



POLICY TITLE **Child Safe Policy**

RATIONALE

At Siena College we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our College. Our commitment is drawn from and inherent in the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel.

The purpose of this policy is to demonstrate the strong commitment of Siena College to the care, safety and wellbeing of all students at our College. It has been developed to keep students safe from harm, including protection from reasonably foreseeable accidental harm, as well as all forms of deliberate abuse in our College environment, on campus, online and in other locations provided by the College.

This policy takes into account relevant legislative requirements within the state of Victoria. It applies to all College staff including employees, volunteers, contractors and clergy.

DEFINITIONS

Child: A child or a young person enrolled as a student at the College

Child abuse includes:

- Any act committed against a child involving:
 - (i) a sexual offence
 - (ii) an offence under section 49B(2) of the Crimes Act 1958
- The infliction, on a child, of:
 - (i) physical violence
 - (ii) serious emotional or psychological harm
- Serious neglect of a child

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. It also encompasses matters relating to ensuring a physically and emotionally safe college environment for students.

Child neglect: The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing.

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour.

Child protection: Statutory services designed to protect children who are at risk of serious harm.

Child sexual abuse: Any sexual activity between a child under the age of consent and an adult or older person is child sexual abuse.

Child sexual abuse can also be:

- Any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- Any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion



- Sexual activity between peers that is non consensual or involves the use of power or coercion
- Non consensual sexual activity between minors or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners.

Reasonable Belief: When 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.

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

- A campus of the College
- Online College environments (including email and intranet systems)
- Other locations provided by the College for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events)

College staff means an individual working in the College environment who is:

- Directly engaged or employed by a College 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

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.

The following principles underpin our commitment to child safety at Siena College:

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect
- Our college works in partnership with families and the community to ensure that they are engaged in discussion of matters 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/guardians/caregivers
- All adults in our college, 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 the College 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



RESPONSIBILITY

Everyone employed or volunteering at Sienna College has a responsibility to understand the important and specific role he/she plays 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. The College has allocated roles and responsibilities for child safety.

RELATED LEGISLATION

- Ministerial Order No. 870 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Working with Children Act 2005 (Vic)
- Education and Training Reform Act 2006 (Vic)
- Equal Opportunity Act 2010 (Vic)
- Privacy Act 1988 (Cth)
- Crimes Act 1958 (Vic)

RELATED SIENA COLLEGE POLICIES

- Pastoral Care Policy 2014
- Child Protection – Mandatory Reporting/Reporting Obligations 2016
- Respectful Relationships Policy 2015
- Privacy Policy 2014
- Social Media Policy 2016
- Learning and Teaching Policy 2015
- Professional Learning Policy
- Risk Management Policy 2015

RELATED DOCUMENTS

Sienna College Mission Statement 2013 – 2018

Protecting the Safety and Wellbeing of Children and Young People (Appendices updated December 2013) Department of Human Services Child Protection, Department of Education and Early Childhood Development, Victoria 2010

Allegations of Student Sexual Assault in Schools: Information for school staff, Department of Education and Early Childhood Development Victoria 2007

Commitment Statement to Child Safety: A safe and nurturing culture for all children and young people in Catholic schools. Catholic Education Commission of Victoria Ltd (CECV) 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. 2016

Betrayal of Trust Implementation. Victorian Government Department of Justice 2016

Catholic Education Melbourne Policies:

- Policy 2.2: Guidelines Relating to the Employment of Staff (currently under review)
- Policy 2.19: Child Protection – Reporting Obligations
- Policy 2.19a: School Guidelines – Police and DHHS Interview Protocols
- Policy 2.26: Pastoral Care of Students in Catholic Schools (currently under review)

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