



# Genazzano FCJ College

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## Child Safe and Mandatory Reporting Policy

### 1. Rationale

Genazzano FCJ College is governed by the College Council under the auspices of the FCJ Education Australia. The Society of the Faithful Companions of Jesus (FCJ Society) according to Canon Law is the canonical authority for FCJ education. Genazzano FCJ College policies and procedures are developed to meet the governance accountabilities of FCJ Education Australia. As a Catholic College in the FCJ tradition, Genazzano FCJ College is committed to work in solidarity with the Catholic education authority in the Archdiocese of Melbourne.

Genazzano FCJ College is a Catholic day and boarding school. The boarding premises are located at Hopetoun Hall. The College embodies the charism of Marie Madeleine d'Houët, the founder of the Faithful Companions of Jesus. The College shares with its community a future-oriented and distinctive learning culture guided by reflection, wisdom, and service, empowering children and young people to transform the world with hope and care. Each person's dignity is an essential element in how the College lives out its vision and promotes the safety, wellbeing, and inclusion of all children and young people.

Protection for children and young people is based upon the belief that each person is made in the image and likeness of God, and that the inherent dignity of all should be recognised and protected. Genazzano FCJ College has a duty of care to all students, to take reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in harm or injury to the student, and to work for the positive wellbeing of the child.

At Genazzano 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.

### 2. Policy Statement and Scope

The purpose of this policy and procedure is to:

- Identify the indicators of a child or young person who may be in need of protection.
- Ensure that everyone within the College community is alert to signs and evidence of abuse and neglect, understand that it is not acceptable and be aware of their reporting responsibilities.
- Ensure that action is taken to protect students from risks and immediate action is taken to ensure the safety of students.
- Ensure that all mandatory reporters are trained with respect to what must be reported and relevant procedures, with refresher training to be completed annually.
- Ensure all reports on reasonable grounds are reported to the relevant authorities.
- Ensure that ongoing support and assistance is provided to students who have been abused and their confidentiality respected with case details and the identity of the student only discussed with those managing the situation.
- Ensure that staff are provided with clear expectations for appropriate behaviour.
- Ensure that the College is compliant with all laws, regulations and standards relevant to child safety and protection in Victoria, most importantly adhering to Ministerial Order 870.



## Scope

This policy applies to all members of the College Staff as defined below. This policy applies to all College activities during and outside of school hours that occur on school campus, offsite, online, extracurricular, sport activities and programs, excursions, camps, interstate and overseas travel. They are bound by this policy and required to report concerns about, or incidents of child abuse or neglect. Fulfilling the roles and responsibilities contained in this policy and procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child or young person is at risk of child abuse.

## 3. Principles

The following principles underpin our commitment to child safety at Genazzano:

- 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 decision-making processes, particularly those that have an impact on child safety and protection.
- In partnership with their parents/guardians/caregivers, all students have the right to a thorough and systematic education in all aspects of personal safety.
- All adults in our College, including teaching and non-teaching staff, clergy, religious, 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 children and young people are based on honest, respectful and trusting relationships with adults.
- 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 should feel confident to raise concerns about child safety, knowing these will be taken seriously by 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.

## 4. Definitions used in this Policy

**Child:** A child or a young person enrolled as a student at the College or enrolled in an endorsed school program.

**Child Abuse:** Child abuse can take many forms. The perpetrator may be a parent, carer, College staff member, volunteer, another adult or even another child. The nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Child abuse is defined in the Child Wellbeing and Safety Act 2005 (Vic.) to include:

**Child abuse** includes:

- sexual offences
- grooming
- physical violence
- serious emotional or psychological harm
- serious neglect.



**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).

**Grooming:** is defined as behaviours that manipulate and control a child with the intent of gaining access to the child, obtaining the child's compliance, maintain the child's silence and avoiding discovery of the sexual abuse. Grooming by an adult for sexual conduct with a child under the age of 16 is crime under section 49M of the Crimes Act 1558 (Vic).

**Child physical abuse:** Generally, consists of any non-accidental infliction of physical violence on a child by any person.

**Emotional or psychological 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).

**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.

**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](#))

**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 College hours, including:

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

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

- directly engaged or employed by the school governing authority including teaching staff, non-teaching staff, boarding house supervisors, allied health workers, coaches, casual relief teachers and examination supervisors,
- the school governing authority including FCJ Education Board and College Council
- volunteers and contractors,
- third party providers
- student host families.
- a minister of religion or religious clergy.

**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.



## 5. Policy Commitments

All students enrolled at Genazzano have the right to feel safe and be safe. The wellbeing of children and young people 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 learning environment where children and young people are free to enjoy life to the full, without any concern for their safety.

### Our commitment to our students

- (a) We commit to the safety and wellbeing of all children and young people enrolled in our College.
- (b) We commit to providing children and young people with positive and nurturing experiences.
- (c) 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.
- (d) We commit to taking action to ensure that children and young people are protected from abuse or harm.
- (e) We commit to teaching children and young people the necessary skills and knowledge to understand and maintain their personal safety and wellbeing.
- (f) We commit to seeking input and feedback from students regarding the creation of a safe College environment.

### Our commitment to parents and carers

- (a) We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children.
- (b) We commit to engaging with and responding to the views of parents and carers about our child-safety practices, policies and procedures.
- (c) We commit to transparency in our decision-making with parents and carers, providing it does not compromise the safety of children or young people.
- (d) We commit to acknowledging the cultural diversity of students and families and being sensitive to how this may impact on student safety issues.
- (e) We commit to continuously reviewing and improving our systems to protect children from harm and abuse.

### Our commitment to our College staff

We commit to providing all staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.

- (a) We commit to provide regular opportunities to clarify and confirm policy and procedures in relation to child safety and the protection and wellbeing of children and young people. This will include annual training in the principles and intent of the Child Safety Policy, Child Safety Code of Conduct, and responsibilities to report concerns.
- (b) We commit to listening to all concerns voiced by staff, religious, clergy, volunteers, and contractors about keeping children and young people safe from harm.
- (c) We commit to providing opportunities for College employees, volunteers, contractors, religious and clergy to receive formal debriefing and counselling arising from incidents of the abuse or harm of a child or young person.

## 6. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Genazzano 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.



## 6.1 Guide to Responsibilities of College Leadership

The principal, the College Council and College leaders at Genazzano 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, religious, 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 College 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 child and young people's protection and wellbeing
- ensuring the College 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 the PROTECT: Identifying and responding to all forms of abuse in Victorian schools.

## 6.2 Guide to Responsibilities of College Staff

Responsibilities of College staff 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 College 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, harmed or neglected
- providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- providing the additional support and supervision for younger students, students with a disability, indigenous students, International students and boarding students
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of all 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 College's Child Safe Code of Conduct
- reporting child abuse when an adult forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16, they must report this information to the Principal and or Police. Failure of the Principal or adult to disclose the information to police is a criminal offence
- reporting and identifying student to student sexually offending.



### 6.3 Organisational Arrangements

While all members of Genazzano FCJ College have a responsibility to uphold the Child Safe standards the following staff have allocated roles and responsibilities for child safety. All College staff who have concerns that a student may be in need of protection or may have been the victim of a sexual offence, should notify one of the following:

- Principal - Mrs Loretta Wholley, [principal@genazzano.vic.edu.au](mailto:principal@genazzano.vic.edu.au), 03 8862 1000
- Deputy Principal - Ms Eryn O'Mahony, [eryn.omahony@genazzano.vic.edu.au](mailto:eryn.omahony@genazzano.vic.edu.au), 03 8862 1088
- Head of Junior School - Mrs Rebecca Ryan, [rebecca.ryan@genazzano.vic.edu.au](mailto:rebecca.ryan@genazzano.vic.edu.au), 03 8862 1091
- Head of Senior School - Ms Caroline Hendy, [caroline.hendy@genazzano.vic.edu.au](mailto:caroline.hendy@genazzano.vic.edu.au), 03 8862 1071
- Senior Psychologist - Ms Judith Crigan, [judith.crigan@genazzano.vic.edu.au](mailto:judith.crigan@genazzano.vic.edu.au), 03 8862 1121
- College Nurse - Mrs Samantha Redman, [samantha.redman@genazzano.vic.edu.au](mailto:samantha.redman@genazzano.vic.edu.au), 03 8862 1180.
- Director of Boarding - Ms Lauren Kennedy, [lauren.kennedy@genazzano.vic.edu.au](mailto:lauren.kennedy@genazzano.vic.edu.au), 03 9805 5400.

### 7. Expectation of our College Staff – Child Safe Code of Conduct

At Genazzano, we expect all College staff as defined in this policy 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 College. All College staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. We have developed a **Child Safe Code of Conduct** which recognises the critical role that College staff play in protecting the students in our care, and establishes clear expectations of College staff for appropriate behaviour with children and young people in order to safeguard them against abuse and or neglect.

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

### 8. Student Safety and Participation

At Genazzano, we actively encourage all students to confidently express their views and concerns related to Child Safety.

Protective Behaviours are addressed specifically in age appropriate ways through the GenSTAR Program from ELC-Year 12. We teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, their parents or carers, raise with us.

A student version of the Child Safe policy is published in the student planner and Child Safety is the topic of a level assembly at the beginning of every year and is regularly reviewed each Term.

Students can also raise issues and concerns at the Student Voice Committee, with Student Wellbeing Captains and Student Child Safe Representative.



## 9. Reporting and Responding

The College 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. Genazzano 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.

**Mandatory Reporting:** The Children, Youth and Families Act 2005 (Vic) (CYFA) (section 184) requires Mandatory Reporters to make a report to Department of Health and Human Services (DHHS) Child Protection when they believe that a child (aged under 17) is in need of protection from significant harm from physical injury or sexual abuse.

### Who are Mandatory Reporters?

Mandatory reporters are defined by the CYFA and include:

- Teachers
- Principal
- Nurses
- School Psychologist and Counsellors
- Persons in religious ministry; and
- Medical practitioners.

All College staff who have concerns that a student may be in need of protection or may have been the victim of a sexual offence, should notify one of the following:

- Principal - Mrs Loretta Wholley, [principal@genazzano.vic.edu.au](mailto:principal@genazzano.vic.edu.au), 03 8862 1000
- Deputy Principal - Ms Eryn O'Mahony, [eryn.omahony@genazzano.vic.edu.au](mailto:eryn.omahony@genazzano.vic.edu.au), 03 8862 1088
- Head of Junior School - Mrs Rebecca Ryan, [rebecca.ryan@genazzano.vic.edu.au](mailto:rebecca.ryan@genazzano.vic.edu.au), 03 8862 1091
- Head of Senior School - Ms Caroline Hendy, [caroline.hendy@genazzano.vic.edu.au](mailto:caroline.hendy@genazzano.vic.edu.au), 03 8862 1071
- Senior Psychologist - Ms Judith Crgan, [judith.crgan@genazzano.vic.edu.au](mailto:judith.crgan@genazzano.vic.edu.au), 03 8862 1121
- College Nurse - Mrs Samantha Redman, [samantha.redman@genazzano.vic.edu.au](mailto:samantha.redman@genazzano.vic.edu.au), 03 8862 1180.
- Director of Boarding - Ms Lauren Kennedy, [lauren.kennedy@genazzano.vic.edu.au](mailto:lauren.kennedy@genazzano.vic.edu.au), 03 9805 5400.

### What constitutes a Mandatory Report?

A mandatory report is made when any member of College staff forms a belief on reasonable grounds that a child is in need of protection where the child has suffered, or is likely to suffer, significant harm as a result of:

- physical injury; or
- sexual abuse; and
- the child's parents have not protected, or are unlikely to protect, the child from harm of that type.

A mandatory reporter is required:

- to make a report on each occasion they form a reasonable belief
- to make a report as soon as practicable
- to make a report even if the Principal or the person responsible for the operation of the College or boarding premises does not share their belief



- to ensure that a report has been made in instances where another mandated reporter has undertaken to make a report but has not done so.

### **What are Reasonable Grounds?**

The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

The following may be reasonable grounds for forming such a belief if:

- A student states they have been physically or sexually abused
- A student states that they know someone who has been physically or sexually abused
- Someone who knows the student states that the student has been physically or sexually abused
- A student shows signs of being physically or sexually abused
- The staff member is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on a student's safety, stability or development
- The staff member observes signs of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision; or
- A student's actions or behaviour may place them at risk of significant harm and the child's parents are unwilling or unable to protect the student.

### **Identifying and Responding to Student Sexually Offending**

Genazzano FCJ College plays a critical role in protecting children and must meet a range of legal obligations to identify, respond and report child abuse. This includes any incidents, allegations and suspicions that a student is victim to student sexual offending and/or a student has committed sexual offending.

#### **Identify student sexual offending**

Student sexual offending refers to sexual behaviour that is led by a student 10 years and over which may amount to a sexual offence.

Under the Crimes Act 1958, a sexual offence includes:

- Sexual Assault
- Rape
- Indecent Acts.

Under Victorian Law, children between 12 and 15 can only consent to sexual activity with a peer no more than two years their senior. Therefore, sexual contact led by a student with a child outside of these age parameters may amount to student sexual offending.

In order for a person to consent to sexual activity, they have to have the capacity to understand the context and possible consequences of the act. Therefore, sexual contact led by a student involving a person with a cognitive impairment or affected by alcohol and other drugs may also amount to student sexual offending.

#### **Problem sexual behaviour in children under 10**

Children with sexual behaviour problems include those children less than 10 years of age demonstrating developmentally inappropriate and/or aggressive sexual behaviour.



Concerning sexual behaviour in children under 10 years includes:

- frequent, repeated behaviour - for example, compulsive masturbation
- sexual behaviour between children who do not know each other well
- high-frequency occurrences of sexual behaviour that interfere with normal childhood activities
- sexual behaviour associated with emotional distress
- sexual behaviour between children of different ages, size and developmental levels
- aggressive, forced and/or coerced interaction between children
- behaviour that does not stop once the child is told to stop, or occurs in secrecy
- behaviour that causes harm to the child or other children.

Concerning sexual behaviour is defined to also include self-focused sexual behaviour, for example frequent public masturbation, or intrusive and/or aggressive sexual behaviour towards other children that may be coercive or forceful. While the term 'sexual' is used, the child's intent or motivation for the exhibited behaviour may be unrelated to sexual gratification.

Age-appropriate sexual behaviour can become disrupted in children and adolescents by a number of factors, including exposure to sexually explicit material or exposure to sexual activity including abuse.

### **Respond to problem sexual behaviour in children under 10**

For all students who are under 10 years of age and who engage in concerning sexual behaviour, school staff should consider:

- consulting with wellbeing professionals (including School Support Services in government schools) to support the student displaying concerning sexual behaviours
- convening a Student Support Group
- developing a Student Support Plan to determine and document support strategies for students displaying concerning sexual behaviours and strategies to maintain the safety of other school community members
- whether the child may be the victim of child abuse and the concerning sexual behaviour may be a physical or behavioural indicator that this may be occurring.

Concerning sexual behaviour in children is not a clear indicator that a child has been sexually abused, however if you form a reasonable belief that the child is being abused, and their parents/carers are unable or unwilling to protect the child from that abuse, you must report your reasonable belief to DHHS Child Protection and/or Victoria Police.

### **Communicate with parents**

When a College staff member suspects that a student under 10 years of age has engaged in concerning sexual behaviour, the Principal or her nominee should:

- advise the parents/ carers of the student who is engaging in the behaviour (unless there are reasonable grounds for believing that this would not be in the best interests of the child). In many instances, the parents/carers can assist school staff to ensure that the child is aware that their behaviour and conduct is not appropriate in a school environment
- notify the parents/carers of the students who have been impacted by the concerning sexual behaviour and to offer them school-based support, or a referral to external support services (if appropriate or necessary in the circumstances).

### **Respond to very concerning behaviour**

In the event of very concerning sexual behaviour the College will contact DHHS Child Protection on 131 278 and/or Victoria Police Sexual Offences and Child Abuse Investigation Team (SOCIT) on 000.



### Problem sexual behaviour in children over 10

Once a child is 10 years or over, some sexual behaviour can constitute a sexual offence. Genazzano will report all suspected sexual offences to the Victoria Police.

### Complaints Policy

Genazzano FCJ College understands that from time to time complaints arise regarding aspects of the College's operation of programs and activities, and that it is important that all members of the community have the opportunity to be heard. Genazzano FCJ College commits to ensuring procedural fairness is observed when dealing with complaints and grievances. The College's Complaints Policy and Procedures can be accessed on the College website and on GenConnect.

## 10. Screening and Recruitment of College Staff

At Genazzano FCJ College, we are committed to ensuring that our recruitment practices create a safe environment for our students. To this end, we have established policies and procedures for recruiting employees and volunteers and for assessing their suitability to work with children. Genazzano FCJ College's Staff Recruitment and Compliance Procedures policy which can be accessed on GenConnect outlines in detail the staff recruitment and compliance procedures. The College applies thorough and rigorous screening processes in the recruitment of employees. Our commitment to child safety and our screening requirements are included in all advertisements for employee, contractor and volunteer positions. As part of our recruitment process all applicants are required to acknowledge they have read and understood College's Child Safe- Mandatory Reporting Policy, Child Safe- Reportable Conduct Policy and the Genazzano Child Safe Code of Conduct.

When recruiting and selecting employees, contractors and volunteers, we make all reasonable efforts to:

- 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 have processes for monitoring and assessing the continuing suitability of College 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.

### Child-safe recruitment and other legislation

Our recruitment practices are subject to state and federal anti-discrimination legislation and the requirements of the Privacy Act 1988 (Cth) when obtaining, using, disclosing and storing information from applicants and referees.

All staff employed at Genazzano FCJ College must meet the requirements of the Worker Screening Act 2020.

## 11. Child Safety – Education and Training for College Staff

Genazzano provides College staff with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes a thorough induction program for all staff including specific training for Boarding House supervisors. 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. Specifically, all College staff are required to complete the online PROTECT module annually. Certificates for this course are saved on each staff member's personal employment record.

## 12. Risk Management

At Genazzano we are committed to proactively and systematically identifying and assessing risks to student safety across the whole College environment, and reducing or eliminating (where possible) all potential sources of harm. Led by the Wellbeing, OHS and Governance and Risk Management Committees, risk management strategies for child safety are documented, implemented, monitored and periodically reviewed to ensure that strategies change as needed and as new risks arise. Staff attention is drawn to the risks in every circumstance where risk may be increased, such as visitors to the school, excursions, and camps.

## 13. Relevant Legislation and Authorities

- *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.) – Three new criminal offences have been introduced under this Act:

**Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report this information to the police.

**Failure to protect:** People in authority at the College will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

**Grooming:** It is an offence in the State of Victoria to groom a child under the age of 16 for sexual conduct. The offence applies where an adult communicates, by words or conduct, with a child (under 16 years) or with a person who has care, supervision or authority for the child, with the intention of facilitating the child's involvement in sexual activity at a later time. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity.

**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, teachers, medical practitioners and nurses at a school are mandatory reporters under this Act.

### Relevant Authorities

#### Department of Health and Human Services (DHHS) Child Protection

The DHHS has a responsibility to provide child protection services for all children and young people under the age of 17 years, or where a protection order is in place, for children under the age of 18. The main functions of DFFH Child Protection are to:

- receive reports from people who believe that a child is in need of protection or have significant concerns about the wellbeing of a child
- provide consultation and advice to people making reports
- investigate matters where it is believed that a child is at risk of significant harm
- refer children and families to services that assist in providing for the ongoing safety and wellbeing of children.



### Child FIRST Child and Family Information

Referral and Support Teams (Child FIRST) were introduced to give families an opportunity to obtain family services earlier at their own request or following a referral from others, including school staff. Child FIRST ensures that vulnerable children, young people and their families are linked effectively to relevant services. Child FIRST is staffed by family services practitioners who are experienced in assessing the needs of vulnerable children and their families. Child FIRST teams work closely with community-based DFFH Child Protection workers. The role of Child FIRST includes:

- providing a point of entry to a local network of family services
- receiving reports about vulnerable children where there are significant concerns about their wellbeing
- undertaking an initial identification and assessment of the risks to the child and the child's needs in consultation with DFFH Child Protection and other services
- identifying appropriate service responses for families.

### Victoria Police

Both DFFH and Victoria Police have statutory responsibilities under the CYFA in relation to the protection of children. DFFH Child Protection is the lead agency responsible for the care and protection of children, while Victoria Police is responsible for criminal investigations into alleged child abuse. Protocols between DFFH Child Protection and Victoria Police require that all reports received by DFFH Child Protection relating to physical abuse, sexual abuse or serious neglect must be reported to Victoria Police, as these reports may also constitute reports of criminal offences. All allegations of sexual offences or child abuse should be reported to DFFH Child Protection or Victoria Police for investigation. Under no circumstances should school staff investigate an allegation themselves. School staff should only enquire sufficiently to form a reasonable belief that a child may be in need of protection.

### Commission for Children and Young People (CCYP)

CCYP is an independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of Victorian children and young people. CCYP is responsible for administering the Reportable Conduct Scheme, which includes:

- supporting and guiding organisations that receive allegations in order to promote fair, effective, timely and appropriate responses
- independently overseeing, monitoring and, where appropriate, making recommendations to improve the responses of those organisations.

### Victorian Institute of Teaching (VIT)

The Victorian Institute of Teaching (VIT) is an independent statutory authority for the teaching profession, whose primary function is to regulate members of the teaching profession.

The College must immediately notify the VIT if it becomes aware that a teacher: Has been charged with, or convicted or found guilty of, certain criminal offences that accord with those relevant to Working with Children Checks (WWCC) or Has been given a negative notice in relation to the WWCC.

## 14. Related Policies

### 14.1 College Policies

The following policies and procedures are available:

- Boarding House Policies and Handbooks
- Child Safety, Mandatory Reporting Policy
- Child Safe, Reportable Conduct Policy
- Digital Technology and Resources Policy
- ELC Child Safe Environment Policy



- ELC Child Protection Policy FFPOS
- Staff Recruitment and Procedures Policy
- OHS Policy
- Professional Development Policy ( Teaching and Non Teaching Policy)
- Complaints Policy and Procedures
- Social Media Policy
- Professional Code of Conduct-teachers.

## 15. Breach of Policy

Where an employee is suspected of breaching any obligation, duty or responsibility within this policy, the College may start the process under clause 13 of the Victorian Catholic Education Multi Enterprise Agreement 2013 (VCEMEA) for managing employment concerns. This may result in disciplinary consequences.

Where the **Principal** is suspected of breaching any obligation, duty or responsibility within this policy, the concerned party is advised to contact the Chair of the College Council.

Where any **other member of the College community** is suspected of breaching any obligation, duty or responsibility within this policy, the College is to take appropriate action, including in accordance with Professional Standards Code of Conduct Policy, Mandatory Reporting of Child Physical and Sexual Abuse and Reportable Conduct.

## 16. Review of this Child Safety Policy

At Genazzano FCJ College, we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

We will maintain a history of updates to the policy.

### History of Updates to Policy

Date	Comment (e.g. major review, minor review)
23 August 2016	Original Policy Adopted by College Council
20 June 2017	Updated Policy Adopted by College Council
20 June 2019	Reviewed by Policy Committee
17 September 2021	Reviewed by Child Safe Committee

## 17. References

- Catholic Education Commission of Victoria Ltd (CECV) 2016, 2.19 Child Protection – Reporting Obligations
- 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 Colleges.](#)
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- Congregation for Catholic Education 1997, [The Catholic College on the Threshold of the Third Millennium](#), Vatican.



- Department of Education, 2016, PROTECT: Identifying and responding to all forms of abuse in Victorian schools.
- Safe Colleges Hub 2014, [National Safe Colleges Framework Glossary](#), Australian Government Department of Education and Training.
- State of Victoria 2016, [Child Safe Standards – Managing the Risk of Child Abuse in Colleges: Ministerial Order No. 870](#), Education & Training Reform Act 2006, Victorian Government Gazette No. S2.
- Victorian Government Department of Justice 2016, [Betrayal of Trust Implementation](#).