



Mount Lilydale Mercy College

Child Safety Policy

November 2022

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1. Introduction

Enthused by the teaching of Jesus Christ, the Mount Lilydale Mercy College Catholic coeducation community aims to foster justice, compassion, hope and hospitality in the Mercy tradition. We commit ourselves to the provision of a supportive environment where we hold the care, safety and wellbeing of children and students as a central and fundamental responsibility of our school.

Mount Lilydale Mercy College community is committed to a culture of child safety and no tolerance of child abuse. Our Child Safety Policy has a specific focus on safeguarding the young people of Mount Lilydale Mercy College against sexual, physical, psychological and emotional abuse or neglect. 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. Purpose of the Policy

Mount Lilydale Mercy College is committed to the care, safety and wellbeing of all students at our school. As such this policy demonstrates our commitment and 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 Victorian Child Safe Standards as set out in [Ministerial Order No. 1359](#).

This policy applies to school staff, including school employees, volunteers, contractors and clergy.

This policy is consistent with the Mercy Education Ltd (MEL) Child Protection Policy available at www.mercy.edu.au

3. Principles

Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments where children and students 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 Mount Lilydale Mercy College.

- All students deserve at Mount Lilydale Mercy College, 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/guardians/caregivers.

- All adults in our school, including teaching and non-teaching staff, clergy, volunteers, and contractors, have a responsibility to care for children and students, 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 students.
- 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.

4. Definitions used in this Policy

Child: Child means a child or student who is under the age of 18 years.

Source: [Child Wellbeing and Safety Act 2005 \(Vic.\)](#) and [Ministerial Order No. 1359](#)

Child abuse: Child abuse includes:

- any act committed against a child or student involving:
 - a sexual offence
 - a grooming offence under section 49M(1) of the *Crimes Act 1958 (Vic.)*
- the infliction, on a child or student, of:
 - physical violence
 - serious emotional or psychological harm
- the serious neglect of a child or student, including exposure to family violence and its effects.

Source: [Child Wellbeing and Safety Act 2005 \(Vic.\)](#)

Child Abuse Emotional

Emotional child abuse occurs when a child or student is repeatedly rejected, isolated or frightened by threats. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person to the extent that the child or student suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health.

Source: [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

Child abuse (physical)

Physical child abuse can consist of any non-accidental infliction of physical violence on a child by any person. Examples of physical abuse may include beating, shaking or burning, assault with implements and female genital mutilation.

Source: [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

Child abuse (sexual)

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 or exposing a child to pornography. It may not always include physical sexual contact or force and can also include non-contact offences.

Sexual offences are governed by the *Crimes Act 1958* (Vic.).

Source: [**PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools**](#)

Child Information Sharing Scheme

The Child Information Sharing Scheme (CISS), which is established under Part 6A of the *Child Wellbeing and Safety Act 2005* (Vic.), enables information to be shared by organisations and services prescribed as [**Information Sharing Entities**](#) to promote the wellbeing or safety of a child or group of children under the age of 18 years.

Source: [**Information Sharing and Family Violence Reforms Contextualised Guidance**](#)

Child safety

Child safety includes 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 suspicions, incidents, disclosures or allegations of child abuse.

Source: [**Ministerial Order No. 1359**](#)

Child sexual exploitation

Child sexual exploitation is a form of sexual abuse where offenders use their power (physical, financial or emotional) over a child or young person, or a false identity, to sexually or emotionally abuse them.

It often involves situations and relationships where young people receive something (for example: food, accommodation, drugs, alcohol, cigarettes, affection, gifts or money) in return for participating in sexual activities. Child sexual exploitation can occur in person or online, and sometimes the child or young person may not even realise they are a victim.

Source: [**Department of Education and Training: Child sexual exploitation and grooming**](#)

Child-connected work

Child-connected work means:

- a. work authorised by the school governing authority and performed by an adult in a school environment while children are present or reasonably expected to be present
- b. for the purposes of a school boarding premises, work authorised by the provider of school boarding services in a school boarding premises environment while children are present or reasonably expected to be present.

Source: [**Ministerial Order No. 1359**](#)

Child-related work

The *Worker Screening Act 2020* (Vic.) defines ‘child-related work’ as work which usually involves (or is likely to involve) direct contact with a child, irrespective of whether that contact is supervised or not, and in any of the child-related occupational fields listed in the Act.

The definition of direct contact includes oral, written or electronic communication, as well as face-to-face and physical contact. Child-related work may be either paid or unpaid (voluntary).

There are exemptions from the Act including people under 18 years of age, parent volunteers whose child ordinarily participates in the activity, sworn police officers, teachers currently registered with the Victorian

Institute of Teaching, and visiting workers who do not ordinarily reside and perform child-related work in Victoria, among others.

Source: [Department of Education and Training: Suitability for Employment Checks – Working with children](#)

Child Protection is the Victorian Government Agency, provided by the DFFH that protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

Child FIRST is the Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

Clergy is a person or group ordained (such as priests) who are leaders or have been given leadership roles to perform pastoral or sacerdotal functions in a Christian church or in a school environment.

Duty of care

Duty of care is a legal obligation that requires schools to take reasonable steps to reduce the risk of reasonably foreseeable harm, which can include personal injury (physical or psychological) or damage to property. The reasonable steps that a school may decide to take in response to a potential risk or hazard will depend on the circumstances of the risk.

Source: [MACS Duty of Care Guidelines](#)

Family violence

The *Family Violence Protection Act 2008* (Vic.) defines family violence as:

- a. behaviour by a person towards a family member of that person if that behaviour:
 - i. is physically or sexually abusive
 - ii. is emotionally or psychologically abusive
 - iii. is economically abusive
 - iv. is threatening
 - v. is coercive
 - vi. in any other way controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or another person
- b. behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to in paragraph (a).

Source: [Family Violence Protection Act 2008 \(Vic.\)](#)

Governance arrangements

Governance arrangements refers to the specific systems, processes, roles, responsibilities and organisational arrangements that each school puts in place to operationalise school policy.

Source: [Ministerial Order No. 1359](#)

Governing body

Governing body is defined in the *Education and Training Reform Regulations 2017* (Vic.) to mean:

- a) in relation to a government school, the school council constituted in relation to that school
- b) in relation to a non-government school, the person or body responsible for the governance, conduct or management of the school
 - ba) in relation to a government school boarding premises, the school council constituted in relation to the government school at which the students boarding at the school boarding premises are enrolled or attending

bb) in relation to a non-government school boarding premises, the person or body responsible for the governance or management of the provider of school boarding services at the premises.

Source: [Education and Training Reform Regulations 2017 \(Vic.\)](#)

Mercy Education Limited is the governing body of Mount Lilydale Mercy College. www.mercy.edu.au

Grooming

Grooming is when a person engages in predatory conduct to prepare a child or young person for sexual activity at a later time.

Grooming can include communicating or attempting to befriend or establish a relationship or other emotional connection with the child or their parent or carer.

Source: [Department of Education and Training: Child sexual exploitation and grooming](#)

Mandatory reporting

Mandatory reporting is the legal requirement for certain professional groups to report a reasonable belief of child physical or sexual abuse to child protection authorities.

In Victoria, under the *Children, Youth and Families Act 2005*, mandatory reporters must make a report to child protection if, in the course of practising their profession or carrying out duties of their office, position or employment, they form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

Source: [Department of Families, Fairness and Housing: Children, Youth & Families – Mandatory reporting](#)

Mandatory reporter

Mandatory reporters are certain classes of professionals who are legally required to report a reasonable belief of child physical or sexual abuse to child protection authorities.

In Victorian schools, this includes registered teachers, school principals, early childhood workers, nurses, registered psychologists, school counsellors and all people in religious ministry.

Source: [Department of Families, Fairness and Housing: Children, Youth & Families – Mandatory reporting](#)

Neglect

Neglect includes a failure to provide a child with an adequate standard of nutrition, medical care, clothing, shelter or supervision. The law differentiates between three different levels of neglect:

1. 'Minor' neglect is low-level neglect that is trivial or temporary.
2. 'Significant' neglect is medium-level neglect that causes harm to a child that is more than trivial or temporary.
3. 'Serious' neglect is the highest level of neglect. It involves the continued failure to provide a child with the basic necessities of life to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. It can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

Source: [PROTECT: Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

Reportable conduct

Reportable conduct is defined as:

- a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child
- behaviour causing significant emotional or psychological harm to a child
- significant neglect of a child, or misconduct involving any of the above.

Source: [Child Wellbeing and Safety Act 2005 \(Vic.\)](#)

Reportable Conduct Scheme

The Reportable Conduct Scheme is a child safety mechanism introduced as a result of the [Betrayal of Trust](#) report. The Reportable Conduct Scheme complements the Child Safe Standards and other existing child safety measures.

Source: [Department of Education and Training: Reportable Conduct Policy](#)

Reasonable belief: When a person is concerned about the safety and wellbeing of a child or young person, he/she 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.

Review

Where schools are advised to 'review child safety and wellbeing policies and practices', this refers to principals ensuring that:

- any new policies developed by Melbourne Archdiocese Catholic Schools (MACS) have been contextualised and implemented
- the policies and practices that are in place are known to all relevant people
- following any significant child safety incident, the related school processes are reviewed, and any gaps are identified and addressed. The review may also require consultation with relevant MACS personnel.

Source: [Child Safe Standards – MACS School Action List 2022](#)

School environment

School environment means any of the following physical, online or virtual places, used during or outside school hours:

- a. a campus of the school
- b. online or virtual school environments made available or authorised by the school governing authority for use by a child or student (including email, intranet systems, software applications, collaboration tools and online services)
- c. other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for:
 - i. camps
 - ii. approved homestay accommodation
 - iii. delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or another school
 - iv. sporting events, excursions, competitions or other events.

Source: [Ministerial Order No. 1359](#)

School governing authority

School governing authority means:

- a. the proprietor of a school, including a person authorised to act for or on behalf of the proprietor
- b. the governing body for a school (however described), as authorised by the proprietor of a school or the *Education and Training Reform Act 2006* (Vic.) (ETR Act)
- c. the principal, as authorised by the proprietor of a school, the school governing body or the ETR Act.

Source: [Ministerial Order No. 1359](#)

School staff

School staff means:

- a. in a government school, an individual working in a school environment who is:
 - o employed under Part 2.4 of the *Education and Training Reform Act 2006* (Vic.) (ETR Act) in the government teaching service
 - o employed under Part 2.3 of the ETR Act
 - o a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work
- b. in a non-government school, an individual working in a school environment who is:
 - o directly engaged or employed by a school governing authority
 - o a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work
 - o a minister of religion, a religious leader, or an employee or officer of a religious body associated with the school.

Source: [Ministerial Order No. 1359](#)

Student

Student means a person who is enrolled at or attends the school, or a student at the school boarding premises.

Source: [Ministerial Order No. 1359](#)

Volunteer

Volunteer means a person who performs work without remuneration or reward for the school or school boarding premises in the school environment or school boarding premises environment.

Source: [Ministerial Order No. 1359](#)

Vulnerable students

Vulnerable students may include, but are not limited to, those who:

- a. are deemed vulnerable by a government agency, funded family service or family violence service, or assessed as requiring education and care outside the family home
- b. are identified as vulnerable as a result of a referral from a government agency, funded family service or family violence service, homeless or youth justice service, or mental health or other health service
- c. self-identify or are identified by school staff or school boarding premises staff as a member of a vulnerable cohort.

Source: [Ministerial Order No. 1359](#)

5. Policy Commitments

All students enrolled at Mount Lilydale Mercy College 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

- (a) We commit to the safety and wellbeing of all children and students enrolled at Mount Lilydale Mercy College.
- (b) We commit to providing children and students with positive and nurturing experiences.
- (c) We commit to listening to children and students 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 students are protected from abuse or harm.
- (e) We commit to teaching children and students 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 school 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 listening to, the views of parents and carers about our child-safety practice, policies and procedures.
- (c) We commit to transparency in our decision-making with parents and carers where it will 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 abuse.

Our commitment to our school staff (school employees, volunteers, contractors and clergy)

- (a) We commit to providing all Mount Lilydale Mercy College staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- (b) 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.
- (c) We commit to listening to all concerns voiced by Mount Lilydale Mercy College staff, clergy, volunteers, and contractors about keeping children and students safe from harm.
- (d) We commit to providing opportunities for Mount Lilydale Mercy College school employees, volunteers, contractors and clergy to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

6. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at Mount Lilydale Mercy 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. ([CECV Commitment Statement to Child Safety](#))

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

6.1 Guide to Responsibilities of School Leadership

The Principal, the College Advisory Council and College Executive at Mount Lilydale Mercy College 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 students 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 students 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 child 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. 1359](#).
- Informing the Chief Executive of Mercy Education of any relevant or reportable child safety matters

6.2 Guide to Responsibilities of School Staff

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

- treating children and students with dignity and respect, acting with propriety, providing a duty of care, and protecting children and students in their care
- following the legislative and internal school 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 students 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 students
- assisting children and students 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.

6.3 Organisational Arrangements

The Mount Lilydale Mercy College Team consists of the Deputy Principal Students, Deputy Principal Mission and Deputy Principal Studies, and reports to the Principal. They work with the College Counsellors, Year Level Co-ordinators and Learning Leaders and will be responsible for the education, management and promotion of Child Safety

7. Expectation of our School Staff – Child Safety Code of Conduct

At Mount Lilydale Mercy College, 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 to comply with all requirements. Mercy Education Limited has developed a Child Safety Code of Conduct [Code of Conduct Employees and Volunteers](#) 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.

The Mercy Education Limited Code also protects school staff through clarification of acceptable and unacceptable behaviour. Copies of the Mercy Education Limited Code of Conduct must be sighted and signed by school employees, volunteers, contractors and Clergy upon commencement of employment/volunteer work and when amendments are made. Signed copies will be retained on file by the College.

8. Student Safety and Participation

At Mount Lilydale Mercy College 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 on child safety. We listen to and act on any concerns students, or their parents or carers, raise with us.

- Opportunities to understand the nature of child abuse in particular the nature of grooming
- Assisting students to discern what constitutes child abuse
- Educating the students about the means by which students can report concerns.

Participation and empowerment will be facilitated through discussion and forums which are delivered through our Pastoral Care and Learning and Teaching Programs.

9. Reporting and Responding

Mount Lilydale Mercy 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. 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.

Mount Lilydale Mercy College **Child Protection – Reporting Obligations Policy** 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 criminal child abuse and grooming under criminal law.

Mount Lilydale Mercy College has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student.

The processes are informed by the Mount Lilydale Mercy College Mandatory Reporting Policy and the Victorian Department of Education and Training PROTECT – Identifying and responding to all forms of abuse in Victoria schools guide:

<http://www.education.vic.gov.au/about/programs/health/protect/Pages/schoolsguide.aspx>

which requires the following four actions to be undertaken:

- Responding to an emergency
- Responding to Authorities
- Contacting Parents/Carers
- Providing Support

The following actions represent the steps to be taken when a child discloses information about an alleged child abuse.

The staff member should:

- Ensure the student is safe
- Re-assure the student that their concerns will be listened to and
- Explain your responsibility to share this information in order to help the student

If a reasonable belief is held that abuse has occurred the staff member should follow the steps outlined in the Mount Lilydale Mercy College Mandatory Report Process Guidelines.

Reportable allegation involving the head of entity

The head of entity (i.e. the head of the school) is the person who is primarily responsible for decision- making for the school. In most primary schools and in diocesan secondary schools, this will generally be a parish priest. At Mount Lilydale Mercy College, the head of entity is the Chief Executive of Mercy Education.

If any person, including any employee of the school, becomes aware of a reportable allegation involving the school principal, the person should inform an appropriate member of the school’s

Leadership Team, who will advise Mercy Education, who will notify the CCYP. In all instances of a reportable allegation of a criminal offence, Victoria Police must be notified.

If any such person becomes aware of a reportable allegation involving a person or body, other than the school principal, the person should inform the school principal or, if the principal is involved in the reportable allegation, an appropriate member of the Leadership Team, who will advise Mercy Education, who will notify the CCYP. In all instances of a reportable allegation of a criminal offence, Victoria Police must be notified.

Where a person becomes aware of a reportable allegation involving, relevantly, the school principal, or other person or body, but is not able to advise the principal or an appropriate member of the Leadership Team, the person shall directly notify Mercy Education and, in the instance of an alleged criminal offence, Victoria Police.

In each case, a reportable allegation or criminal offence should also be reported to the Chief Executive of Mercy Education.

For more information refer to the [Catholic Education Melbourne Guide to the Reportable Conduct Scheme](#), which has been developed to assist employers, principals and school leaders in understanding and complying with their obligations under the Reportable Conduct Scheme.

Step 1

Development of a 'Reasonable Belief'

Individual staff members should make observations and keep notes that led to them developing a reasonable belief. A *reasonable belief* is more than a suspicion but proof is not required; it means when you are more inclined to accept, than reject, the idea being contemplated. A reasonable belief may be formed when"

- A student states s/he has been abused.
- A student states that s/he knows someone who has been abused (sometime the person is talking about themselves).
- Someone who knows a child states the child has been abused.
- Professional observations of the young person's behaviour or development leads a professional to form a belief that the child has been sexually abused.
- Signs of physical or sexual abuse or other types of abuse or neglect lead to a belief that the child has been abused/neglected.
- You believe a child is being groomed by an adult.

Step 2

Internal Reporting of the Incident

Before making a report to police or DFFH Child Protection, school staff should initially discuss concerns with a member of the Counselling Department and at least one other member of the Leadership Team (e.g.: a Deputy Principal). The Principal should then be informed in a timely manner. A written summary of the report should be presented to the principal for record purposes.

Step 3

External Reporting of the Incident

Abuse of a sexual nature is reported to police. Other forms of abuse and neglect are reported to DFFH Child Protection.

The reporting staff member is to complete the form entitled 'Notification of Reasonable Belief about Abuse/Neglect' before phoning Police or DFFH.

Step 4

Information Dissemination

The Principal will decide who, if anyone, should be informed (e.g.: parents, guardians). The need for confidentiality should be remembered at all times in the interests of the young person and the family. Only where the welfare of the young person will be affected should the matter be discussed with anyone else.

Step 5A

Police/Human Services approach to school

If, following a report, a member of Victoria Police or DFFH Child Protection approaches the school, it is essential that any interview with a child be conducted with at least one senior staff member present. For example, the Principal and one other (not necessarily the reporting staff member) to provide support in what could be a difficult situation. The focus of such meeting should be the welfare of the child, not on justifying the actions of the staff member/s involved. Written notes of this meeting need to be taken and kept on record.

Step 5B

Family Approach to school

If, following a report, the family approaches the school, it is recommended that any interview be conducted with a minimum of two senior staff members present (e.g. Principal, DP Students, Counsellor) to provide support in what could be a difficult situation. The focus of such meeting should be the welfare of the child, not on justifying the actions of the staff member/s involved. Written notes of this meeting need to be taken and kept on record.

Step 6

Support for affected parties

Support for the reporting staff member, the student who is the cause for concern, and anyone else affected by the incident/s and report should be arranged typically through the Counsellors at school and, if necessary, through ACCESS Counselling services for staff members.

The staff member who raised the original concern/s will be kept reasonably informed as to the progress of events regarding the student's welfare.

Mount Lilydale Mercy College complaints and disclosure processes are outlined in steps 1 to 6 above and detailed in the following policies and procedures:

- Mandatory Report Policy – October 2016

10. Screening and Recruitment of School Staff

Mount Lilydale Mercy College 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 Mercy Education Code of Conduct and the MLMC Child Safety Policy. These documents are able to be viewed on the College Website.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make all reasonable efforts to:

- confirm the applicant's Working with Children Clearance 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.

Processes are in place for monitoring and assessing the continuing suitability of school staff to work with children, including regular reviews of the status of Working with Children Clearance and staff professional registration requirements such as Victorian Institute of Teaching (VIT) registration.

11. Child Safety – Education and Training for School Staff

Mount Lilydale Mercy College 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 Mount Lilydale Mercy College, we commit to creating a child safe environment by providing communication, education and training to all staff that includes but is not limited to the following opportunities:

- Our induction process for new staff
- Annual completion by all staff of the Mandatory Report and Other Obligations eLearning module for Government and non-Government schools:
<https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/online-learning-for-schools.aspx>
- An annual Mercy Education Learning Manager module on Safeguarding Essentials
- An annual meeting to re-affirm expectations and procedures
- Regular wellbeing briefings for staff
- Weekly Campus Director and Year Level Leader Meetings to discuss student needs and actions on the needs.
- External Professional Learning opportunities including information about post-graduate qualifications in Wellbeing and Child Safety.
- Fortnightly meetings led by the Deputy Principal-Pastoral Care, including the Campus Directors, School Counselling Coordinator and Learning Diversity Leader.
- Fortnightly meetings with the School Counselling Team and the Deputy Principal – Pastoral Care.
- Fortnightly meetings led by the School Counselling Team with Campus Directors.
- Fortnightly meetings led by the School Counselling Team with the College Year Level Leaders
- Child Safety is a fixed Agenda item at the weekly Principal/Deputy Principal meetings.

12. Risk Management

At Mount Lilydale Mercy College 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.

13. Relevant Legislation

- *Children, Youth and Families Act 2005* (Vic.)
- *Worker Screening Act 2020* (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:
 - a) **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.
 - b) **Failure to protect offence:** The 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.
 - i) **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.

14. Related Policies

14.1 Melbourne Archdiocese Catholic Schools Policies

- [Policy 2.19: Child Protection – Reporting Obligations](#)
- [Policy 2.19a: School Guidelines –Police and DFFH Interview Protocols](#)
- [Policy 2.20: Complaints Policy](#)
- [Policy 2.26: Pastoral Care of Students in Catholic Schools](#)

14.2 School Policies

Mount Lilydale Mercy College Policies include:

- [Child Protection Reporting Obligations Policy](#)
- [Employment Policy](#)

14.3 MEL Policies

Mercy Education Limited (MEL) Policies include:

- [6.09 MEL Child Protection Policy](#)
- 6.09 Operational Instructions – Child Safety Reporting to Mercy Education
- [MEL Code of Conduct - Employees and Volunteers](#)
- [MEL Parent Code of Conduct](#)
- 1.10 Policy Codes of Conduct
- [1.06 Complaints Management](#)

15. Breach of Policy

Where an **employee** is suspected of breaching any obligation, duty or responsibility within this Policy, Mount Lilydale Mercy 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 Mercy Education Limited. Relevant notification should also be made to Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

Where any **other member of the school community** is suspected of breaching any obligation, duty or responsibility within this policy, the school is to take appropriate action, including in accordance with Mount Lilydale Mercy College Mandatory Reporting Policy and/or contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

16. Review of this Child Safety Policy

At Mount Lilydale Mercy 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. Policies are reviewed at College Executive level.

We will maintain a history of updates to the policy.

History of Updates to Policy

Date	Responsible Person	Comment (e.g. major review, minor review)
October 2016	Deputy Principal Pastoral Care	Policy updated
June 2021	Deputy Principal Pastoral Care	<i>Worker Screening Act 2020 (Vic.)</i> replaced the <i>Working with Children Act 2005 (Vic.)</i>
November 2021	Deputy Principal Pastoral Care	<i>Update to superseded Links throughout Policy. No content change.</i>
March 2022	Deputy Principal Pastoral Care	<i>Added links to MEL Policies, updated Definitions</i>

November 2022	Deputy Principal Pastoral Care	<i>Updated DHHS to the newly named DFFH; updating definitions to be uniform amongst all child-safe related policies</i>
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17. References

Catholic Education Commission of Victoria Ltd (CECV), [Commitment Statement to Child Safety](#): *A safe and nurturing culture for all children and students in Catholic schools.*

Catholic Education Commission of Victoria Ltd (CECV) 2018, [Victorian Catholic Education Multi Enterprise Agreement 2018](#), CECV.

Congregation for Catholic Education 1997, [The Catholic School on the Threshold of the Third Millennium](#), Vatican.

Implementing the Child Safe Standards - Managing the Risk of Child Abuse in Schools and School Boarding Premises: [Ministerial Order No. 1359](#)

Victorian Government Department of Justice, [Betrayal of Trust Fact Sheet](#).