We commit to communicating honestly and openly with parents, guardians and carers about the wellbeing and safety of their children.

We commit to engaging with, and listening to, the views of parents, guardians and carers about our child safety and wellbeing practice, policies and procedures and include them in decision-making practices where applicable.

We commit to transparency in our decision-making with parents, guardians and carers where it will not compromise the safety of children or young people.

We commit to open engagement and communication with parents, guardians and carers about our child safe approach and our operations and governance related to child safety and wellbeing.

We commit to ensuring that relevant information relating to child safety and wellbeing is accessible to parents, guardians and carers.

We commit to acknowledging the cultural diversity of students and families, and being sensitive to how this may impact on student safety issues.

We commit to continuously reviewing and improving our systems to protect children from abuse.

Our commitment to our school staff (school employees, volunteers, contractors and clergy)

We commit to providing all our school staff with the necessary support to enable them to fulfil their roles, and to ensure that staff are attuned to signs of harm and are able to facilitate child-friendly ways for children and students to express their views, participate in decision-making and raise their concerns. This will include regular and appropriate learning opportunities.

We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and wellbeing, and young people's protection and wellbeing. This will include annual training in the principles and intent of the Child Safety and Wellbeing Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.

We commit to listening to all concerns voiced by our school staff, clergy, volunteers and contractors about keeping children and young people safe from harm.

We commit to providing opportunities for our school employees, volunteers, contractors and clergy to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

Privacy and information sharing

Our school is bound by the Australian Privacy Principles contained in the *Australian Privacy Act 1988* (Cth) and the Health Privacy Principles set out in the *Health Records Act 2001*(Vic). Our

[Privacy Policy](#) sets out the types of information that we collect about:

Students and prospective students, and their parents, guardians and carers job applicants, staff members, volunteers and contractors.



It also sets out how and why our school collects, holds, uses, discloses, secures and stores the information.

Our school is a prescribed Information Sharing Entities (ISE). This means that we are able to collect and share confidential information with other ISEs to promote child wellbeing or safety under the Child Information Sharing Scheme (CISS) or Family Violence information Sharing Scheme (FVISS).

Record keeping

Our school creates full and accurate records of school activities and decisions relating to the safety and wellbeing of students.

These records are maintained as per our [Child Safety](#) and Record Keeping Policy and the child safety and wellbeing standards set by the Public Records Office of Victoria. These records are kept secure and protected from unauthorised access, amendment, misuse, disclosure, damage, deterioration, loss or destruction.

Procedures

The procedures for implementing, modelling and monitoring a child safe culture in schools are detailed further in on Complispace.

Definitions

For the purpose of this policy the following terms are defined as follows:

Insert term	Insert definition
Child	Means a child or young person who is under the age of 18 years.
Child abuse	Child abuse includes: a) Any act committed against a Child involving: (i) A sexual offence. (ii) An offence under section 49B(2) of the Crimes Act 1958 (grooming). b) the infliction, on a Child, of: (i) Physical violence. (ii) Serious emotional or psychological harm. c) Serious neglect of a Child.
Child safety	Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to suspicions, incidents, disclosures or allegations of child abuse (Ministerial Order No. 1359).
Child neglect	Child neglect includes a failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter or supervision to the extent that the health and physical development of the child is significantly impaired or placed at serious risk (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).
Child physical abuse	Child physical abuse generally consists of any non-accidental infliction of physical violence on a child by any person (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).
Child sexual abuse	Child sexual abuse is where a person uses power or authority over a child to involve them in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).
Emotional child abuse	Occurs when a child is repeatedly rejected, isolated or frightened by threats, or by witnessing family violence (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).



Grooming	Grooming refers to predatory conduct engaged in by a person to prepare a child for sexual activity at a later date. It can include communication and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).
Mandatory reporting	The legal requirement under the <i>Children, Youth and Families Act 2005</i> (Vic.) to protect children from harm relating to physical and sexual abuse. The Principal, registered teachers and early childhood teachers, school counsellors, religious clergy, medical practitioners and nurses at a school are mandatory reporters under this Act (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).
Reasonable belief – mandatory reporting	When school staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a reasonable belief. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation. A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds (PROTECT: Identifying and responding to all forms of abuse in Victorian schools).
Reasonable belief – reportable conduct scheme	When a person has a reasonable belief that a worker/volunteer has committed reportable conduct or misconduct that may involve reportable conduct. A reasonable belief is more than suspicion and there must be some objective basis for the belief. It does not necessitate proof or require certainty. NOTE: the difference between the reasonable belief definitions under mandatory reporting and the reportable conduct scheme is the category of persons who are required to, or can, form the reasonable belief which forms the basis for a report.
Reportable conduct	Reportable conduct for the purposes of the Reportable Conduct Scheme is: a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded sexual misconduct, committed against, with or in the presence of, a child 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 as defined in the <i>Child Wellbeing and Safety Act 2005</i> (Vic). significant neglect.
School environment	Means any of the following physical, online or virtual places used during or outside school/service hours: A campus of the school online or virtual school/service environments made available or authorised by the College for use by a child or student (including email, intranet systems, software, applications, collaboration tools and online services) Other locations provided by the school/service or through a third-party provider for a child or student to use including, but not limited to, locations used for camps, approved homestay accommodation, delivery of education and training, sporting events, excursions, competitions and other events) (Ministerial Order No. 1359).
College staff	Means an individual working in a school environment who is: Directly engaged or employed by a school governing authority a contracted service provider engaged by the College (whether or not a body corporate or any other person is an intermediary) engaged to perform child-related work for our school a minister of religion, a religious leader or an employee or officer of a religious body associated with the College (Ministerial Order No. 1359).



Volunteer	A person who performs work without remuneration or reward for the College in the school/service environment. <u>Failure to disclose offence:</u> Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence. <u>Failure to protect offence:</u> This offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so. <u>Grooming offence:</u> This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.
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Related policies and documents Supporting documents

Child Safety and Wellbeing Procedures

Related policies and documents

[Child Safety Code of Conduct](#)

[Engaging Families in Child Safety Policy](#)

PROTECT: Identifying and Responding to Abuse – Reporting obligations

Recruitment Policy

[Reportable Conduct Policy](#)

[Supervision Policy](#)

[Suspension, Negotiated Transfer and Expulsion Policy](#)

Resources

[VCEA Guidelines on the Employment of Staff in Catholic Schools](#)

[VCEA Guidelines on the Engagement of Volunteers in Catholic Schools](#)

[VCEA Guidelines on the Engagement of Contractors in Catholic Schools](#)

[VCEA NDIS/External Providers: Guidelines for Schools](#)

[VCEA Positive Behaviour Guidelines](#)

Legislation and standards

Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises

Children, Youth and Families Act 2005 (Vic.) Child Wellbeing and Safety Act 2005 (Vic.) Worker Screening Act 2020 (Vic.)

Education and Training Reform Act 2006 (Vic.) Education and Training Reform Regulations 2017 (Vic.) Equal Opportunity Act 2010 (Vic.)

Privacy Act 1988 (Cth)

Public Records Act 1973 (Vic)

Crimes Act 1958 (Vic.) – including three criminal offences under this Act:

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