

## Child Safe Policy (Standard 2) 2020

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### Introduction

At Emmaus College we hold the care, safety and wellbeing of children and young people as the central and fundamental responsibility of our school. At the heart of the Gospels is Christ's message of love, justice and the sanctity of each human person, and, it is from this teaching and mission that our commitment is drawn. ([CECV Statement of Commitment to Child Safety](#))

### Objectives

The purpose of this policy is to demonstrate the strong commitment of Emmaus College to the care, safety and wellbeing of all students at our school. It provides an outline of the policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse in our school environment, on campus, online and in other locations provided by the school.

This policy provides the framework for:

- the development of work systems, practices, policies and procedures that promote child protection within the College
- the creation of a positive and robust child protection culture
- the promotion and open discussion of child protection issues within the College
- compliance with all laws, regulations and standards relevant to child protection in Victoria.

### Definitions

- **Child abuse** includes sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and a child's exposure to family violence.
  - **Child safety** encompasses matters related to protecting all children from child abuse and responding to incidents or allegations of child abuse ([Ministerial Order no 870](#))
  - **Child neglect** includes a failure to provide the child with an adequate state 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.
  - **Child physical abuse** consists of any non-accidental infliction of physical violence on a child by any person
  - **Child sexual abuse** is when a person uses power or authority over a child to involve them in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force.
  - **Emotional child abuse** occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence.
  - **Grooming** is when a person engages in predatory conduct to prepare a child for sexual activity at a later date. It can include communication and or attempting to befriend or establish a relationship or other emotional connection with a child or their parent / carer
  - **Mandatory Reporting** is the legal requirement under the Children, Youth and Families Act 2005 (Vic) to protect children from harm relating to physical and sexual abuse. The principal, teachers, medical practitioners, counsellors and nurses at a school are mandatory reporters under this Act.
  - **Reasonable Belief:** 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 authority.
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- The 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 known as forming a reasonable belief.
- A reasonable or a belief on reasonable grounds is not the same as having proof but it is more than a mere rumour or speculation. A reasonable belief is formed if a reasonable person in the same position would have formed the belief on reasonable grounds.

for definitions see - [PROTECT: Identifying and Responding to all forms of abuse in Victorian schools](#)

### Statement of Commitment to Child Safety

**Emmaus College is committed to providing a child safe and friendly environment, where children and young people are safe and feel safe and can actively participate in decisions that affect their lives.** At Emmaus College we have a zero tolerance for child abuse and are committed to acting in children's best interests and keeping them safe from harm. The College regards its child protection 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 maintain a child safe future.

### Child Safe Values & Principles

The College's commitment to child safety is based on the following overarching principles that guide the development and regular review of our work systems, practices, policies and procedures to protect children from abuse.

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

### Child Protection Program

Emmaus College is committed to the effective implementation of our Child Protection Program and ensuring that it is appropriately reviewed and updated. We adopt a risk management approach by identifying key risk indicators and assessing child safety risks based on a range of factors including the

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<sup>a</sup> The Working with Children Act 2005 (Vic) defines '**direct contact**' as any contact between a person and a child (aged under 18) that involves: physical contact, face to face contact, contact by post or other written communication, contact by telephone or other oral communication; or contact by email or other electronic communication Examples of Direct Contact Volunteer activities may include volunteers involved in College camps and excursions, coaching sporting teams or assisting in learning activities.

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nature of our College's activities, physical and online environments and the characteristics of the student body.

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

- clear information as to what constitutes child abuse and associated key risk indicators
- clear procedures for responding to and reporting allegations of child abuse
- strategies to support, encourage and enable staff, volunteers, third party contractors, external education providers, parents and students to understand, identify, discuss and report child protection matters
- procedures for reporting reportable conduct and or misconduct
- pastoral care strategies designed to empower students and keep them safe
- policies with respect to cultural diversity and students with disabilities
- a child protection training program
- information regarding the steps to take after disclosure of abuse to protect, support and assist children
- guidelines with respect to record keeping and confidentiality
- policies to ensure compliance with all relevant laws, regulations and standards (including the Victorian Child Safe Standards) and
- a system for continuous review and improvement

### **Responsibilities**

Child protection is everyone's responsibility. At Emmaus College all members of the Board of Directors, all staff and volunteers, have a shared responsibility for contributing to the safety and protection of children.

Specific responsibilities include:

- **Board of Directors**  
Each member of the Board of Directors is required to ensure that appropriate resources are made available to allow the College's Child Protection and Safety Policy and the Child Protection Program to be effectively implemented within the College and are responsible for holding the Principal and the Leadership Team accountable for effective implementation. Each member of the Board is required to complete a Fit and Proper Person declaration.
- **The Principal**  
The Principal is responsible, and will be accountable for, taking all practical measures to ensure that this Child Protection and Safety Policy and our Child Protection Program are implemented effectively and that a strong and sustainable child protection culture is maintained within the College.
- **The College's Child Safety Officers**  
A number of senior staff members are nominated as the College's Child Safety Officers. Our Child Safety Officers receive additional specialised training with respect to child protection issues. They are the first point of contact for raising child protection concerns within the College. They are also responsible for championing child protection within the College and assisting in coordinating responses to child protection incidents.
- **Staff Members**  
All staff are required to be familiar with the content of our Child Protection and Safety Policy and our Child Protection Program and their legal obligations with respect to the reporting of child abuse. It is everyone's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise any concerns they may have relating to child abuse with one of the College's Child Safety Officers.

- **Direct Contact Volunteers**

All direct contact volunteers as defined in this policy, are required to be familiar with the content of our Child Protection and Safety Policy and our Child Protection Program and their legal obligations with respect to the reporting of child abuse. It is each individual's responsibility to be aware of key risk indicators of child abuse, to be observant, and to raise concerns with one of the College's Child Safety Officers.

- **Indirect Contact Volunteers**

Indirect Contact Volunteers (or indirect volunteers) are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students. All indirect volunteers are responsible for contributing to the safety and protection of children in the College environment. All indirect volunteers are required by the College to be familiar with our Child Protection and Safety Policy and our Child Safety Code of Conduct. Examples of indirect volunteer activities may include assisting with College administrative functions.

- **Third Party Contractors**

All third-party contractors (service providers) engaged by the College are responsible for contributing to the safety and protection of children in the College environment. Third party contractors include for example, maintenance and building personnel, consultants, casual teachers, sport coaches, occupational therapists, and college cleaners. This also includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, rather than the College, but have an agreement with the College to use the College facilities.

- **Direct Contact Contractors**

Direct contact contractors are:

- those who have direct contact with students during the normal course of their work (see *definitions*)
- those who are able to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare (for example full time maintenance personnel); and
- any contractors whom a school is legally required to screen

- **Indirect Contact Contractors**

Indirect contact contractors are those contractors who do not meet the definition of 'direct contact contractors. Refer to Third Party Contractors responsibilities (above) for more information.

- **External Education Providers**

An external education provider is any organisation which 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. All external education providers engaged by the College are required by the College to be familiar with our Child Protection and Safety Policy and our Child Protection Program. Emmaus College may include this requirement in the written agreement between it and the external education provider.

## Reporting Child Protection Concerns

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

### Senior Child Safety Officer

Staff, third party contractors, external education providers, volunteers, students, parents / guardians and other community members who have concerns that a child may be subject to abuse or grooming are asked to contact the College Senior Child Safety Officer **Mr Stephen Bourbon** by phoning **(03) 9845 3381** or emailing [steve.bourbon@emmaus.vic.edu.au](mailto:steve.bourbon@emmaus.vic.edu.au).

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

### Child Safety Officers

Alternatively, if you have a concern that a child may be experiencing any form of abuse, whether or not you have formed a belief on reasonable grounds that the abuse has occurred you should immediately raise your concerns with *any* of our Child Safety Officers. [Child Safety Officers at Emmaus College – Make a Report](#).

Please be aware that consulting with a Child Safety Officer does not change any obligation you have under legislation to report to an external authority. The welfare and best interests of the child are paramount. Whenever there are concerns that a child is in immediate danger the police should be called on 000.

### Safety and Inclusivity Committee

The Safety and Inclusivity Committee consisting of staff, students and parents, is responsible for ensuring the implementation of the Child Safe Standards into curriculum and the Emmaus community and culture.

### Other References (click links below)

- [Definition of Child Abuse and Family Violence in Victoria](#) (Complispace)
- [Definition of Care Supervision or Authority](#) – this phrase is central to several offences under the Crimes Act 1958 (Vic)
- [Sexual Offences](#)
- [Grooming](#)
- [Physical Violence](#)
- [Serious Emotional or Psychological Harm](#)
- [Serious Neglect](#)
- [Family Violence](#)

### Relevant Documents

- Catholic Education Commission of Victoria Ltd (CECV) 2016, [Commitment Statement to Child Safety](#): A safe and nurturing culture for all children and young people in Catholic schools.
- State of Victoria 2016, [Child Safe Standards](#) – Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870, Education & Training Reform Act 2006, Victorian Government Gazette No. S2.
- Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#)

### Relevant Legislation

- Children, Youth and Families Act 2005 (Vic.)
- Crimes Act 1958 (Vic.) – Three new criminal offences have been introduced under this Act:
  - s49B – Grooming for sexual conduct with a child under the age of 16
  - s49C – failure by a person in authority to protect a child from sexual abuse
  - s327 – failure to disclose a sexual offence committed against a child under the age of 16 years
- Education and Training Reform Act 2006 (Vic.)
- Equal Opportunity Act 2010 (Vic.)
- Privacy Act 1988 (Cth)
- Working with Children Act 2005 (Vic.)

### Review

Emmaus College is committed to the continuous improvement of our Child Protection Program. The program is regularly reviewed for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards. This policy was reviewed and updated in May 2020 and will be presented to the Education Committee for approval in Term 2, 2020.