



Rationale

The Diocese of Ballarat Catholic Education Limited (DOBCEL) Board is committed to:

- zero tolerance of child abuse
- listening to and empowering children and young people
- keeping children and young people safe.

DOBCEL is committed to supporting its schools to take a proactive role in the care, wellbeing and protection of children and young people.

DOBCEL child safety policies, procedures, documents, and templates are approved by the DOBCEL Board and ratified by member the Bishop of Ballarat. These documents articulate the principles and key elements of DOBCEL's approach to managing its responsibilities and obligations for the care, safety, and welfare of students in DOBCEL schools to minimise the risk of the abuse of children and young people.

All DOBCEL schools must ensure that the child safety policies and procedures that they are implementing at school level are consistent with DOBCEL's policies and procedures.

The DOBCEL Board maintains governance oversight of DOBCEL schools. DOBCEL maintains a management arm to ensure that DOBCEL schools are safe for children and young people and are places where children and young people can flourish.

The DOBCEL Board has particular responsibilities for safeguarding children and young people as required by [Ministerial Order No. 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises](#), which relates to the risk of child abuse in schools. MO No. 1359 requires the DOBCEL Board to take responsibility for managing the risk of child abuse in the schools it owns and operates. In order to comply with this ministerial order, the Board requires its schools to have appropriate arrangements that regulate the conduct and decisions of staff for the benefit of the students. These arrangements include implementing and complying with DOBCEL's child safe policies and having clear and comprehensive procedures and reporting mechanisms. The objective is for the DOBCEL Board and the wider school community to be confident in each school's capacity to make and implement appropriate decisions, with child safety being the guiding principle.

The DOBCEL Child Safe Governance Policy demonstrates the strong commitment of the Board to the care, safety and wellbeing of all children and young people in accordance with its obligations as the governing authority of DOBCEL schools. It outlines the policies approved by the Board and the procedures and strategies that all DOBCEL schools must develop and adopt to keep children and young people safe from harm.

This policy takes into account the relevant Victorian Government legislative requirements, including those of MO 1359 that are relevant to the obligations of a governing authority of schools.

Definitions

Child: A young person attending a school.

Child abuse includes:

- a) any act committed against a child involving:
 - a sexual offence
 - an offence under section 49B (2) of the *Crimes Act 1958* (grooming).
- b) the infliction on a child of:
 - physical violence
 - serious emotional or psychological harm.
- c) serious neglect of a child as defined by [Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises](#).

The Child Information Sharing Scheme permits information-sharing entities (including schools) to *request* or *disclose* information regarding any person for the purpose of promoting the wellbeing or safety of a child or a group of children.

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 abuse, and responding to incidents or allegations of child abuse. (See [Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises](#).)

Child neglect includes a failure to provide a 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. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy)

Child physical abuse generally consists of any non-accidental infliction of physical violence on a child by any person. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy)

Child sexual abuse occurs when a person has used their power or authority over a child to involve that child in sexual activity. It can include a wide range of sexual activity and does not always involve physical contact or force. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy)

Child emotional abuse occurs when a child is repeatedly rejected, isolated or frightened by threats or has witnessed family violence. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy).

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. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy).

Mandatory reporting is the legal requirement under the *Children, Youth and Families Act 2005 (Vic.)* to make a report to the designated authority in order to protect children from harm relating to physical and sexual abuse. The principal, teachers, medical practitioners, nurses, student counsellors and those in religious ministry are mandatory reporters under this Act. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy)

[PROTECT Protocol](#) is a joint cross-sectoral protocol for use in Victorian schools. This website and protocol provide advice and resources to schools and mandated reporters on the actions to be taken in response to suspicions or allegations of child abuse. A range of materials are available for all schools.

Reasonable Belief: When school staff, or other mandated people, 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 it 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. (See DOBCEL [Protect] Identifying and Responding to Abuse: Reporting Obligations Procedures and Policy)

The Reportable Conduct Scheme, created under the *Child Wellbeing and Safety Act 2005 (Vic.)*, requires a school to notify the Commission for Children and Young People (CCYP) if an allegation of reportable conduct (a reportable allegation) has been made against one of its employees.

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

- a) a campus of the school
- b) online school environments (including email and intranet systems)
- c) 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). (See [Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises.](#))

School staff refers to individuals working in a school environment who are:

- a) directly engaged by the school or employed by the school governing authority
- b) a volunteer or a contracted service provider (whether or not contracted by a body corporate or any other person acting as an intermediary)
- c) a minister of religion. (See [Ministerial Order 1359: Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises](#))

Principles

Gospel values and the principles of Catholic social teaching are reflected in DOBCEL's policies for the care, safety, and welfare of students. These values influence both DOBCEL's actions and responses to promoting environments that are child safe:

Participation: The Catholic social teaching principle of participation recognises that all members of DOBCEL's school communities participate in the care, protection, and safety of the Diocese's children and young people. Participation speaks to empowerment and allowing voices to be heard. Promoting participation means recognising that each person has something unique and important to contribute. All are called on to be active members of the local and global community.¹

Each of us has a part to play, a gift to share, a service to offer, for building up the Body of Christ in love.² Effective participation will ensure that the talents, skills and gifts of the Holy Spirit bestowed upon ... [all] ... are utilised in the service of God and the mission of the Church. The consequence of such participation is likely to be more faithful stewardship of the mission and resources of the Church.³

1. <https://caritas.org.nz/catholic-social-teaching/participation>.

2. Pope Francis 21/06/2013. <https://www.catholic.org/news/international/europe/story.php?id=51423>.

3. Implementation Advisory Group and the Governance Review Project Team (2020). The light from the Southern Cross: Promoting co-responsible governance in the Catholic Church in Australia (A report and recommendations on the governance and management of dioceses and parishes in the Catholic Church in Australia), p. 56. <https://static1.squarespace.com/static/5acea6725417fc059dccc33f/t/5f3f79e41aac2871be0fba5c/1597995610389/The+Light+from+the+Southern+Cross+FINAL+%2815+August+2020%29.pdf>

Human dignity: Our common humanity requires respect for, and support of, the sanctity and worth of every human life. All other rights and responsibilities flow from the concept of human dignity. This principle is deemed to be the central aspect of the Church’s social teaching. The belief that each life has value is in tune with the international recognition of human rights, which are universal, inviolable and inalienable.⁴

Common good: People are fundamentally social beings. Therefore, social, political and economic organisation has implications for the entire community. Each social group must take account of the rights and aspirations of other groups as well as the wellbeing of the whole human family. The common good is reached when everyone works together to improve the wellbeing of society and the wider world. The rights of the individual to personal possessions and community resources must be balanced with the needs of the disadvantaged and dispossessed.⁵

Policy Statement

The DOBCEL Board requires that the child safety policy and practices in schools owned and operated by DOBCEL embed a culture of child safety through leadership, ensure the proactive management of child abuse risks and/or allegations of abuse, provide for child participation and empowerment, and engage the whole school community in a proactive approach to the care, wellbeing and protection of children and young people.

The Board is committed to ensuring that child abuse reporting procedures are age appropriate, simple and accessible for all children and members of school communities.

DOBCEL schools take all student contributions seriously, and information regarding these topics will be covered through various age-appropriate care initiatives and curriculum delivery.

The Board is responsible for ensuring DOBCEL schools have human resources practices that provide for child safety in the recruitment, selection, induction, and ongoing suitability of staff. Schools must implement 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 the risks associated with child abuse – and any actions taken to reduce or remove these risks (risk controls) – are recorded, is to be in place in all DOBCEL schools. This system should also be used by the Board to monitor risk controls and to regularly evaluate their overall effectiveness.

Related documents

- DOBCEL Child Safety and Wellbeing Policy
- DOBCEL Safeguarding Children and Young People Code of Conduct
- DOBCEL Child Safe Reporting Obligations Policy and Procedure
- DOBCEL Duty of Care: Supervision of Students Policy
- DOBCEL Child Safe Risk Management Policy and Procedure

⁴ Ibid.

⁵ <https://www.caritas.org.au/about/what-is-caritas/our-principles/>. See also *The light from the Southern Cross*, p. 162.