Catholic Education Sandhurst Limited (CES Ltd), operates and governs all Catholic Primary and Secondary Schools within the Diocese of Sandhurst *(excluding FCJ College Benalla, Marist College Bendigo, Catherine McAuley College Bendigo and St Joseph's College Echuca).*

1. Introduction

- comply with mandatory reporting obligations under child protection law
- comply with legal obligations relating to criminal child abuse and grooming under criminal law.

1.1 Types of child abuse and indicators of harm

Child abuse can take many forms. The perpetrator may be a parent, guardian, carer, school staff member, volunteer, another adult or even another child. The nature of child abuse is complex. The abuse may occur over time and potential risk indicators are often difficult to detect. Therefore, the legal obligations for reporting allegations of child abuse can vary depending on the circumstances of the incident.

Child abuse is defined in the *Child Wellbeing and Safety Act 2005* (Vic.) to include:

- sexual offences
- grooming offences under section 49M(1) of the *Crimes Act 1958* (Vic.)
- physical violence
- serious emotional or psychological harm
- serious neglect.

2. Purpose

The purpose of this document is to assist schools to identify, document, manage and control child safety risks in the school environment.

All students are vulnerable to child safety risks. Some students are more vulnerable than others. Systems and processes must be put in place to help prevent harm to students in schools.

It is not possible to eliminate every risk to child safety. Schools should manage and monitor risks and regularly review their risk assessment.

All child safety risks have severe consequences. Schools need to assess child safety risk with a focus on preventing and reducing child abuse and harm.

2.1   Ministerial Order 1359 background

Ministerial Order 1359 provides the overarching framework for child safety in schools and requires schools to undertake specific tasks.

To comply with Ministerial Order 1359, a school must:

- develop and implement risk management strategies that:
    - focus on preventing, identifying and mitigating risks related to child safety and wellbeing in the school environment
    - take into account the nature of the school environment, the activities expected to be conducted in those environments (including the provision of services by contractors or outside organisations), and the characteristics and needs of all children and students expected to be present in those environments. (clause 6.2c).
- make a record of those risks and the actions that are taken or will be taken to reduce or remove the risks (risk controls and risk treatments) (clause 6.2d).
- monitor and review the risks related to child safety and wellbeing annually, including evaluating the effectiveness of the implementation of its risk controls (clause 6.2e).
- when engaging a volunteer to perform child-connected work, the school governing authority must consider the child safety risks relevant to the volunteer's role and, if reasonable and appropriate, collect and record
    - proof of personal identity
    - information about any essential or relevant professional or other qualifications
    - the person's history of work involving children
    - references that address the person's suitability for the job and for working with children (clause 10.2e(ii)).
- ensure that school staff engaged in child-connected work receive information and training at least annually about child safety appropriate to their roles, including guidance on identifying and mitigating child safety and wellbeing risks in physical and online environments without compromising a student's right to privacy, access to information, social connections and learning opportunities.

- provide training as required to volunteers on how to identify and manage child safety risks relevant to the role the volunteer will undertake, without compromising a child or student's right to privacy, access to information, social connections and learning opportunities

- ensure that students, families, school staff and volunteers are provided with the opportunity to have regular input into the school's child safety policies, procedures and risk strategies related to child safety and wellbeing.

3.   Types of Risk

Informed by research for the Royal Commission into Institutional Responses to Child Sexual Abuse[1], child safety risks are classified into four broad risk categories.

3.1   Organisational Risk

Organisational risk takes into consideration characteristics of the school that may make abuse more likely to occur and less likely to be identified and responded to effectively. This can occur when prevention efforts are not prioritised or where organisational culture contributes to misconduct (e.g. not taking disclosures seriously).

When assessing organisational factors, school leaders should reflect on internal structures that may disempower students or that could be a barrier to students speaking up or taking action within the school.

The culture of the school and its policies and practices can increase or decrease the risk that harm or abuse will occur, be prevented, detected and/or stopped. They will also determine the how well a school or school boarding premises responds to a disclosure or reports abuse.

School should consider whether the school staff or volunteers display behaviour that may discourage reporting: For example the school:

- has a strong hierarchical structure

- encourages deference to authority or unquestioning trust of leaders

- has a close-knit community, where people have known each other for years or are related

- contains people whose attitudes towards students and young people are that they should be seen and not heard

- prioritises reputation above the safety of students.

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[1] See: "Research identifies four dimensions of risk of child sexual abuse in institutional settings", Royal Commission into Institutional Responses to Child Sexual Abuse (2017) at https://www.childabuseroyalcommission.gov.au/media-releases/research-identifies-four-dimensions-risk-child-sexual-abuse-institutional-settings

School also need to consider the protective factors it has in place:

- whether appropriate child safe policies are in place and implemented

- whether staff and volunteers have been trained in child safe policies

- whether the policies have been communicated widely to the school

- whether there is adequate staffing to put policies and procedures into practice.

Key questions:

- **How do the characteristics of the school, such as its structures, attitudes and practices, affect the risk of harm or abuse?**

3.2   Propensity Risk

Propensity risk arises from a disproportionate clustering of adults with a tendency to abuse children through harmful sexual behaviours (e.g. those who have a sexual interest in children, those with anti-social tendencies, those who have previously engaged in sexual misconduct or abuse).

To manage propensity risk, school must operate on the assumption that everybody who works with students can pose some level of risk to them.

Key questions:

- **What is the profile of the adults who engage with children and students in your school?**

- **Have staff, volunteers, contractor's and services providers been effectively vetted?**

- **Does the training undertaken by staff and volunteers effectively reduce the risk of harm or abuse?**

- **How does the school set expectations for adult behaviour and/or learn about the character of the staff, volunteers, contractors, and homestay providers etc who engage with students in your school?**

3.3   Situational Risk

Situational risk provides potential perpetrators with the opportunity to be alone with a student or form relationships that involve physical contact or emotional closeness. This can lead to grooming and unlawful sexual behaviour.

Factors to considered as part of 'situational risk' include:

- the setting and facilities where the activity takes place

- how often and for how long activity occurs

- whether the activity enables physical contact between students and adults

- whether interactions within the activity can result in an emotional dependence on adults
- the degree to which the activity is supervised.

Key questions:

- **Are there opportunities for adults to be alone with students, unseen by others?**

- **Are there opportunities for adults to form relationships with students that could involve physical contact or emotional closeness that could shift from acceptable to unprofessional and abusive behaviours?**

- **How does the physical environment of the school mitigate risks to child safety?**

- **How does the online environment of the school mitigate risks to child safety?**

3.3 Vulnerability Risk

Vulnerability risk arises from the characteristics of the students and children present in the school. All students are inherently vulnerable to abuse; however, factors that may increase vulnerability include:

- age
- Aboriginal and Torres Strait Islander or culturally and linguistically diverse backgrounds
- disability
- students who identify as LGBTIQ+
- a history of trauma, abuse, maltreatment or neglect
- students with an incentive to remain silent
- inability to live at home
- international students
- contact with the justice system
- a history of drug or alcohol dependence
- poor mental or physical health
- academic achievement.

Key questions:

- **What are the circumstances or characteristics of the students in your school that might make them more vulnerable to harm or abuse?**

3. Controls and mitigations

Consider the following when identifying existing and planning for new controls and mitigations:

- **Policies** – what is the school policy towards a risk?

- **Processes** – what are the steps the school takes to deal with a risk? For example, appointing a child safety officer

- **Programs – what existing programs can be implemented across the school to address a risk? For example, respectful relationships, mental health practitioners in schools, school wide positive behaviour support etc.**

- **Physical changes** – can the school change the physical environment to reduce a risk?

- **Online filters / blocked websites** – can the school manage the online environment to reduce a risk?

- **Improved supervision / surveillance** – can the school improve vision of high-risk areas, for example physical or online, to reduce a risk?

- **Behavioural interventions** – how does the school monitor behaviour of students, staff and volunteers to reduce a risk?

- **Rules and guidelines for students** – how does the school support students to behave safely to reduce a risk?

- **Routines for students** – can the school create sense of predictability to reduce a risk?

- **Training** – can the school upskill staff and volunteers to reduce a risk?

- **Communications** – can the school communicate through school channels to reduce a risk?

4. Resources and references

- CES Ltd Risk Management Framework

- CES Ltd Risk Management Policy

- Commission for Children and Young People: Being a Child Safe Organisation

- Non-Government schools: Protecting Children - Mandatory Reporting and other obligations e-learning module

- Victorian Registration and Qualification Authority: Child Safe Standards

Policy Owner	Chief Student Pastoral Wellbeing Officer
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