



---

## CHILD SAFETY POLICY

---

### Commitment to Child Safety

- 1.1 St Catherine's School is committed to being a Child Safe organisation and embedding a child safe culture into our practices and processes to ensure that all children who attend the School are safe at all times.  
All children regardless of their gender, race, religious beliefs, age, disability sexual orientation, or family or social background have equal rights to protection from abuse.
- 1.2 St Catherine's School recognises that the Royal Commission into Institutional Responses to Child Sexual Abuse Final Report identified specific groups of students being at heightened risk, including Boarders and International Students. Consistent with the requirements of the National Code 2018, the VRQA Guidelines, and their intersection with the Victorian Child Safe Standards, the School is committed to mitigating risk for all students, with specific policy addressing the needs of these students.
- 1.3 St Catherine's School has zero tolerance for child abuse and all staff employed by St Catherine's School are responsible for the care and protection of the children within our care and to report information about suspected child abuse

### 1. Purpose

The purpose of this policy is:

- 2.1 To facilitate the prevention of child abuse occurring within St Catherine's School
- 2.2 To work towards an organisational culture of child safety
- 2.3 To prevent child abuse within St Catherine's School
- 2.4 To ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs
- 2.5 To provide guidance to staff/volunteers/contractors/third parties as to action that should be taken where they suspect any abuse within or outside of the organisation
- 2.6 To provide a clear statement to staff/volunteers/contractors/third parties forbidding any such abuse
- 2.7 To provide assurance that any, and all, suspected abuse will be reported and fully investigated
- 2.8 To ensure that appropriate support is available for any child disclosing abuse, suspected of being a victim of abuse, or otherwise linked to suspected child abuse.



---

## CHILD SAFETY POLICY

---

If any person believes a child is in immediate risk of abuse, telephone 000.

### 3. Scope

- 3.1 This policy applies to members of the School Council (as individual members of the board as well as to the board as an entity), the Principal, all school staff, volunteers, contracted service providers and ministers of religion working in the school environment.
- 3.2 The application of the policy also sets out the school's expectations of parents, visitors and older students and the part they play in ensuring the safety of children in the school
- 3.3 The school's duty of care is non-delegable. This policy applies when children are learning with an external provider or in contact with an affiliated organisation.
- 3.4 This policy applies to all staff members, volunteers, contractors, affiliated organisations, students aged 18 years and over, School Council members and the School parent community.
- 3.5 The child safe policy sets out the principles and framework governing the school's behaviours and activities that enact the child safe standards and which aim to keep all children safe from harm. The policy, together with the policy implementation documents listed, must be read and understood by all those connected to the school.
- 3.6 The school's duty of care is non-delegable. This policy applies when children are learning with an external provider or in contact with an affiliated organisation.

### 4. Definitions

- 4.1 **[Child]:** [for the purposes of this policy a child is defined as 18 years and under]
- 4.2 **[Child Protection]:** means any responsibility, measure or activity undertaken to safeguard children from harm.
- 4.3 **[DHS]:** [Department of Human Services]: Government authority which takes responsibility for the protection of children and to whom reports are made.
- 4.4 **[Child abuse]:** means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.
- 4.5 **[Child sexual assault]** is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to, or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.



---

## CHILD SAFETY POLICY

---

- 4.6 **[Reasonable grounds for belief]** is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.
- 4.6.1 A reasonable belief is formed if a reasonable person believes that:
- the child is in need of protection,
  - the child has suffered or is likely to suffer 'significant harm as a result of physical injury' or
  - the parents are unable or unwilling to protect the child.
- 4.6.2 A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.
- 4.6.3 A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:
- a child states that they have been physically or sexually abused;
  - a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
  - someone who knows a child states that the child has been physically or sexually abused;
  - professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or
  - signs of abuse lead to a belief that the child has been physically or sexually abused.
- 4.7 **[Victorian Child Safe Standards]:** To create and maintain a child safe organisation, the Ministerial Order 870 outlines the Child Safe Standards that schools must implement:
- strategies to embed an organisational culture of child safety, through effective leadership arrangements
  - a Child Safe Policy
  - a Code of Conduct that establishes clear expectations for appropriate behaviour with children
  - screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel
  - processes for responding to and reporting suspected child abuse
  - strategies to identify and reduce or remove risks of child abuse
  - strategies to promote the participation and empowerment of children.



---

## CHILD SAFETY POLICY

---

- 4.8 **[School Environment]:** Any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:
- a campus of the school;
  - online school environments (including email and intranet systems); and
  - other locations used for school camps, sporting events, excursions, competitions, and other events

### 5. Policy Statement

- 5.1 St Catherine's School is committed to promoting and protecting the best interests of children.
- 5.2 All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.
- 5.3 St Catherine's School has zero tolerance for child abuse. Everyone working at St Catherine's School is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.
- 5.4 Child protection is a shared responsibility between the St Catherine's School Council, all employees, workers, contractors, associates, and members of the St Catherine's School community.
- 5.5 St Catherine's School will consider the opinions of children and use their opinions to develop child protection policies
- 5.6 St Catherine's School will ensure that appropriate support is available for any child disclosing abuse, suspected of being a victim of abuse or are otherwise linked to suspected child abuse.
- 5.7 St Catherine's School supports and respects all children, staff and volunteers. St Catherine's School is committed to the cultural safety of Aboriginal children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability.
- 5.7 St Catherine's School is committed to fulfilling our duty of care to all students and specifically students under the age of 16 in relation to the *Crimes Act 1958 (Vic)* which was amended in 2014 to include offences of (i) failing to disclose a sexual offence, (ii) grooming for sexual conduct, and (iii) failing to protect a child from sexual offence.
- 5.8 The School will provide a framework to ensure that all persons in positions of authority, care or supervision; all employees of the School and where applicable, students of 18 years or over understand their role and responsibility in protecting the safety and



---

## CHILD SAFETY POLICY

---

wellbeing of children and young people under the age of 16, in accordance with the *Crimes Act 1958 (Vic)*

- 5.9 This policy is designed to ensure that individuals associated with the School, who have the power or responsibility to reduce or remove a substantial risk, take steps to reduce or remove any substantial risk that a student under 16 years of age will become the victim of a sexual offence, including the recognition of 'grooming'.
- 5.10 The School has a responsibility to ensure that all members of the School Community aged 18 years and over understand their reporting obligations in accordance with the *Crimes Amendment (Protection of Children) Act 2014 (Vic)*.
- 5.11 All members of the School Community aged 18 years and over (who are not Mandatory Notifiers), who form a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age, are requested to discuss this concern with the Principal, who has an obligation to report that information to the police
- 5.12 St Catherine's School acknowledges its obligations to meet the provisions of Federal and State legislation; in particular the National Code of Practice for Providers of Education and Training to overseas Students 2018 (National Code 2018) and the VRQA Guidelines for Enrolment of Overseas Students aged under 18 years
- 5.13 St Catherine's School implements risk management procedures to identify, assess and mitigate risk in the Boarding House and to develop strategies to embed a culture of child safety at the Boarding House
- 5.14 St Catherine's School implements risk management procedures to identify, assess and mitigate risk in Homestay Accommodation and conducts stringent child safety screening of Homestay families as outlined in the Homestay Policy.

## 6. Responsibilities

### 6.1 The Principal will:

- 6.1.1 ensure that all staff members, volunteers, third parties, students aged 18 years and over, School Council members and the School parent community are aware of the *Crimes Act 1958 (Vic)*;
- 6.1.2 ensure that, at least annually, appropriate guidance and training is provided to the members of School Council and School Staff about:
- 6.1.2.1 Individual and collective obligations and responsibilities for managing the risk of child abuse
- 6.1.2.2 Child abuse risks in the school environment
- 6.1.2.3 The School's current child safety standards



---

## CHILD SAFETY POLICY

---

6.1.2 ensure that all adults within the School Community are aware of their obligation to report suspected sexual abuse of a child under 16 years of age to the Principal who is obliged to report this to the police;

6.1.3 provide support for staff in undertaking their responsibility in this area

6.1.4 provide support for a child who discloses or is otherwise linked to suspected child abuse.

### 6.2 All staff members will:

6.2.1 be aware of the School's Child Safe Policy, the Reportable Conduct Scheme Policy, the Child Protection and Mandatory Reporting Policy and the Child Safety Incident Report;

6.2.2 report any reasonable belief of child sexual abuse to the Principal or one of the School's delegated Child Safety Officers so a report may be made to police or fulfil their obligation as Mandatory notifiers;

6.2.3 abide by the School's Child Safe Code of Conduct

6.2.4 provide an environment that is supportive of all children's emotional and physical safety

6.2.5 complete the Child Protection and Mandatory Reporting e-module annually, providing the Certificate of Completion to the PA to the Deputy Principal.

### 6.3 Parents/Guardians/Volunteers/Students aged 18 years and over will

6.3.1 be aware of the School's Child Safe Policy and Child Protection and Mandatory Reporting Policy and Community Code of Conduct Policy;

6.3.2 understand their obligation to report a reasonable belief of a child sexual offence to the Principal so that a report may be made to the Police

6.3.3 If attending trips or excursions, complete the Child Protection and Mandatory Reporting e-module and present a current Working with Children's Check which will be verified and reviewed regularly

### 6.4 Homestay Hosts, Homestay Service Providers, Local Contacts

6.4.1 be aware of the School's Child Safety Policy, Homestay Policy, Child Protection and Mandatory Reporting Policy and Community Code of Conduct Policy;





---

## CHILD SAFETY POLICY

---

6.4.2 understand their obligation to report a reasonable belief of a child sexual offence to the Principal so that a report may be made to the Police

6.4.3 Complete the Child Protection and Mandatory Reporting e-module and present a current Working with Children's Check which will be verified and reviewed regularly

### 6.5 Child Safety Officers

6.5.1 The Child Safety Officers are able to act as a source of support, advice and expertise to staff on matters of child safety and liaise with the Principal and the Senior Leadership team to maintain the visibility of child safety.

6.5.2 Staff are encouraged to speak with one of the Child Safety Officers should they hold any concerns relating to child safety.

6.5.3 The School has nominated four Child Safety Officers:

- Ms Sarah Bethune, Head of ELC
- Mrs Karen McCardle, Head of Junior School
- Ms Merran O'Connor, Deputy Principal: Student Wellbeing
- Ms Amelia King, School Counsellor

6.5.4 Child Safety Officers will provide support for a child who discloses or is otherwise linked to suspected child abuse.

## 7 Specific Offences

### Failure to Disclose

7.1 Reporting child sexual abuse is a community-wide responsibility. The Failure to Disclose offence imposes a clear legal duty upon all adults aged 18 years and over to report information about child sexual abuse to police.

7.2 The School follows a process whereby all staff who may form a reasonable belief that a child has been sexually abused is required to report this matter to the Principal who will report this matter to police in collaboration with the staff member.

### Definition

7.3 Under section 327 of the *Crimes Act 1958* (Vic), any person (including any staff member) over 18 years of age who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against any child under 16 years of age, must disclose that information to police, as soon as it is practicable to do so. Failure to disclose the information to police is a criminal offence, except in limited circumstances such as where the information has already been reported to DHS



---

## CHILD SAFETY POLICY

---

Child Protection. The offence applies to all adults in Victoria, not just professionals who work with children.

### Forming a 'Reasonable Belief'

- 7.4 A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but it is more than mere rumour or speculation.
- 7.5 A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:
- a child states that they have been sexually abused;
  - a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
  - someone who knows a child states that the child has been sexually abused;
  - professional observations of the child's behaviour or development leads to a belief that the child has been sexually abused or is likely to be abused;
  - signs of abuse lead to a belief that the child has been sexually abused.

### Procedure

- 7.6 Any adult aged 18 or over who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must report that information to Victoria Police by dialling 000 (or otherwise to a Member of Victoria Police).
- 7.7 The School's process is for staff to notify the Principal prior to making a report so the Principal can assist the staff member through the reporting process and ensure the child's welfare is maintained throughout the process.
- 7.8 An adult will not be guilty of an offence if they do not report in the following circumstances:
- the victim is 16 years of age or older and does not have an intellectual disability that limits his/her capacity to make an informed decision; and he/she does not want the information reported to the Police;
  - the victim has disclosed the information in confidence in the course of a therapeutic relationship with a person as a registered medical practitioner or counsellor;
  - the victim turned 16 years of age before 27 October 2014.
- 7.9 Reasonable excuses for failing to comply with the requirement include:





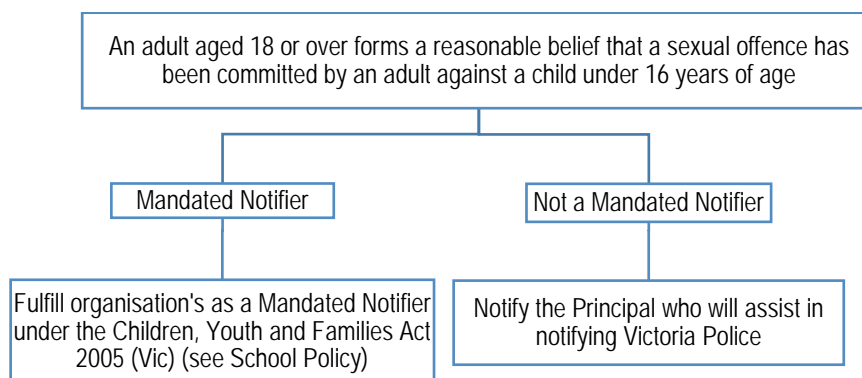
---

## CHILD SAFETY POLICY

---

- a. a reasonable belief that the information has already been reported to Police or DHS Child Protection disclosing all of the information;
- b. a reasonable fear that the disclosure will place someone (other than the alleged perpetrator) at risk of harm.

### 8 Notification Requirements



- 8.1 A person in the school may have a mandatory reporting obligation under the *Children, Youth and Families Act 2005* (Vic). In summary, this obligation requires Principals, Teachers (including pre-service and visiting teachers), Registered Nurses (including School Nurses) to report concerns about child welfare to child protection authorities within the Department of Human Services (DHS).
- 8.2 DHS passes all allegations of child sexual abuse to Police so it will be a reasonable excuse for not reporting to Police if a person has made a report to DHS or reasonably believes a report has been made to DHS. (Please refer to the school's Child Protection and Mandatory Reporting Policy).

### 9 Grooming

- 9.1 Section 49B of the *Crimes Act 1958* (Vic) relates to the offence of 'Grooming for sexual conduct with a child under the age of 16 years'. The offence targets predatory conduct designed to facilitate later sexual activity. The offence can be committed by any person aged 18 years or over.
- 9.2 Definition
- 9.2.1 The offence of grooming concerns predatory conduct (including online) undertaken to prepare a child for sexual activity at a later time.



---

## CHILD SAFETY POLICY

---

9.2.3 The offence applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's engagement in or involvement in sexual conduct, whether with the groomer or another adult.

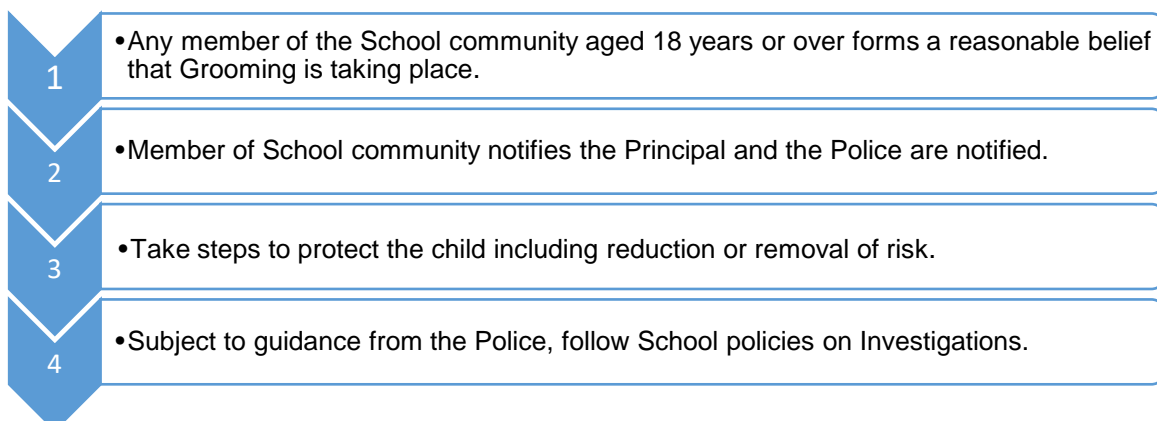
9.2.4 Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer for the purpose of facilitating sexual activity at a later time.

9.2.5 The sexual conduct must constitute an indictable sexual offence. This includes offences such as sexual penetration of a child, indecent assault and indecent act in the presence of a child. It does not include summary offences, such as 'upskirting' and indecent behaviour in public.

### 9.3 Procedure

9.3.1 Should any member of the School community aged 18 and over become aware of grooming behaviour by a person aged 18 years or over, they should notify the Principal. The Principal will ensure that the Police are notified immediately.

9.3.2 It is the responsibility of the Principal and/or others associated with the School with authority or responsibility, to take action upon becoming aware of grooming behaviour to protect (so as to reduce or remove a substantial risk) in accordance with the 'failure to protect' offence (see below).



10

### **Failure to Protect**

10.1 Section 49C of the *Crimes Act 1958* (Vic) states that it is a criminal offence in Victoria for a person in authority to fail to protect a child under the age of 16 from criminal sexual abuse. This applies where there is substantial risk that a child under the care, supervision



---

## CHILD SAFETY POLICY

---

or authority of an organisation (including schools) will become a victim of a sexual offence by an adult associated with the school. The person in a position of authority may be guilty of an 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.

### 10.2 Definition

10.2.1 A person associated with the School, who by reason of their position has the power or responsibility to reduce or remove a substantial risk that a child will become a victim of a sexual offence committed by an adult associated with the School, must not negligently fail to reduce or remove the risk.

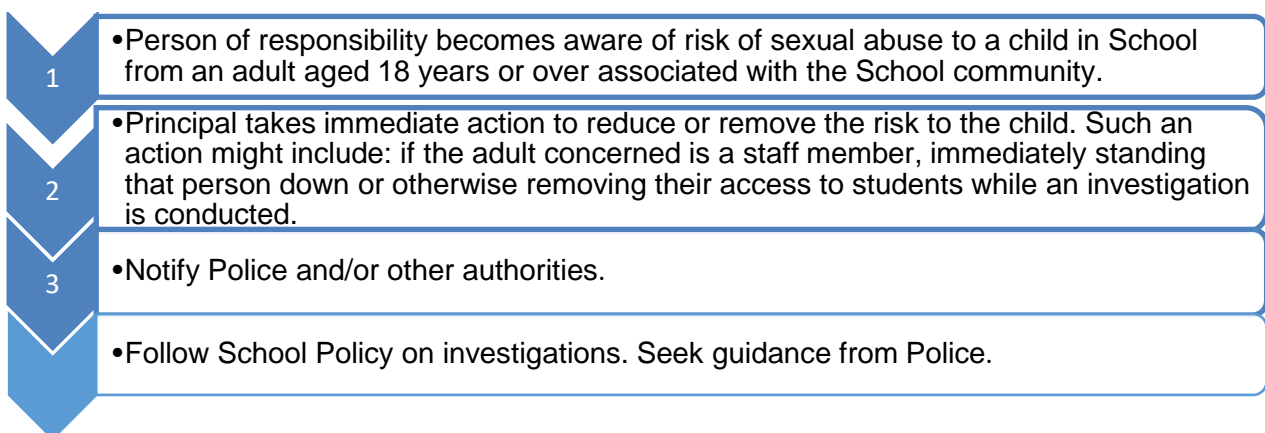
10.2.2 That is, as soon as a person in authority becomes aware of a risk of child sexual abuse, they will be under a duty to take steps to remove or reduce that risk.

10.2.3 A person who has the power or responsibility to reduce or remove a risk will include the Principal, governing body members and senior staff, as well as teachers by virtue of their responsibilities.

10.2.4 For the avoidance of doubt, any member of staff or person associated with the School who knows of a substantial risk that a child will become a victim of a sexual offence should notify the Principal as soon as is reasonably practicable.

### 10.3 Procedure

10.3.1 When informed of a substantial risk of criminal sexual abuse to a child in the School from an adult aged 18 or over associated with the School, the Principal will act to reduce or remove the risk. The person will be removed from any child-related role pending an investigation.



## 11 Employment of New Personnel



---

## CHILD SAFETY POLICY

---

- 11.1 St Catherine's School undertakes a comprehensive recruitment and screening process for all workers and volunteers that aims to:
- promote and protect the safety of all children under the care of the organisation;
  - identify the safest and most suitable people who share St Catherine's School's values and commitment to protect children;
  - prevent a person from working at St Catherine's School if they pose a risk to children
- 11.2 St Catherine's School requires all workers/volunteers to pass through the organisation's recruitment and screening processes prior to commencing their engagement with St Catherine's School, including obtaining and verifying Working with Children's Checks using the online validation 'Status Checker' tool
- 11.3 St Catherine's School may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working at St Catherine's School and during their time with St Catherine's School at regular intervals.
- 11.4 St Catherine's School will undertake thorough reference and personal identity checks as per the approved internal procedure.
- 11.5 Newly appointed staff will undergo a Child Safety Induction
- Once engaged, workers/volunteers must review and acknowledge their understanding of this Policy and by agreeing to and signing the Child Safety Code of Conduct.

### 12 Risk Management

- 12.1 St Catherine's School will ensure that child safety is a part of its overall risk management approach.
- 12.2 The Child Safe Standards Sub-Committee reports to the Risk Committee which is a risk and compliance sub-committee which monitors the implementation of the Child Safe Standards and is committed to identifying and managing risks at St Catherine's School. Risk and compliance sub-committee members will receive regular training in relation to child safety.

### 13. Breach of Policy

- 13.1 Breach of this Policy shall be considered either misconduct, serious misconduct or gross misconduct (depending on the circumstances) and may result in disciplinary action which may lead to termination of employment.
- 13.2 If staff are aware of any potential breaches of policy they are advised to speak with either a Child Safety Officer or Principal.



---

## CHILD SAFETY POLICY

---

### 14. Reporting

- 14.1 Any staff member, volunteer or contractor who has grounds to suspect abusive activity must immediately notify the appropriate child protection service or the police. They should also advise the Child Safety Officer or Principal about their concern.
- 14.2 In situations where the Principal is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level.
- 14.3 Child Safety Officers must report complaints of suspected abusive behaviour or misconduct to the Principal and also to any external regulatory body such as the police.

### 15. Mandatory reporting

- 15.1 Although everyone has a moral and social responsibility to report concerns about child abuse, some professionals are legally required to make a report to Child Protection if they form a belief on reasonable grounds that a 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.
- 15.2 As an example, doctors, nurses, midwives, teachers and school principals, police, youth workers, social workers and psychologists are mandatory reporters under the Children, Youth and Families Act 2005.
- 15.3 St Catherine's teachers, nurses, Principal and the School Psychologist are required to undertake and present their Certificate of Completion of the Child Protection and Mandatory Reporting e-module annually.

### 16. Responding to, and providing support following a disclosure

- 16.1 The welfare of all children involved, their families, those making the allegations and the person against whom the complaint is made will be taken into account
- 16.2 In response to an allegation, the School will act immediately to provide appropriate support and protection for the alleged victim of abuse and all other children involved
- 16.3 In response to a disclosure the welfare of the child is paramount staff are advised to:
  - 16.3.1 listen carefully and control expressions of panic or shock
  - 16.3.2 reassure the child or young person that they are believed and that to disclose was the right thing to do
  - 16.3.3 reassure the child or young person that they are not to blame (if the child indicates this is what they believe)
  - 16.3.4 acknowledge that it is hard to talk about such things
  - 16.3.5 indicate that they will talk to someone about what should happen next



---

## CHILD SAFETY POLICY

---

- 16.4 Where appropriate, advice regarding the form and source of support and protection will be sought from relevant external agencies, ensuring that the School is sensitive to the diversity of all children, including the needs of children from culturally and/or linguistically diverse backgrounds, children with disabilities and children who are vulnerable.
- 16.5 In consultation with the School Psychologist, a case management plan will be devised to provide support for a child making a disclosure of child abuse
- 16.6 A support staff member will be appointed to oversee the student's safety and welfare while at school, and to monitor the student's ongoing needs
- 16.7 Where appropriate, the School will work with the student's family to ensure the School's response is in the best interests of the safety and welfare of the student
- 16.8 Professional counselling will be offered to the person against whom the complaint is made and other personnel impacted by the allegations
- 16.9 Communications relating to the allegation will take into account the confidentiality and welfare of all children involved, their families and those making the allegations within the parameters of the reporting obligations.

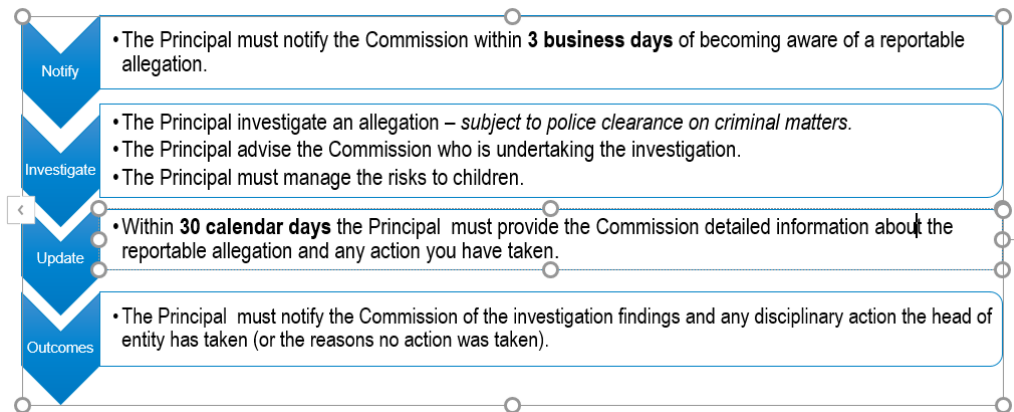
### 17. Reportable Conduct Scheme

- 17.1 The Victorian Reportable Conduct Scheme is administered by The Commission for Children and Young People and is designed to ensure that the Commission will be aware of every allegation of certain types of employee misconduct involving children in relevant organisations that exercise care, supervision and authority over children.
- 17.2 Staff must report, immediately, to a Child Safety Officer or the Principal, any breach of the Child Safety Code of Conduct arising from an action by an employee or volunteer within our organisation.
- 17.3 In response to any instance of 'serious' breaches which relate to abuse or neglect ('serious' being cases in which the abuse or neglect has resulted in, or is likely to result in, significant harm to a child or young person) the Principal will investigate and deal with allegations of inappropriate and unacceptable behavior towards a child in line with the Victorian Reportable Conduct Scheme.





## CHILD SAFETY POLICY



### 18. Investigation

- 18.1 An investigation into a reportable allegation is a workplace investigation aimed at gathering and examining information to establish facts and make findings in relation to allegations of child abuse against an employee. The investigation may also make recommendations about what disciplinary or other action should be taken (if any).
- 18.2 A reportable conduct investigation will apply the 'balance of probabilities' as the standard of proof. This means that an investigation should consider whether it is more likely than not that reportable conduct has occurred. This may involve comparing conflicting versions of events given by different witnesses in order to decide which version is the more probable.
- 18.3 During a reportable conduct investigation, the subject of an allegation may choose, but is not required, to give information or documents that support their version of events. However, the subject of an investigation is not obliged to prove or disprove any fact or issue that is being investigated.

### 19. Procedural fairness

- 19.1 Procedural fairness processes will apply and will usually include ensuring that, before any findings are made or disciplinary action is taken, the subject of an allegation:
- a. is notified of any adverse information that is credible, relevant and significant
  - b. The Commission will seek any response or submissions made by the employee in response to allegations or actions, preferably in writing.

### 20. Responding

- 20.1 If it is alleged that a member of staff, contractor or a volunteer may have committed an offence or have breached the organisation's policies or its Code of Conduct the person concerned may be stood down (with pay, where applicable) while an investigation is conducted.



---

## CHILD SAFETY POLICY

---

20.2 If the investigation concludes that on the balance of probabilities an offence (or a breach of the St Catherine's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will also be reported to any external body as required.

### 21. Privacy

21.1 All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety. St Catherine's School will have safeguards and practices in place to ensure any personal information is protected.

### 22. Reviewing

22.1 Every two years, and following every reportable incident, a review shall be conducted to assess whether the Child Protection policies or procedures require modification to better protect the children under the School's care.

### 23. Responsibility

23.1 The Principal is responsible for ensuring that this policy is adhered and that members of the School Community aged over 18 years of age are informed of their responsibilities.

### 24. Compliance requirements

- a. *Crimes Act 1958 (Vic).*
- b. *Education and Training Reform Amendment (Child Safe Schools) Act 2015 (Vic).*
- c. *Crimes Amendment (Protection of Children) Act 2014 (Vic)*
- d. *Ministerial Order 870*
- e. *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)*
- f. *VRQA Guidelines for the Enrolment of Overseas Students under the age of 18 years*

### 25. Associated Documents

- a. Child Protection and Mandatory Reporting Policy
- b. Child Safety Code of Conduct
- c. Child Safe Strategy
- d. Reportable Conduct Scheme Policy
- e. Child Safe Standards Sub-Committee Charter
- f. Risk Committee Charter
- g. Community Code of Conduct



---

## CHILD SAFETY POLICY

---

- h. Homestay Policy
- i. Student Accommodation Policy
- j. International Student Welfare Policy
- k. Staff Induction Policy
- l. Staff Recruitment Policy
- m. Child Safety Incident Report
- n. Termination of employment and misconduct procedures
- o. [Department of Justice: Betrayal of Trust Factsheet: The new 'failure to disclose' offence.](#)
- p. [Department of Justice: Betrayal of Trust Factsheet: The new 'grooming' offence.](#)
- q. [Department of Justice: Betrayal of Trust Factsheet: The new 'failure to protect' offence.](#)
- r. [VRQA Newsletter 'New obligations to help protect children: Betrayal of Trust implementation' \(Edition 41\).](#)
- s. [Reportable Conduct Scheme- The Commission for Children and Young People](#)