**CHILD PROTECTION POLICY**

**Rationale**

In all their ministries, the Missionaries of the Sacred Heart value every human person and hold as precious the healthy growth of body, mind and spirit of each individual. For Chevalier College, these values resonate particularly to the care and protection of the children and young people in its care.

The safety and well-being of all students is of fundamental importance to the College. The employees of the College have a range of obligations relating to the safety, protection and welfare of the students in their care, including:

- duty of care to ensure that reasonable steps are taken to prevent harm to students
- obligations under child protection legislation
- obligations under work, health and safety legislation
- obligations under privacy legislation

**Key Legislation**

- Children and Young Persons (Care and Protection) Act 1998 (NSW) (the *Care and Protection Act*)
- Child Protection (Working With Children) Act 2012 (NSW) (the *WWC Act*)
- Ombudsman Act 1974 (NSW) (the *Ombudsman Act*)

*The above legislation is not meant to be exhaustive. No reliance should be placed on the non-identification of a particular piece of legislation to support an inference that behaviour which may be prohibited or controlled under that non-identified legislation, is implicitly or tacitly not forbidden by the College.*

**Scope**

Applicable to all Chevalier College employees.

**Aims**

The purpose of this policy is to:

- summarise the obligations imposed by child protection legislation on the College and its employees
- set standards of behaviour in accordance with the College’s core values and legal requirements
- set standards for the provision of a safe and healthy environment for students
- provide guidelines as to how the College will deal with certain matters

**Definitions**

*Employees*  employees, contractors, volunteers, work experience participants, clergy, ministers of religion and instructors of religion who provide pastoral or liturgical services
**Principal** the Principal of the College or his/her delegate

**School** services provided to children undertaken on school property and other school-related activities such as school sport, excursions, camps and billeting.

**Student** any child or young person under the age of 18, regardless of whether they are an enrolled student at the College.

**Significant Harm** means

(a) the child’s or young person’s basic physical or psychological needs are not being met or are at risk of not being met,

(b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,

(b1) in the case of a child or young person who is required to attend school in accordance with the Education Act 1990 -the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,

(c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,

(d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,

(e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,

(f) the child was the subject of a pre-natal report under section 25 and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

**POLICY**

It is important that all matters relating to child protection are be kept private and confidential, and employees must apply the College’s Privacy Policy and associated procedures when dealing with these matters.

- **Reporting**

Teachers and other employees of the College are ‘mandatory reporters’ (as determined by the Care and Protection Act) and must report accordance to the Act when they have reasonable grounds to suspect that a student is at risk of ‘significant harm’. ‘Reasonable grounds’ does not mean that a person is required to confirm their suspicions or have clear proof before making a report. It refers to having an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:
- first-hand observations of the child, young person or family
- what the child, young person, parent or another person has disclosed
- what can reasonably be inferred based on professional training and/or experience.

All employees of Chevalier College must report any concern they may have regarding the safety, welfare or well-being of a student to the Principal as soon as possible. These concerns may involve anyone associated with the child, including but not limited to family members and employees of the College.

Although a concern may not require mandatory reporting, the Principal will use his/her discretion to consider if a report should also be made to Community Services or other authorities.

### Employees

Adults who work with children and young people have a responsibility to promote their well-being and protect them from harm. They also have an opportunity to make a positive contribution to the child or young person’s life. It is important to Chevalier College that the people who work with its students share the values of the Missionaries of the Sacred Heart and, therefore, the College.

The College is to only engage employees who are eligible to work with children. The College will have in place appropriate recruitment procedures and processes to minimise the risk of harm to its students and engage only suitable persons as employees. Those persons (where possible) should share the College’s values.

College procedures will ensure that prior to engagement:

- in accordance with the Working With Children Act, candidates for positions must present necessary documents/details of employment screening for child-related work, and the College must obtain verification that those documents/details are valid
- candidates have the appropriate abilities, professional training, experience and personal skills to perform the tasks necessary for the role
- an independent and transparent interview process is carried out, which is conducted by a suitable interview panel
- appropriate referee checks have been undertaken

Chevalier College expects its employees to act professionally at all times and not to cross professional boundaries.

Where there are allegations/concerns relating to an employee’s conduct and the safety, welfare or well-being of a student, the Principal will commence processes to address the concerns as per the Ombudsman Act.

### Training

Training enhances the skills of employees and provides them with support and information to carry out their role. Training in child protection will provide staff with the skills to help minimise harm to the students in their care. Child protection training should address the following areas:
identifying, assessing and minimising risks
- awareness of the College’s policies and procedures
- expectations of professional behaviour and the College’s Code of Conduct
- handling a disclosure or suspicion of harm, including reporting guidelines
- any compulsory training as required by industry standards or legislation.

The College will ensure that:

- new employees are provided with child protection training at the commencement of their employment
- existing staff receive refresher training
- employees have access to the College’s child protection policy and procedures

**Responsibilities**

It is the responsibility of the Principal to ensure that the College has the appropriate procedures and processes in place to meet its obligations under this policy.

**Related Documents**

- Responding to Child Protection Incidents
- Child Protection Code of Professional Standards
- Statement of Expectations of Staff
- Privacy Policy