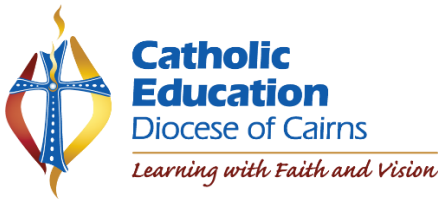


Policy



Directive No:

Approval Date: 2019 (BoG 178: 2019-02-25)

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Author: CPO (Professional Standards)

Safeguarding Children and Young People

Purpose

This policy applies to all staff members and volunteers working within Cairns Catholic Schools and exists to uphold the principles set out in relevant legislative and organisational obligations. A safe, supportive, inclusive and positive environment underpins a student's capacity for learning and maximises potential for personal and social development, ultimately enhancing wellbeing and life opportunities. We acknowledge that being safe and supported at school is essential for student wellbeing and effective learning.

Policy

Catholic Education in the Diocese of Cairns is committed to providing safe, supportive and respectful teaching and learning communities that promote student rights, safety and wellbeing, including compliance with child protection obligations mandated by law, the United Conventions on the Rights of the Child and Church teachings.

We recognise that students' spiritual, psychological and physical wellbeing is paramount and recognise that every student has a fundamental right to a safe school environment and protection from harm and the risk of harm.

Rationale

'He is a treasure. You children are his reflection and you too are a treasure for all of us, the most precious treasure that we have and one that we are called to guard' (Pope Francis, 2018)

'There can be no keener revelation of a society's soul than the way in which it treats its children.'
(Nelson Mandela)

We have a responsibility to ensure that our schools have the appropriate policies, procedures and an organisational culture in place to both:

- Safeguard against the risk of child abuse; and
- Respond effectively if abuse is suspected or confirmed.

Catholic Education staff, volunteers and Catholic Church personnel are required to be committed to creating and maintaining a child safe institution that fosters positive and safe cultures, adopts strategies and acts to prevent harm to children and young people.

The following principles are the foundational elements from which our child safe practices and processes are based on:

- We take a preventative, proactive and participatory approach to child safety;
- We implement child safety policies and procedures which support ongoing assessment and amelioration of risk;
- We value and empower children to participate in decisions which affect their lives;
- We foster a culture of openness that supports all persons to safely disclose risks of harm to children;
- We respect diversity in cultures and child rearing practices while keeping child safety paramount;
- We provide guidance on appropriate conduct and behaviour towards children;
- We engage only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development;
- We ensure children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
- We report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
- We share information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk; and
- We value the input of and communicate regularly with families and carers.

Definitions

Child

A person under the age of 18 years of age.

Child Safe Institution

An institution that consciously and systematically creates conditions that reduce the likelihood of harm to children, creates conditions that increase the likelihood of identifying and reporting harm, and responds appropriately to disclosures, allegations or suspicions of harm.

Child Sexual Offence

This offence applies to any adult (18 years of age or older) who engages with a child (under 16 years of age) or a child under 18 years of age with an impairment of the mind in any sexual activity

Failure to Protect Offence

This offence applies to institutions (i.e. schools, churches, sporting organisations) to actively remove any risk of sexual abuse against children in the care of the institution. This applies to an adult in a position of power (i.e. principal, manager, supervisor) or responsibility (i.e. employee or volunteer)

Failure to Report Offence

Every adult (18yrs or older) is required to report a reasonable belief of a child sexual offence to the QLD Police, unless there is a reasonable excuse not to report. A reasonable excuse not to report includes being aware that the matter has been report to the QLD Police under another legislative application (i.e. Education (General Provisions) Act 2006 or Child Protection Act 1999)

Grooming

The use of a variety of manipulative and controlling techniques; with a vulnerable subject; in a range of inter-personal and social settings; in order to establish trust or normalise sexually harmful behaviour; with the overall aim of facilitating exploitation and/or prohibiting exposure. (McAlinden, 2012, p.11)

Harm

Any detrimental effect of a significant nature on the student's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused, but it may be caused by physical or psychological abuse/neglect, or sexual abuse/exploitation. It is also recognised that harm can be caused by a single incident of abuse or be a cumulative impact of multiple incidents.

Staff member

Any person who is employed by the Roman Catholic Trust Corporation for the Diocese of Cairns (trading as Catholic Education) on a casual, fixed term or continuing basis, either pursuant to a contract of employment or appointed a role at a school pursuant to an agreement with a religious order.

Sexual Abuse

Sexual abuse can be physical, verbal or emotional behaviour which involves the student in a sexual activity or sexually exploits the student in some way.

Sexual Abuse (includes but is not limited to) sexual behaviour involving the student and another person in the following circumstances:

1. The other person bribes, coerces, exploits, threatens or is violent toward the student;
2. The student has less power than the other person;
3. There is significant disparity between the student and the other person in intellectual capacity or maturity

Student

Refers to any person enrolled in a Catholic school regardless of that person's age including:

1. kindergarten age child registered in a kindergarten learning program at the school
2. a child with a disability who is not compulsory school age but is being provided with special education at the school and is not enrolled in the preparatory year at the school

NOTE: Legislation defines student as being under the age of 18yrs of age. An organisational decision has been made to apply all reporting obligations to any student irrespective of age.

Volunteer

Refers to a person who is engaged or present at the school to undertake work, but not for financial reward.

Consequences

Cairns Catholic Education schools support students to feel and be safe through providing the care and protection necessary for their wellbeing. To facilitate this Cairns Catholic Education, in alignment with the National Catholic Safeguarding Standards, will ensure and demonstrate:

- Committed leadership, governance and culture
- Children are safe, informed and participate
- Partnering with families, carers and communities
- Equity is promoted, and diversity is respected
- Robust human resource management
- Effective complaints management
- Ongoing education and training
- Safe physical and online environments
- Regular improvement
- Policies and procedures support child safety

Reflection

Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report Volume 6: Making Institutions Child Safe 2017

Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report Volume 13: Schools 2017

The Australian Student Wellbeing Framework www.safeschoolshub.edu.au

United Nations Convention on the Rights of the Child

Education (Accreditation of Non-State Schools) Act 2017

Education (Accreditation of Non-State Schools) Regulation 2017

Education (General Provisions) Act 2006

Education (General Provisions) Regulation 2017

Education (Queensland College of Teachers) Act 2005

Working with Children (Risk Management and Screening) Act 2000

Evidence Act 1977

Disability Standards for Education (2005)

Child Protection Act 1999

Criminal Code Act 1899

Moore (2018) Child Safety Toolkit: How to create a child safe organisation.

O’Leary, P, Koh, E, & Dare, A (2017), Grooming and child sexual abuse in institutional contexts, Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney.

McAlinden, AM (2012), ‘Grooming’ and the sexual abuse of children: institutional, internet and familial dimensions, Clarendon Studies in Criminology, Oxford.

See also (Related Policies and Guidelines)

Student Protection Processes and Guidelines

Child and Youth Risk Management Strategy

Catholic Education Diocese of Cairns Code of Conduct

Policies:

- Student Bullying: Prevention and Responses in Schools
- Catholic Diocese of Cairns Safeguarding Children

Guidelines:

- Visibility processes for Schools
- Student Bullying: Prevention and Responses in Schools