

LORETO PROVINCE OF AUSTRALIA & SOUTH EAST ASIA



CHILD SAFE POLICY

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1. INTRODUCTION

The Loreto Province of Australia and South East Asia (**Province**) is committed to providing a caring, nurturing, and safe environment for all children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, children with disabilities, and children in Australia, The Philippines, Timor Leste, and Vietnam. The Province is committed to the safety of all people but particularly children, recognising their right to special protection considering their vulnerability to exploitation and abuse. The care, safety and wellbeing of all children is a fundamental responsibility of all Province ministries.

Furthermore, the Province has an absolute belief in, and commitment to, the principle contained in Article 19 of the *United Nations Convention on the Rights of the Child*; namely, that all appropriate measures must be taken to protect children, wherever they live and whatever their circumstances, from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation.

The Province is further committed to its ministries – Loreto Ministries Limited (**Loreto Ministries**) and Mary Ward International Australia Limited (**MWIA**) – being child safe organisations and, to that end, adopts and seeks to apply the *National Principles for Child Safe Organisations*.

Loreto Ministries, in carrying out its governance responsibilities, facilitates and ensures the implementation of child safe policies and codes of conduct across all Loreto schools and throughout other Province ministries, in accordance with relevant state, territory, federal and international legislation, and diocesan regulations.

MWIA meets its governance responsibilities to ensure the safety and best interests of all children through the implementation of child safe policies and procedures, including a code of conduct that advances child safe behaviours and applies to all personnel, project partners, volunteers and project visitors.

This policy is an overarching document that sets out the key elements of our approach to protecting children from abuse. It outlines our commitment to and procedures for keeping children safe from harm, including all kinds of abuse on physical sites and online.

Many of the terms used in this policy are defined in Section 10.

2. POLICY PURPOSE

This policy:

- (a) demonstrates the Province's commitment to protecting children from abuse;
- (b) provides a practical guide to prevent child abuse occurring in the course of any of the activities of the Province and its ministries;
- (c) sets out how the Province and its ministries will develop procedures, practices, decision-making processes, and ultimately its culture, with respect to children and their safety.

The policy provides the framework for:

- (a) the development of work systems, practices, policies, and procedures that promote child protection within the Province and its ministries;
- (b) the creation of a positive and robust child protection culture;
- (c) the promotion of, and open discussion of, the safety of children;
- (d) the education of employees and others about child abuse;
- (e) responding to allegations of child abuse;
- (f) compliance with laws, regulations, and standards relevant to child protection.

3. POLICY SCOPE

This policy applies to all people engaged under the auspices of the Province and its ministries, including members of the Institute of the Blessed Virgin Mary, board directors, committee members, employees, volunteers, and contractors, regardless of whether or not they work in direct contact with children.

This policy excludes:

- (a) Loreto schools and associated schools in Australia as each has its own policies and procedures which fulfil state registration and accreditation requirements;
- (b) project partners engaged by the Province or its entities, unless they do not have their own policies and procedures which fulfil legislative and accreditation requirements.

4. POLICY STATEMENT

The Province considers the interests of children to be one of its highest priorities. Their welfare and physical and emotional security are a primary concern, and their protection will always be paramount.

The Province does not tolerate child abuse.

The Province adopts the [*National Principles for Child Safe Organisations*](#) and requires its ministries and, where relevant, its project partners to apply them to provide a child safe environment in their operations both within Australia and internationally.

Each organisation to which this policy applies must:

- (a) commit to applying this policy in all that it does;
- (b) comply with the law relating to child abuse in Australia and overseas;

Each person to whom this policy applies must:

- (a) know, understand, and comply with this policy;
- (b) accept and sign the *Child Safeguarding Code of Conduct Agreement*;
- (c) conduct themselves in accordance with the *Child Safeguarding Code of Conduct*;
- (d) comply with the law relating to child abuse in Australia and overseas;
- (e) be able to recognise signs and risks of harm; and
- (f) know how to respond appropriately to such signs and risks.

Regardless of the child safe policy under which project partners operate, all project partners must require their employees, volunteers, and contractors to accept and sign the *Child Safeguarding Code of Conduct Agreement*.

5. NATIONAL PRINCIPLES FOR CHILD SAFE ORGANISATIONS

The table below sets out each principle with a summary of how the Province seeks to comply with that principle.

Principle	How the Province and its entities apply this Principle
<ul style="list-style-type: none"> • Child safety and wellbeing is embedded in organisational leadership, governance and culture. 	<ul style="list-style-type: none"> • The Province is committed to safeguarding children and has zero tolerance of all forms of child abuse. • The Province has developed a Child Protection Program including this <i>Child Safe Policy</i>, the <i>Statement of Commitment to Child Safety</i>, and the <i>Child Safeguarding Code of Conduct</i>. • The Province has appointed designated staff members who are tasked with the overall responsibility for embedding an organisational culture of child protection. • The Province has established, and adheres to, clear guidelines for reporting child abuse concerns. • The Province seeks to create an environment supportive of children from culturally diverse backgrounds and children with disabilities. • All policies and procedures are reviewed at least once every two years and revised where necessary.
<ul style="list-style-type: none"> • Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously. 	<ul style="list-style-type: none"> • Children are informed of the commitment of the Province and its entities to child safety and wellbeing both within Australia and overseas, and of their rights as individuals.
<ul style="list-style-type: none"> • Families and communities are informed and involved in promoting child safety and wellbeing. 	<ul style="list-style-type: none"> • The Province has clear and accessible information for families and communities about the organisation’s operations and policies, including child safety, Child Safeguarding Code of Conduct, record keeping practices, and complaints and investigations processes. • The Province seeks feedback from families and communities on issues of child safety and incorporates this into their policies and practices. • The Provinces engages with and supports approaches that build cultural safety through partnerships and respectful relationships.

<ul style="list-style-type: none"> Equity is upheld, and diverse needs respected in policy and practice. 	<ul style="list-style-type: none"> This <i>Child Safe Policy</i> affirms the belief that all children have the right to personal safety, including safety in relationships and protection from all forms of abuse, regardless of their age, gender, race, religious beliefs, disability, sexual orientation, gender identity, cultural, social, or economic background. The <i>Child Protection Program</i> pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children who have a disability, children from culturally and linguistically diverse backgrounds, children who are vulnerable including those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children.
<ul style="list-style-type: none"> People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice. 	<ul style="list-style-type: none"> All personnel involved in the Province and its entities within Australia and overseas have a duty to know, understand, and comply with this policy, to be able to recognise signs and risks of harm, and know how to respond appropriately. Employees and volunteers are expected to understand their obligations on information sharing, record keeping, and reporting of child abuse allegations. Thorough and rigorous practices, which comply with local legal requirements, are applied in the recruitment, screening, and induction practices for board directors, committee members, employees, and volunteers, as outlined in the <i>Child Safeguarding Procedures</i>. Employment contracts of all personnel involved in the Province and its entities contain provisions for the prevention of a person working with children if they present an unacceptable risk to children; dismissal, suspension, or transfer to other duties applies to any employee who breaches the <i>Child Safeguarding Code of Conduct</i>.
<ul style="list-style-type: none"> Processes for complaints and concerns are child focused. 	<ul style="list-style-type: none"> The Province has developed effective complaint handling processes that are culturally safe and understood by children, employees, schools, families, and volunteers, as outlined in the <i>Child Safeguarding Procedures</i>.
<ul style="list-style-type: none"> Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training. 	<ul style="list-style-type: none"> Employees and volunteers are required to undertake regular training and education in order to understand key risk indicators of child abuse, reporting procedures, and their individual responsibilities in relation to child safety and the wellbeing of children. The Province provides ongoing employee support, supervision, and performance appraisal processes which include child safety elements.
<ul style="list-style-type: none"> Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed. 	<ul style="list-style-type: none"> The Province has developed a <i>Social Media Policy</i> that articulates the Province's commitment to providing an online environment that is caring, nurturing, and safe for the children participating in its programs in Australia and overseas. The implementation of <i>Child Safeguarding Procedures</i> and a <i>Privacy Policy</i> which articulate the Province's commitment to ensuring the privacy and safeguarding of children in the use of images and personal information in all communication materials.

<ul style="list-style-type: none"> Implementation of the <i>National Child Safe Principles</i> is regularly reviewed and improved. 	<ul style="list-style-type: none"> The Province has developed and seeks to implement a cycle of continuous improvement of child safe practices, policies and procedures in order to respond to the needs of its ministries and communities. The Province has developed and seeks to implement risk management strategies which focus on preventing, identifying, and mitigating risks to children in physical and virtual environments, and on regular monitoring of bullying (including cyberbullying) and other harmful or inappropriate behaviours.
<ul style="list-style-type: none"> Policies and procedures document how the organisation is safe for children and young people. 	<ul style="list-style-type: none"> The Province includes children in the development of literature, policies and presentations, each of which explains the Province's commitment to the safety, inclusion and wellbeing of children.

6. RECRUITMENT

The Province and its ministries must:

- undertake robust recruitment practices, implementing effective screening tools to assist in the recruitment of suitable employees, volunteers, and contractors to minimise the risk of inappropriate people being engaged;
- include a statement of commitment to child safety in all job advertisements;
- include child safe questions in interviews and referee checks; and
- comply with all relevant regulatory and legal requirements when recruiting to ensure as far as possible that children are not placed at risk of harm.

7. EDUCATION AND TRAINING

The Province is committed to taking reasonable steps to ensure that all employees and volunteers are equipped with the knowledge, skills, and awareness to keep children safe.

All Loreto Sisters involved in active ministry, employees of the Province, and volunteers will be trained and supported to:

- ensure that they understand the Province's commitment to child safety and their role in protecting children from harm;
- increase awareness of indicators of child harm;
- be aware of the different ways children express concerns or distress, and disclose harm;
- respond to issues of child safety and wellbeing, and support others who disclose harm; and
- build culturally safe environments for children.

8. REPORTING OBLIGATIONS

Each person to whom this policy applies must, if the person has formed a reasonable belief that child abuse has occurred, report to the Province's Professional Standards Officer, Simon Davies, by phone +61 (03) 9378 8516 or by email at:

info@safeguardingservices.com.au.

In addition, that person must comply with any reporting obligations imposed by law.

9. RESPONSIBILITIES

Child protection is a shared responsibility of all who work under the auspices of the Province and to whom this policy applies.

The Province is committed to ensuring that all persons associated with the Province and its ministries and to whom this policy applies are aware of their obligations under this policy.

Role	Responsibility
Province Council	<ul style="list-style-type: none"> Approves and supports this <i>Child Safe Policy</i>.
Loreto Ministries Board & MWIA Board	<ul style="list-style-type: none"> Approves or endorses the <i>Child Safe Policy</i> for approval by the Province Council. Oversees implementation and ensures all reporting requirements are fulfilled.
CEO (Loreto Ministries) & EO (MWIA)	<ul style="list-style-type: none"> Ensures that appropriate resources are made available to allow the <i>Child Safe Policy</i> to be implemented effectively.
Director of Education & Manager, Project Administration, Compliance & Risk	<ul style="list-style-type: none"> Is accountable for taking all practical measures to implement this <i>Child Safe Policy</i>. Works with key personnel to develop and implement the <i>Child Protection Program</i>, including the <i>Child Safeguarding Procedures</i>. Facilitates a regular review of this <i>Child Safe Policy</i>.
Committee Members, Contractors, Employees, Sisters and Volunteers	<ul style="list-style-type: none"> Are familiar with the content of this <i>Child Safe Policy</i> and the <i>Child Protection Program</i>, and their legal obligations with respect to reporting of child abuse. Are observant, aware of key risk indicators, and report any concerns as detailed in the reporting guidelines.

10. DEFINITIONS

Term	Definition
Child	is a person under 18 years of age.
Child abuse	<p>includes:</p> <ul style="list-style-type: none"> (a) any act committed against a child involving: <ul style="list-style-type: none"> (i) a sexual offence; or (ii) sexual misconduct; (iii) grooming for unlawful sexual activity; (iv) sexual abuse; and (b) the infliction, on a child, of: <ul style="list-style-type: none"> (i) physical violence; or (ii) emotional abuse or psychological harm; and

	(c) serious neglect of a child; and (d) ill-treatment of a child.
Child safety	encompasses 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 incidents or allegations of child abuse.
Emotional abuse	of a child occurs when a child is repeatedly rejected, frightened by threats, spoken to inappropriately (for example, name calling), put down, ignored, isolated, terrorised, or belittled, to the extent that it affects the child's physical and emotional growth.
Employee(s)	means all those employed by Loreto Ministries, Loreto Vietnam, MWIA or the Province.
Exploitation	refers to engaging a child in work or other activities for the benefit of others, activities which are to the detriment of the child's physical and mental health, education, or moral and social-emotional development, including child labour, child trafficking and child sexual exploitation.
Ill-treatment	is conduct that is unreasonable and seriously inappropriate, exploitative, improper, inhumane or cruel; for example, child labour.
Neglect	refers to a failure by a caregiver to provide the basic requirements for meeting the physical and emotional developmental needs of a child, including a failure to provide adequate and proper food, accommodation, clothing, supervision, hygiene or medical attention.
Physical violence	refers to any non-accidental physically aggressive act, whether actual or threatened. Physical violence is normally intentional but may be the inadvertent result of physical punishment. Physically violence includes shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking.
Project partners	refers to individuals, groups of people or organisations that collaborate with the Province or its ministries to achieve mutually agreed objectives and initiatives.
Project visitor	refers to a person who has been brought into contact with a project or program while supporting the work of the organisation, though not as an employee, volunteer or contractor.
Sexual abuse	refers to the use of power, force or authority to involve a child in any form of unwanted or illegal sexual activity. This often involves touching but not necessarily. This includes taking sexually explicit photographs or videos of children, forcing children to watch or take part in sexual acts and forcing or coercing children to have sex or engage in sexual acts with other children or adults.

Volunteer	is a person who willingly gives their time for the common good and without financial gain, including formal volunteering that takes place within organisations in a structured way and informal volunteering that takes place outside the context of a formal organisation.
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11. RELATED POLICIES & LEGISLATION

Australian Charities and Not-for-profits Commission (2018). [External Conduct Standards](#)

Australian Council for International Development (2018). [Guidelines for the Development of a Child Safeguarding Policy](#)

Australian Human Rights Commission (2018). [National Principles for Child Safe Organisations](#)

Australian Province of the Institute of Blessed Virgin Mary (2018). [Code of Conduct](#)

Australian Province of the Institute of the Blessed Virgin Mary (2020). *Whistleblower Policy*

United Nations Commission on Human Rights (1989). [Convention on the Rights of the Child](#)

12. POLICY GOVERNANCE

Approved by:	Chair, Loreto Ministries Ltd Board / Chair, Mary Ward International Australia Board
Endorsed by:	CEO, Loreto Ministries Ltd / EO, Mary Ward International Australia
Support:	Carroll & O’Dea Lawyers
Review:	This policy will be reviewed in August 2022.

13. VERSION HISTORY

Version	Date	Amendment details
1.0	03.06.2020	First draft of policy.
1.1	28.06.2020	Revised draft of policy.
1.2	10.08.2020	Amendments following legal advice and feedback from LM and MWIA Boards.
1.3	02.10.2020	Approved by the MWIA Board 10.09.20 Approved by Province Council 17.09.20 with minor edits actioned.