



# CHILD SAFETY FRAMEWORK

28<sup>th</sup> July 2021



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# FRAMEWORK

## Child Safety

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### 1. Vision

The vision for Catholic Education Sandhurst Limited (CES Ltd) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

### 2. Introduction

Sandhurst Catholic schools offer a broad, comprehensive curriculum imbued with an authentic Catholic understanding of Christ and his teaching, as well as a lived appreciation of membership of the Catholic Church.

CES Ltd is committed to the safety of all children and has 'zero tolerance' for child abuse. CES Ltd recognises the importance of embedding a child safe culture across its schools and as an organisation and is committed to complying with the requirements of the [Ministerial Order 870 – Child Safe Standards](#).

The Board is committed to strong leadership and robust governance oversight of each of the Sandhurst Catholic Schools, supported by the operationalisation of the governance model in each Sandhurst Catholic School by the CES Ltd executive and at the school level.

The protection of children and young persons who attend Sandhurst Catholic Schools and while they are in the school environment is the responsibility of the CES Ltd Board and everyone who works at a Sandhurst Catholic School, including its staff, contractors, parents and volunteers. We all share responsibility for promoting the wellbeing and safety of children.

### 3. Definitions

<b>CCYP</b>	Commission for Children and Young People.
<b>CES Ltd Office</b>	The CES Office is the leadership and management arm of CES Ltd.
<b>CES Ltd</b>	Catholic Education Sandhurst Limited, the owner and operator of Sandhurst Catholic schools.
<b>CES Ltd Board</b>	CES Ltd Board of Directors.
<b>CECV</b>	Catholic Education Commission of Victoria.
<b>Child</b>	A person who is enrolled as a student in a Sandhurst Catholic School.
<b>Child abuse</b>	<p>Child abuse includes</p> <ol style="list-style-type: none"> <li>1) Any act committed against a child involving             <ol style="list-style-type: none"> <li>a) sexual offence or</li> <li>b) an offence under section 49B of the Crimes Act 1958 (grooming) and</li> </ol> </li> <li>2) The infliction, on a child, of             <ol style="list-style-type: none"> <li>a) physical violence or</li> <li>b) serious emotional or psychological harm and</li> </ol> </li> <li>3) Serious neglect of a child</li> </ol>
<b>Child safety</b>	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.
<b>Child Wellbeing and Safety Act</b>	<a href="#"><i>Child Wellbeing and Safety Act 2005 (Vic)</i></a>
<b>Crimes Act</b>	<a href="#"><i>Crimes Act 1958 (Vic)</i></a>
<b>CYFA</b>	<a href="#"><i>Children, Youth and Families Act 2005 (Vic)</i></a>
<b>DET</b>	<a href="#"><i>Department of Education and Training (Victoria)</i></a>

<b>Diocese of Sandhurst</b>	Diocese of Sandhurst is situated in central and north-eastern Victoria and provides Catholic education to students in a range of school environments including primary, secondary and specialist settings and includes schools owned and governed by CES Ltd and those owned and governed by Public Juridic Person (PJP) or Religious Institutes.
<b>DFFH</b>	<a href="#"><u>Department of Families, Fairness &amp; Housing</u></a>
<b>Duty of care</b>	Employees, including volunteers and contractors working in Catholic schools, have a duty of care to support and protect the children and young people with whom they are professionally involved.
<b>Employee</b>	A person of or over the age of 18 years who is: <ul style="list-style-type: none"> <li>• an employee of the CES Ltd, whether or not the person is employed in connection with any work or activities of the CES Ltd that relate to children</li> <li>• engaged by the CES Ltd to provide services, including as a volunteer, contractor, office-holder or officer, whether or not the person provides services to children.</li> </ul>
<b>ETR Act</b>	<a href="#"><u>Education and Training Reform Act 2006 (Vic)</u></a>
<b>ETR Regulations</b>	<a href="#"><u>Education and Training Reform Regulations 2017 (Vic)</u></a>
<b>Equal Opportunity Act</b>	<a href="#"><u>Equal Opportunity Act 2010 (Vic)</u></a>
<b>Executive Director</b>	The person holding the position of Executive Director of Catholic Education in CES Ltd.
<b>Failure to disclose offence</b>	The failure to disclose offence requires 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 is a criminal offence.
<b>Failure to protect offence</b>	The failure to protect offence requires a person in a position of authority to reduce or remove the risk of sexual abuse of a child (under the age of 16) by an adult associated with their

	<p>organisation.</p> <p>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 failed to do so.</p>
<b>Grooming offence</b>	<p>The offence of grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time, whether the adult communicates by words or conduct with child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvements in sexual conduct, either with the groomer or another adult.</p>
<b>Guidelines</b>	<p>Recommendations and guidance to support the implementation of this CES Ltd Board approved Framework and related Policies, which may be developed and approved by the Principal of a Sandhurst Catholic School for operation in a particular School in accordance with this Framework.</p>
<b>Mandatory reporter</b>	<p>Mandatory reporters include:</p> <ul style="list-style-type: none"> <li>• the Principal</li> <li>• teachers</li> <li>• medical practitioners</li> <li>• nurses</li> <li>• school counsellors, ie a person employed or engaged (other than on a voluntary basis), to provide direct support to school students, at or directly connected with a school, for mental, emotional or psychological wellbeing</li> <li>• registered psychologists</li> <li>• those in religious ministry.</li> </ul>
<b>The Order</b>	<p>Ministerial Order 870 – Child Safe Standards – Managing the risk of child abuse in schools. See: <a href="#">Ministerial Order 870 – Child Safe Standards.</a></p>
<b>Physical violence</b>	<p>Conduct committed against, with, or in the presence of a child, including an act that causes physical injury or pain such as hitting, kicking, punching, pushing, shoving, grabbing, throwing, shaking,</p>

	hitting or striking with an object or using inappropriate restraint or excessive force.
<b>Policy</b>	A high level principles-based directive by the CES Ltd Board that must be complied with by each Sandhurst Catholic school as detailed in this Framework.
<b>Privacy Act</b>	<a href="#"><u>Privacy Act 1988 (Cth)</u></a>
<b>Procedure</b>	A step by step instruction for the implementation of a CES Ltd Framework and related Policies, developed and approved by the Principal of a Sandhurst Catholic School to fulfil the policy requirements in a particular School in accordance with this Framework.
<b>Reasonable belief</b>	A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds.
<b>Reportable allegation</b>	Information that leads a person to form a reasonable belief that a CES Ltd staff member has committed: <ul style="list-style-type: none"> <li>• reportable conduct; or</li> <li>• misconduct that may include reportable conduct</li> </ul> whether or not the conduct or misconduct is alleged to have occurred within the course of the person’s employment.
<b>Reportable conduct</b>	Behaviour committed against, with or in the presence of a child that is reportable under the Reportable Conduct Scheme, including: <ul style="list-style-type: none"> <li>• a sexual offence, whether or not a criminal proceeding in relation to the offence has been commenced or concluded</li> <li>• sexual misconduct</li> <li>• physical violence</li> <li>• any behaviour that causes significant emotional or psychological harm to a child</li> <li>• significant neglect of a child.</li> </ul>
<b>Sandhurst Catholic school</b>	A School which operates with the consent of the Bishop of the Catholic Diocese of Sandhurst and is owned, operated and governed by CES Ltd, where formation and education are based on

	the principles of Catholic doctrine.
<b>Sexual misconduct</b>	Includes behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching or physical contact, grooming behaviour and voyeurism.
<b>Sexual offence</b>	Includes rape, attempted rape, sexual assault, incest, various sexual offences against or involving a child, persistent sexual abuse of a child, grooming, and the production, distribution or possession of child abuse material.
<b>School community</b>	Existing and prospective Sandhurst Catholic school staff, parents, guardians, carers, students and other stakeholders.
<b>School environment</b>	Any physical or virtual place made available or authorised by the CES Ltd for school use by a child during or outside the school hours, including: <ul style="list-style-type: none"> <li>• school campuses</li> <li>• online school environments (including email and intranet systems)</li> <li>• other locations provided by the school for a child’s use (including, locations used for camps, sporting events, excursions, competitions, and other events).</li> </ul>
<b>School staff</b>	An individual working in a school environment who is: <ul style="list-style-type: none"> <li>• directly engaged or employed by the CES Ltd</li> <li>• a volunteer</li> <li>• a contracted service provider and their employees</li> <li>• a minister of religion (clergy), and religious personnel (Brother, Sister, Monk).</li> </ul>
<b>VIT</b>	<a href="#">Victorian Institute of Teaching</a>
<b>VRQA</b>	<a href="#">Victorian Registration and Qualifications Authority</a>
<b>WWCC</b>	<a href="#">Working with Children Check</a> required by all non-teaching staff working in direct child-related work.



## 4. Purpose

The CES Ltd Child Safety Framework provides the key documents and elements of our approach to protecting the children and young people in our care. All Sandhurst Catholic Schools must ensure the child safety policies and procedures that are implemented at school level are consistent with this CES Ltd Child Safety Framework Policy.

## 5. Scope

CES Ltd is required to implement the child safety policy and procedures as prescribed by this Child Safety Framework. This Framework and incorporated Policies and documents apply to all CES Ltd and Sandhurst Catholic schools and are applicable to:

- Board of CES Ltd
- All employees
- Contractors
- Volunteers
- a minister of religion (clergy), and religious personnel (Brother, Sister, Monk)
- others, including visitors
- Students.

## 6. Policy Statement

As the owner and operator of Sandhurst Catholic schools, CES Ltd Board is responsible for ensuring that all schools comply with the requirements of The Order by:

- developing strategies for embedding and monitoring an organisational culture of child safety and zero tolerance for child abuse
- demonstrating a commitment to child safety
- developing, endorsing and make publicly available a child safety policy, CES Ltd Commitment Statement to Child Safety and Child Safety Code of Conduct.
- developing school staff selection, supervision and management practices for a child safe environment developing procedures for responding to allegations of suspected child abuse
- identifying the positions of the persons or people who are responsible for managing responses to an allegation or disclosure of child abuse
- developing and implementing strategies for identifying and reducing or removing risks of child abuse in each Sandhurst Catholic School and, if considered appropriate, revising those strategies

- developing and implementing strategies to promote child empowerment and participation
- inform its school communities about these strategies, and allocated roles and responsibilities

CES Ltd is committed to embedding a child safe culture where people consider, and address, risks to children and young people before, and as they arise, ensuring that all Sandhurst Catholic schools and their communities demonstrate zero tolerance for child abuse.

The CES Ltd Board is committed to the provision of child safety training during induction, and through ongoing training annually. This commitment exemplifies the Board’s vision of having a strong culture when it comes to matters relating to child safety and protection.

The Child Safe Standards are foremost in the key documents, policies and procedures within this Framework.

### The Principle of Inclusion

CES Ltd must take account of and make reasonable efforts to accommodate the diversity of all children in implementing the Child Safe Standards, including (but not limited to) Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and children who are vulnerable.

### The Standards

<b>Child Safe Standard 1</b>	Strategies to embed an organisational culture of child safety.
<b>Child Safe Standard 2</b>	Child safety policy or statement of commitment to child safety.
<b>Child Safe Standard 3</b>	A child safety code of conduct.
<b>Child Safe Standard 4</b>	School staff selection, supervision and management practices for a child safe environment.
<b>Child Safe Standard 5</b>	Procedures for responding to an allegation of suspected child abuse.
<b>Child Safe Standard 6</b>	Strategies to identify and reduce or remove the risks of child abuse.
<b>Child Safe Standard 7</b>	Strategies to promote child empowerment and participation.

The CES Ltd Board is also responsible for ensuring:

- implementation of the Child Safe Standards, whereby the standards are communicated via induction and ongoing training to all Board members and CES Ltd staff annually, including identifying risks of child abuse in the school environment, and articulating their obligations and responsibilities for managing these risks; how to report and respond to child safety incidents.
- the presence of extensive policies and procedures in relation to excursions and camps, ensuring that child safety risks specific to excursions and overnight stays are identified and put in place.
- ongoing, periodic reviews of all physical school environments to eliminate physical isolation risks, such as solid classroom doors or rooms with no windows, or implement procedural controls where elimination is not possible.
- the development of procedures for verifying the [Working with Children Check](#) (WWCC) status of all staff/visitors, who may have direct unsupervised contact with students, to ensure that students remain safe in all school environments both internal and external to the school grounds.
- a system of assurance through which risks of child abuse, and actions taken to reduce or remove these risks (risk controls), are recorded, monitored and effectiveness evaluated on a regular basis. These risks are articulated in both the corporate and school risk registers, where controls are validated to ensure their effectiveness. CES Ltd ensures that all controls are functional at schools to ensure compliance and align with our Child Safe Standards and our zero tolerance to child abuse.

### Legislative Requirements

This Framework and the incorporated Policies, Codes of Conduct and Principles are to support compliance by the CES Ltd Board and the Principals, employees and volunteers at all CES Ltd Catholic Schools in relation to the following legislative and regulatory requirements:

- a) Child Safe Standards for managing risk of child abuse in schools as contained in [Ministerial Order No. 870](#).
- b) Mandatory reporting obligations of mandated reporters under the [Children, Youth and Families Act 2005 \(Vic\)](#).
- c) the obligation of all adults in Victoria to report a sexual offence against a child under section 327 of the [Crimes Act 1958 \(Vic\)](#) ('failure to report' offence).
- d) the obligation of persons who occupy positions of authority in an organisation to reduce or remove a substantial risk that a child will be sexually abused in that organisation under section 49C(2) of the [Crimes Act 1958 \(Vic\)](#).
- e) the obligation of the Head of an Organisation (Head of Entity) to ensure that all reportable conduct of which they become aware is reported to the Commission of

Children and Young People (CCYP) as required by the Reportable Conduct Scheme under the [Child Wellbeing and Safety Act 2005 \(Vic\)](#). For the purposes of the Reportable Conduct Scheme, the Head of Entity has been identified as the Executive Director of CES Ltd.

- f) to ensure that all employees, contractors and volunteers engaged in child-related work obtain and have a valid Working with Children Check (WWCC) in accordance with the [Working with Children Act 2005 \(Vic\)](#) and to maintain a register of employees and volunteers with a WWCC.
- g) to ensure that only teachers registered with the Victorian Institute of Teaching (VIT) or those who have Permission to Teach under Part 2.6 of the Act can be employed as teachers and to maintain a register of their VIT registration details as required under Schedule 4, clause 4 of the Education and Training Reform Regulations 2017.

## 7. School specific Procedures and Guidelines

Each Sandhurst Catholic School must develop Procedures and Guidelines in compliance with this Framework and related Policies.

Each Sandhurst Catholic School must develop procedures for maintaining a register of WWCC and teachers registered with the Victorian Institute of Teaching (VIT) in accordance with the requirements detailed in the VRQA Guidelines to the Minimum Standards and Requirements for School Registration.

Any Procedure or Guideline approved by the Principal of a Sandhurst Catholic School in accordance with this Framework must be consistent with this Framework.

Any Procedure or Guideline developed under this Framework must be intended to support the application of this Framework and related Policies in a particular Sandhurst Catholic School.

All Principals of Sandhurst Catholic Schools are to ensure application of this Framework and related Policies, Procedures and Guidelines, in compliance with, and within the parameters of, this Framework.

## 8. Roles and Responsibilities

### Role of the CES Ltd Board

The CES Ltd Board will:

- have oversight of the requirements under The Order; including the embedding of a child safe culture in all Sandhurst Catholic schools, the development of policies and procedures for child safety and ensuring compliance with The Order
- ensure that the CES Ltd Child Safe Standards implementation plan is developed, endorsed and reviewed

- receive reports from the Executive Director on implementation and compliance across all schools
- review and assess reports on child safety from Sandhurst Catholic schools.

### Role of the Executive Director

The Executive Director will:

- ensure this Child Safe Standard Framework is enacted across all schools and work locations
- provide resources to schools to support review, development, and implementation of Child Safe Standards
- ensure clear expectations and training is provided to principals in complying with Child Safe Standards
- ensure that CES Ltd Office staff are cognisant of The Order and its application in schools; of other CES Ltd and CECV resources about the safety and wellbeing of children, related VRQA advice and materials, as well as DET materials
- ensure the CES Ltd Office's relevant Child Safe Standards resources are made publicly available
- deal with complaints or potential breaches and report these to the CES Ltd Board
- receive and assess reports, complaints and potential breaches and report these to the CES Ltd Board
- keep a record of complaints, reports and investigations
- reports to CES Ltd Board according to a regular reporting schedule
- report to [Commission for Children and Young People](#)(CCYP) on 'reportable conduct' matters as the identified head of entity on behalf of CES Ltd.

### Role of the School Principal

The School Principal is delegated, as the responsible person, to be the leadership and management arm of CES Ltd Office at a local school level.

The Principal will:

- ensure that the school meets ongoing child safety requirements as specified by The Order
- lead the school's participation in the cyclical school review process monitoring Child Safe Standards
- ensure that meaningful consultation with staff, the school advisory council, parents/carers and students in the review, adoption and development of the school's

Child Safe Standard policies, procedures and resources

- ensure that all staff are cognisant with the Child Safe Standards, The Order, CES Ltd Office and CECV resources about the safety and wellbeing of children, related VRQA advice and materials, as well as DET materials
- ensure relevant Child Safe Standards resources are publicly available and accessible to the school community
- ensure all staff undertake training and professional learning about the Child Safe Standards, including the training which is mandatory
- seek advice from CES Ltd Office with respect to Child Safe Standard breaches and legal matters
- advise the CES Ltd Board of any significant matters that may have major pastoral or legal implications in a timely matter
- keep appropriate notes and correspondence with respect to Child Safe Standard breaches
- provide regular, scheduled reports to the Executive Director on the Child Safe Standards implementation.

### **Transparency and Fairness**

An up-to-date version of all prescribed key documents, policies and procedures forming part of this Framework must be maintained on the website of each Sandhurst Catholic School at all times.

A Principal of a Sandhurst Catholic School must ensure transparent, fair and supportive processes in compliance with this Framework.

A Principal of a Sandhurst Catholic School is responsible for ensuring full and accurate reporting and obtaining required approvals in accordance with the requirements under this Framework.

## **9. Review**

The Board will review this Framework and incorporated policies and documents on an annual basis or as required as a result of legislative change to ensure that it continues to be suitable, adequate and effective to achieve compliance for the CES Ltd Board and employees and volunteers in Sandhurst Catholic Schools.

The Board must communicate any changes made to this Framework to the Principals of Sandhurst Catholic schools as soon as possible.

## 10. Child Safety Framework Resource Documents

<b>FORM 1:</b>	Commitment Statement to Child Safety
<b>FORM 2:</b>	Child Safety Policy
<b>FORM 3:</b>	Child Safety Code of Conduct
<b>FORM 4:</b>	PROTECT Responding and Reporting Obligations
<b>FORM 5:</b>	PROTECT Responding and Reporting Obligations
<b>FORM 6:</b>	CES Ltd Mandatory Reporting Policy
<b>FORM 7:</b>	Police and DFFH Interview Protocol
<b>FORM 8:</b>	Child Safe Standards Implementation in Schools Checklist
<b>FORM 9:</b>	Reportable Conduct Scheme Policy
<b>FORM 10:</b>	Child Safety Risk Management
<b>FORM 11:</b>	Child Safety Risk Register