

Our Lady of the Way Kingsbury

Child Safety Policy



Our Lady of the Way Kingsbury is a school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by Melbourne Archdiocese Catholic Schools Ltd (MACS), where formation and education are based on the principles of Catholic doctrine, and where the teachers are outstanding in true doctrine and uprightness of life.

Introduction

At Our Lady of the Way Kingsbury, we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school. Our commitment is drawn from and inherent to the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel ([CECV Commitment Statement to Child Safety](#)).

The person of each individual human being, in his or her material and spiritual needs, is at the heart of Christ's teaching: this is why the promotion of the human person is the goal of the Catholic school ([The Catholic School on the Threshold of the Third Millennium](#), n. 9).

Purpose

The purpose of this Policy is to demonstrate the strong commitment of Our Lady of the Way Kingsbury 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 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. 870](#).

This Policy applies to school staff, including school employees, volunteers, contractors and clergy. It should be read in conjunction with the following related school policies and procedures:

1. PROTECT: Identifying and Responding to Abuse – Reporting obligations
2. Child Safety Code of Conduct
3. Reportable Conduct Policy.

Principles

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

The following principles underpin our commitment to child safety at Our Lady of the Way Kingsbury:

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- Our school works 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 protection.
- All students have the right to a thorough and systematic education in all aspects of personal safety, in partnership with their parents/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, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and children and young people.
- Policies and practices demonstrate compliance with legislative requirements and cooperation with the Church, governments, the police and human services agencies.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, clergy, volunteers, contractors, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by school leadership.
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

Definitions

Child means a child enrolled as a student at the school.

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 ([Ministerial Order No. 870](#)).

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 incidents or allegations of child abuse ([Ministerial Order No. 870](#)).

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 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 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 ([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 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 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 *Children, Youth and Families Act 2005* (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: 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](#)).

Reportable conduct: Five types of reportable conduct are listed in the *Child Wellbeing and Safety Act 2005* (Vic.) (as amended by the *Children Legislation Amendment (Reportable Conduct) Act 2017*). These include:

1. sexual offences (against, with or in the presence of a child)
2. sexual misconduct (against, with or in the presence of a child)
3. physical violence (against, with or in the presence of a child)
4. behaviour that is likely to cause significant emotional or psychological harm
5. significant neglect.

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- a campus of the school
- online school environments (including email and intranet systems)
- other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions and other events) ([Ministerial Order No. 870](#)).

School staff means an individual working in a school 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 ([Ministerial Order No. 870](#)).

Policy commitments

All students enrolled at Our Lady of the Way Kingsbury have the right to feel safe and be safe. The 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, and children with a disability.

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 listening to children and young people, and empowering them 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 teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- We commit to seeking input and feedback from students regarding the creation of a safe school environment.

Our commitment to parents and carers

- We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children.
- We commit to engaging with, and listening to, the views of parents and carers about our child safety practice, policies and procedures.
- We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- 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 Lady of the Way Kingsbury staff with the necessary support to enable them to fulfil their roles. 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 young people's protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.
- We commit to listening to all concerns voiced by Our Lady of the Way Kingsbury staff, clergy, volunteers and contractors about keeping children and young people safe from harm.

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

Responsibilities and organisational arrangements

Everyone employed or volunteering at Our Lady of the Way Kingsbury has a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make ([CECV Commitment Statement to Child Safety](#)).

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

The Child Safe Leader at Our Lady of the Way Kingsbury is the Student Wellbeing Leader. The Student Wellbeing Leader is supported by members of the school's Leadership Team and is responsible for:

- providing advice and information to members of staff and the school community
- supporting staff when making a report to DHHS or police
- the development and review of Child Safe policies and documentation
- providing the main point of contact for DHHS and community service liaison, and
- Supporting staff to extend their understanding of their responsibilities with regards to the Child Safe Standards.

Guide to responsibilities of School Leadership

The Principal, the school governing authority and school leaders at Our Lady of the Way Kingsbury recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children and young people to be safe and to feel safe
- upholding high principles and standards for all staff, clergy, volunteers and contractors
- promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to children and young people's protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in [Ministerial Order No. 870](#)
- ensuring the school takes specific action to protect children from abuse in line with the three new criminal offences introduced under the *Crimes Act 1958* (Vic.) and in line with [PROTECT: Identifying and responding to all forms of abuse in Victorian schools](#).

Guide to responsibilities of school staff

Responsibilities of school staff (school employees, volunteers, contractors and clergy) include:

- treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- following the legislative and internal school policies, procedures and processes in the course of their work, if they form a reasonable belief that a child or young person has been or is being abused or neglected

- providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety, and the wellbeing of children and young people
- assisting children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the school's Child Safety Code of Conduct.

Organisational arrangements

The Principal has the overall leadership role in monitoring and responding to the policy, procedures and practices for child safety in Our Lady of the Way Kingsbury in accordance with this Policy.

We have appointed a Child Safety Lead/Officer and the role description is available in the staff handbook:

- The Child Safety Team assists the Principal.
- The Child Safety Team works in identifying and mitigating risks in child safety.
- The Child Safety Team also supports the Principal to monitor implementation of school policies, procedures and practices and to identify professional learning.

Our Lady of the Way Kingsbury's website and newsletter will provide information to keep parents and carers informed of child safety commitments, procedures and arrangements.

Expectation of our school staff – Child Safety Code of Conduct

At Our Lady of the Way Kingsbury, we expect school employees, volunteers, contractors and clergy to proactively ensure the safety of students at all times and to take appropriate action if there are concerns about the safety of any child at the school. All school staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection, and comply with all requirements. We have developed a [Child Safety Code of Conduct](#), which recognises the critical role that school staff play in protecting the students in our care and establishes clear expectations of school employees, volunteers, contractors and clergy for appropriate behaviour with children in order to safeguard them against abuse and/or neglect.

Our Code also protects school staff through clarification of acceptable and unacceptable behaviour.

Student safety and participation

At Our Lady of the Way Kingsbury, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report their concerns. We listen to and act on any concerns students, or their parents or carers, raise with us.

The curriculum design integrates appropriate knowledge and skills to enhance students' understanding of being safe. Teaching and learning strategies that acknowledge and support student agency and voice are implemented.

We have developed appropriate education about:

- standards of behaviour for students attending our school
- healthy and respectful relationships (including sexuality)
- resilience
- child abuse awareness and prevention.

Reporting and responding

Our school records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements. Our school complies with legal obligations that relate to managing the risk of child abuse under the *Children, Youth and Families Act 2005* (Vic.), the *Crimes Act 1958* (Vic.) and the recommendations of the [Betrayal of Trust](#) report.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements.

Our school's [PROTECT: Identifying and Responding to Abuse – Reporting obligations](#), updated on June 2021, sets out the actions required under the relevant legislation when there is a reasonable belief that a child at our school is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

Our policy assists staff, volunteers and families to:

- identify the indicators of a child or young person who may be in need of protection
- understand how a reasonable belief is formed
- make a report of a child or young person who may be in need of protection
- comply with mandatory reporting obligations under child protection law, and their legal obligations relating to child abuse and grooming under criminal law.

Our school has also established additional internal procedures and processes to help ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

At Our Lady of the Way Kingsbury, if any member of our school community has concerns for a child's safety they need to discuss, they can notify the school Principal, the Deputy Principal Learning & Diversity or the designated Child Safety Officer, Deputy Principal Curriculum & Administration.

If the Principal or Child Safety Officer is not available, then it should be discussed with a member of the school leadership team. Alternatively, any member of the school community may report directly to the responsible authority.

The staff member, supported by the Principal or designated Child Safety Officer will follow the step-by-step guide to making a report as outlined in the [Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse](#).

Screening and recruitment of school staff

Our Lady of the Way Kingsbury will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. Our commitment to child safety and our screening requirements are included in all advertisements for such employee, contractor and volunteer positions, and all applicants are provided with copies of the school's Child Safety Code of Conduct and the Child Safety Policy.

Each job description for staff involved in child-connected work has a clear statement that sets out the requirements, duties and responsibilities regarding child safety for those in that role and the occupant's essential qualifications, experience and attributes in relation to child safety and wellbeing.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make all reasonable efforts to gather, verify and record the following information about any person we propose to engage:

- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the job and working with children.

We will also ensure that appropriate supervision or support arrangements are in place in relation to the induction of new school staff into the school's policies, codes, practices and procedures governing child safety and child-connected work.

We have procedures and processes for monitoring and assessing the continuing suitability of school staff to work with children, including regular reviews of the status of Working with Children Checks and staff professional registration requirements such as Victorian Institute of Teaching (VIT) registration.

Our Lady of the Way Kingsbury implements the following CECV guidelines:

- *Guidelines on the Employment of Staff in Catholic Schools*
- *Guidelines on the Engagement of Volunteers in Catholic Schools*
- *Guidelines on the Engagement of Contractors in Catholic Schools*
- *NDIS/External Providers: Guidelines for Schools.*

Child safety – education and training for school staff

Our Lady of the Way Kingsbury provides employees, volunteers and clergy with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

At least annually, our professional learning and training addresses:

- staff's individual and collective obligations and responsibilities for managing the risk of child abuse
- child abuse risks in the school environment
- our school's current child safety standards.

Risk management

At Our Lady of the Way Kingsbury, we are committed to proactively and systematically identifying and assessing risks to student safety across our whole school environment, and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety, and ensure that the strategies change as needed and as new risks arise. If the school identifies risks of child abuse occurring in one or more school environments the Principal must make a record of those risks and specify the action(s) the school will take to reduce or remove the risks (risk controls).

Explanatory note: Different risk controls may be necessary for particular groups of children depending on the nature of the risk and the diversity characteristics of children affected by the risk.

As part of its risk management strategy and practices, the school will monitor and evaluate the effectiveness of the implementation of its risk controls. At least annually, the school must ensure that appropriate guidance and training is provided to the individual members of the school staff about:

- individual and collective obligations and responsibilities for managing the risk of child abuse;
- child abuse risks in the school environment; and
- the school's current child safety standards.

Relevant legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Child Wellbeing and Safety Act 2005* (Vic.)
- *Working with Children Act 2005* (Vic.)
- *Education and Training Reform Act 2006* (Vic.)
- *Education and Training Reform Regulations 2017* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Privacy Act 1988* (Cth)
- *Crimes Act 1958* (Vic.) – Three new criminal offences have been introduced under this Act:
 1. **[Failure to disclose offence](#)**: 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.
 2. **[Failure to protect offence](#)**: 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.
 3. **[Grooming offence](#)**: 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.

Related policies

Catholic Education Commission of Victoria Ltd (CECV) guidelines

- [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](#)
- [CECV NDIS/External Providers: Guidelines for Schools](#)
- [CECV Positive Behaviour Guidelines](#)

Melbourne Archdiocese Catholic Schools Ltd (MACS) policies

- [Policy 2.19: Identifying and responding to abuse – Reporting obligations](#)
- [Policy 2.20: Complaints](#)
- [Policy 2.26: Pastoral Care of Students in Catholic Schools](#)

School policies

- [Child Safety Code of Conduct](#)
- [PROTECT: Identifying and Responding to Abuse – Reporting obligations](#)