



# CHILD PROTECTION STANDARDS

*A Framework for MSA-Governed Schools*



Approved by the Council of the Marist Association of St Marcellin Champagnat (Australian Conference) on 23 June 2016.

*Review date: Before 30 June 2019*

A handwritten signature in blue ink, which appears to read "Michael Green". The signature is fluid and cursive.

Brother Michael Green  
**EXECUTIVE OFFICER**

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# 1. INTRODUCTION

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Marist Schools Australia (“MSA”) has introduced Child Protection Standards (“MSA Standards”) to enhance the way that MSA-governed schools prevent and respond to child abuse. The MSA Standards aim to develop further a culture within each MSA-governed school wherein protecting children from abuse is embedded in the everyday thinking and practice of leaders, staff, and volunteers.

The MSA Standards are designed to:

- prevent child abuse;
- enhance a culture of awareness regarding child abuse and child protection;
- promote the empowerment of children in MSA-governed schools so that they feel safe and protected from harm;
- encourage and facilitate reporting of any child abuse that does occur; and
- improve responses to any allegations of child abuse.

The MSA Standards are consistent with the essential principles which govern the approach to child protection in all Marist schools. The Gospel imperatives of truth, justice, compassion, liberty and reconciliation underpin the MSA Standards. They are sourced in the conviction that the rights of children and young persons need to be promoted and protected, that they are all to be treated equally with love and respect, and that their personal dignity is not to be compromised. A Marist school is committed to nurturing the wellbeing of all children and young people in its care, respecting their dignity, ensuring their safety, and protecting them from harm, exploitation and abuse.

## 1.1 Background to the MSA Standards

Each State and Territory in Australia has its own child protection laws and regulations, many of which have been developed in a relatively ad-hoc fashion over time in response to various commissions and inquiries. For organisations such as MSA, which provide services to children in multiple jurisdictions, the disjointed and inconsistent nature of Australia’s child protection laws requires compliance with a complex matrix of obligations. This complexity is exacerbated by the frequent ongoing changes to child protection laws in the various States and Territories of Australia.

The Royal Commission into Institutional Responses to Child Sexual Abuse and the Victorian Betrayal of Trust Inquiry have highlighted that, as well as the multiplicity of child protection laws in Australia, historically there have been inadequate and inconsistent approaches to child protection in many organisations. In response to these inadequacies and inconsistencies the Victorian Government has introduced a set of “Child Safe Standards” specifically designed to improve the way organisations that provide services for children prevent and respond to child abuse. The central focus of the Victorian Child Safe Standards is to embed child protection within organisations through cultural change.

The Victorian Child Safe Standards provide excellent guidance with respect to top-down principles for embedding child protection. They do so, however, without reference to the specific legal obligations arising from Victoria’s child protection laws which cover such matters as “Mandatory Reporting” and “Working with Children Checks”.

In New South Wales, there have been changes to the Education Act to improve the effectiveness and transparency of the governance of schools. Other States and Territories have also taken initiatives to improve the safety of institutions for children and to strengthen and clarify the expectations of those who manage and govern them.

The MSA Standards have been developed by drawing on best-practice procedures across various jurisdictions for ensuring child-safe schools and effective governance assurance. They have been informed in particular by:

- The Victorian Child Safe Standards (introduced in 2016);
- Governance standards for non-government schools in New South Wales (contained in the Education Act 1990, as amended 2014);
- Child protection laws in each Australian State and Territory;
- Catholic Church protocols and requirements; and
- Marist Schools Australia internal governance requirements.

## 1.2 Scope & Application

The MSA Standards apply to all staff, volunteers and designated contractors within MSA-governed schools.

Whilst compliance with the MSA Standards is compulsory, the obligations described are principle-based and designed to apply in a flexible way. For clarity, because MSA-governed schools operate in different jurisdictions and engage in different types of activities, it is not appropriate, or indeed possible, to take a “one-size-fits-all” approach. Rather, it is recognised that each MSA-governed school is required to comply with its obligations which vary according to its location and the nature of its operations and the services it provides.

To assist MSA-governed schools to comply with the MSA Standards, this document:

- provides the rationale for each Standard;
- provides direction and guidance to assist each school achieve compliance; and
- outlines concrete evidence that a school would need to be able to provide to demonstrate that it has successfully met the Standard.

### 1.3 MSA Governance Structure

All schools governed by Marist Schools Australia (“MSA”) fall under the authority of the Trustees of the Marist Brothers (“the Trustees”), a body corporate under the NSW Roman Catholic Church Communities Land Act (1942). The Trustees have delegated all oversight and governance of MSA schools to the Council of the Australian Conference of the Association of St Marcellin Champagnat (the “Association”). The Association exercises its governance through the office of Marist Schools Australia, which is a registered trading name of the Trustees.

With respect to child protection matters, policies for MSA schools – including the MSA Standards – are approved and reviewed by the Association Council. In this, the Council receives advice from an expert advisory committee of the Council – its Professional Standards Committee. The Council delegates to MSA the responsibility for implementing all child protection policies and protocols.

The Chief Executive Officer of MSA is the MSA National Director. MSA groups its schools into three geographical “Regions”. The schools of each Region are supervised by a MSA Regional Director, who is advised by a MSA Regional Council comprising people with specific expertise in school governance.

At the level of the school, it is the Principal who has full responsibility for promoting and maintaining the school as a child-safe institution. It is also the Principal’s responsibility to ensure that each of the MSA Standards is implemented effectively.

The Principal of each MSA-governed school is accountable to the MSA Regional Director.

MSA Regional Directors are responsible for ensuring that there is sufficient evidence to show that each Principal in their Region is implementing the MSA Standards effectively.

MSA Regional Directors are also responsible to be informed, in transparent and effective ways, of all child protection incidents that may occur in each school from time to time, and which involve MSA personnel and/or occur between students. Summary reports of such incidents are passed onto the Professional Standards Committee for periodical review. The Association Council is responsible for satisfying itself from a governance perspective that the MSA Standards are being implemented by MSA.

CHART OF RESPONSIBLE PERSONS FOR MSA-GOVERNED SCHOOLS

<b>Responsible Person</b>	<b>Accountable to</b>	<b>Child Protection Responsibilities</b>	<b>Advised by</b>
School Principal	MSA Regional Director	<ul style="list-style-type: none"> <li>▪ Development and implementation of Child Protection Programme</li> <li>▪ Implementation of MSA Standards</li> <li>▪ Management of Child Protection incidents</li> </ul>	<ul style="list-style-type: none"> <li>▪ School Leadership Team</li> <li>▪ School Board</li> <li>▪ Local professional standards committee</li> </ul>
MSA Regional Director	MSA National Director	<ul style="list-style-type: none"> <li>▪ Approval of Child Protection Programme in each school</li> <li>▪ Audit of development and implementation of MSA Standards in each school</li> </ul>	MSA Regional Council
MSA National Director	Association Council	<ul style="list-style-type: none"> <li>▪ Supervision of MSA Regional Directors</li> <li>▪ Provision of advice and data to Association Council</li> </ul>	Association Council
Association Council	Trustees of the Marist Brothers	<ul style="list-style-type: none"> <li>▪ Approval and review of MSA Standards</li> <li>▪ Governance-level assurance of full implementation of MSA Standards</li> </ul>	Professional Standards Committee

REGIONAL GROUPINGS OF MSA-GOVERNED SCHOOLS

<b>Regional Director – VIC/SA/WA</b>
<ul style="list-style-type: none"> <li>▪ Assumption College, Kilmore (VIC)</li> <li>▪ Catholic College Sale (VIC)</li> <li>▪ Lavalla Catholic College, Traralgon (VIC)</li> <li>▪ Marcellin College, Bulleen (VIC)</li> <li>▪ Marist College Bendigo (VIC)</li> <li>▪ Sacred Heart College, Adelaide (SA)</li> <li>▪ Newman College, Perth (WA)</li> </ul>
<b>Regional Director –NSW/ACT</b>
<ul style="list-style-type: none"> <li>▪ St Gregory’s College, Campbelltown (NSW)</li> <li>▪ St Joseph’s College, Hunters Hill (NSW)</li> <li>▪ The John Berne School, Lewisham (NSW)</li> <li>▪ Red Bend Catholic College, Forbes (NSW)</li> <li>▪ Marist College Canberra (ACT)</li> </ul>
<b>Regional Director - QLD</b>
<ul style="list-style-type: none"> <li>▪ Marist College Ashgrove (QLD)</li> </ul>

## 1.4 Monitoring & Compliance

The focus of the MSA Standards is to embed a culture that protects children from abuse, and which is part of everyday thinking and practice within MSA-governed schools.

MSA operates within a governance, risk and compliance framework. The framework is purposely designed to provide assurance to the Association Council that the activities carried out in each MSA-governed school are carried out in compliance with relevant Federal, State and Territory laws and regulations and also in accordance with any directives provided by MSA (such as the MSA Standards).

MSA's approach is to empower each MSA-governed school to take appropriate responsibility for its own operations. MSA therefore takes a risk-based approach to monitoring and compliance. To this end, whilst acknowledging the responsibility which each MSA school Principal has to determine how they will achieve compliance, MSA requires each MSA-governed school, on at least an annual basis, to:

- complete a Child Protection Risk Self-Assessment Survey designed to test levels of compliance with these MSA Standards as well as with relevant laws and regulations in the jurisdictions within which they operate; and
- provide an attestation of compliance with the MSA Standards as well as with relevant laws and regulations in the jurisdictions within which they operate.

Results of all Risk Self-Assessment Surveys are reviewed by MSA, and where material areas of non-compliance are apparent, MSA will work with the relevant school to ensure that appropriate corrective action is undertaken. Compliance with the MSA Standards is also externally audited by methods prescribed by MSA from time to time.

## 1.5 Adopting a Definition of Child Abuse

The definition of child abuse and the different legal obligations with respect to reporting child abuse vary among Australian States and Territories. To simplify the process of compliance with local laws and avoid conflict or confusion it is a MSA requirement that MSA-governed schools, at minimum, adopt the legal definitions that apply in their jurisdictions and incorporate these into their child protection programmes.

## 1.6 Application of these MSA Standards to Volunteers

A volunteer is a person who works without payment or financial reward for a MSA-governed school. They make considerable contributions to the MSA community by giving their time and sharing their skills and expertise with others. They range from advisory board members to those who volunteer for involvements such as barbeque duty or assisting in a musical production.



The laws relating to screening volunteers vary among the States and Territories, however in general they distinguish between “direct contact volunteers” who are subject to Working with Children Check requirements and “indirect contact volunteers” who are not.

It is a MSA requirement that MSA-governed schools, at minimum, undertake screening of volunteers as required by law in the jurisdiction within which they operate.

Within the MSA Standards, “direct contact volunteers” means volunteers who are subject to Working with Children Check requirements (or equivalent) in the jurisdiction within which a MSA-governed school operates. Where the term “volunteer” is used it captures both “direct contact volunteers” and “indirect contact volunteers”.

## 1.7 Application of the MSA Standards to Contractors

A contractor is a person who performs work for financial reward for a MSA-governed school but is not an employee. Contractors may undertake various tasks from maintenance and building work to consulting, casual teaching, tutoring or sports coaching.

In some jurisdictions there is a legal requirement to screen certain types of contractors. For example, in New South Wales, persons employed as cleaners are required to be screened. Whilst it is highly dependent on the nature of the work that a contractor is performing, there may also be situations where contractors have direct unsupervised contact with students during the normal course of their work.

In the MSA Standards these contractors are referred to as “direct contact contractors”:

- those who have direct unsupervised contact with students during the normal course of their work;
- those who may be in a position to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare (for example, full-time maintenance personnel);
- any contractors whom a school is legally required to screen.

Standard 6 (Contractor Management Practices) is designed to mitigate potential child protection risks associated with “direct contact contractors”.

## 2. THE MSA STANDARDS

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The MSA Standards are:

- Standard 1:* Compliance with child protection laws
- Standard 2:* Strategies to embed a child protection culture
- Standard 3:* A child protection policy
- Standard 4:* A child protection code of conduct
- Standard 5:* Staff and volunteer management practices
- Standard 6:* Contractor management practices
- Standard 7:* Responding to and reporting allegations of suspected child abuse
- Standard 8:* Strategies to identify and reduce or remove risks of child abuse
- Standard 9:* Strategies to promote child empowerment and participation
- Standard 10:* Catholic Church protocols and requirements
- Standard 11:* Marist protocols and requirements

## 2.1 Standard 1: Compliance with Child Protection Laws

### **Description**

Each MSA-governed school has policies, procedures and work practices in place to ensure continuous compliance with the child protection laws and regulations in the jurisdiction within which it operates.

### **Rationale**

Each State and Territory in Australia has its own child protection laws and regulations. Compliance with applicable child protection laws and regulations is a minimum requirement for ensuring that a child protection culture is embedded in a MSA-governed school.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school is compliant with child protection laws and regulations in the State or Territory within which it operates. Evidence of meeting this Standard would be demonstrated by:

- having policies and procedures that are consistent with State or Territory legislation and regulations;
- conducting child protection training courses that explain legal and regulatory requirements;
- keeping records of child protection training completed by staff & direct contact volunteers; and
- maintaining child abuse incident investigation files.

## 2.2 Standard 2: Strategies to Embed a Child Protection Culture

### **Description**

Each MSA-governed school has strategies to embed and enhance a culture of child protection throughout the school.

### **Rationale**

Whilst there are some common strategies that may be adopted, each MSA-governed school is unique and must develop and implement strategies to embed or improve on a culture of child protection that meet its own circumstances.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school has clear strategies for embedding or improving on a culture of child protection within the school. Evidence of meeting this Standard would be demonstrated by:

- allocating roles and responsibilities such as child protection officers (or similar), who are appropriately trained and supported, to promote a child protection culture within the school, and to effectively manage child abuse incidents that occur;
- providing induction training to all staff, direct contact volunteers and direct contact contractors regarding professional boundaries in adult/student interactions, and recognising and responding to child abuse;
- providing induction training and refresher training to all staff in relation to mandatory reporting requirements in their jurisdiction;
- providing adequate training to child protection officers, or equivalently named personnel, for the discharge of their responsibilities;
- maintaining adequate records of child protection issues and responses to child protection incidents;
- developing and implementing strategies to embed or improve on a culture of child protection that meet its own circumstances (*for example a MSA-governed school with boarding facilities developing specific strategies for managing child protection issues with the school's boarding house*);
- informing the school community about the strategies and allocated roles and responsibilities; and
- periodically reviewing the effectiveness of strategies and, if considered appropriate, revising those strategies.

## 2.3 Standard 3: A Child Protection Policy

### **Description**

Each MSA-governed school has a published child protection policy.

### **Rationale**

A child protection policy is a document that summarises the key elements of a MSA-governed school's approach and commitment to child protection. Such a policy influences organisational culture by providing an overarching set of values, principles and standards of behaviour. These guide the development of other organisational policies and procedures within a school that aim to protect children from abuse. Public statements or policies on child protection help raise awareness about the importance of child safety in a school and the school community. A properly constructed child protection policy supports, encourages, and assists members of a school community including staff, volunteers, families and students to understand, identify and discuss child safety issues and, where appropriate and in the right context, disclose incidents of suspected child abuse.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school demonstrates a commitment to child protection, raising awareness with respect to child protection issues within the school community and assist in the reporting of child abuse incidents. Evidence of meeting this Standard would be demonstrated by:

- having a child protection policy with a set of values, principles and standards of behaviour designed to guide the development of its policies, procedures and work-practices;
- being able to demonstrate adherence to this child protection policy; and
- publishing of the child protection policy on its public website and staff intranet.

## 2.4 Standard 4: A Child Protection Code of Conduct

### **Description**

Each MSA-governed school has a code or codes of conduct that provide all staff, direct contact volunteers and direct contact contractors with clear principles about how they discharge their professional responsibilities and how they interact with children.

### **Rationale**

Codes of conduct establish clear behaviour expectations and boundaries for personnel interacting with children and assist in the development of a child protection culture.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that appropriate behaviour with children is clearly defined, accessible, understood and accepted by staff, volunteers, families and students. Evidence of meeting this Standard would be demonstrated by:

- having a code or codes of conduct that set out clear and specific standards of conduct for working with children in different situations (*a school may have a single code of conduct or may have codes of conduct that are designed for specific members of a school community such as teachers, boarding supervisors, counsellors, nurses, coaches, drivers, parents, volunteers, students etc. Behavioural expectations may also be set out in a school's policies and procedures*);
- ensuring training for all staff, direct contact volunteers and direct contact contractors with respect to relevant codes of conduct; and
- publishing relevant codes of conduct on a school's public website and staff intranet.

## 2.5 Standard 5: Staff and Volunteer Management Practices

### **Description**

Each MSA-governed school implements human resources policies and work practices (such as screening during recruitment, supervision and training) that reduce the risk of child abuse by staff and direct contact volunteers.

### **Rationale**

“Working with Children Checks” (or equivalent) are required in all Australian States and Territories. They provide an effective screening tool when hiring new staff and direct contact volunteers and are an effective monitoring tool on an ongoing basis. “Working with Children Checks” are a base-line requirements that should be complemented by other essential human resources policies and work practices.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school has robust human resources policies and work practices in place to support its child protection strategies and to embed or improve on a culture of child protection at all levels of the school. Evidence of meeting this Standard would be demonstrated by:

- adopting child-safe practices when recruiting staff and direct contact volunteers, including:
  - statements of commitment to keeping children safe in advertising;
  - ensuring personnel involved in recruiting have experience and knowledge about child protection and best practice;
  - asking specific questions during interviews to elicit attitudes and values in relations to the protection of children;
  - having a clear statement on the duties and responsibilities with respect to child protection for each position or role that involves direct contact with children; and
  - ensuring all applicants for jobs that involve child-connected work are informed about the school’s child protection practices (including the child protection policy and relevant code of conduct);
- undertaking further screening of all staff (including casual and relief staff) and direct contact volunteers in addition to relevant “Working with Children Checks” (or equivalent) including:
  - proof of identity and any professional or other qualifications;
  - the person’s history of work involving children; and

- references that address the person’s suitability for the job and working with children;
- ensuring that appropriate supervision or support arrangements are in place in relation to:
  - the induction of new school staff and direct contact volunteers into the school’s policies, codes, work practices and procedures governing child protection and child-connected work; and
  - monitoring and assessing a job occupant’s continuing suitability for child-connected work; and
- implementing work practices that enable the Principal to be satisfied that people engaged in child-connected work perform appropriately in relation to child safety.



## 2.6 Standard 6: Contractor Management Practices

### **Description**

Each MSA-governed school implements policies and work practices (such as screening during recruitment, supervision and training) that reduce the risk of child abuse by a direct contact contractor.

### **Rationale**

Direct contact contractors are in a similar position to school staff in that they have direct unsupervised contact with students during the normal course of their work, or are otherwise in a position to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare. In this circumstance, their appointment, induction and ongoing supervision with regard to child protection should be carried out to the same standard.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school has robust contractor management policies and work practices in place to support its child protection strategies and to embed or improve on a culture of child protection at all levels of the school. Evidence of meeting this Standard would be demonstrated by:

- ensuring each job or category of jobs for direct contact contractors has a clear statement relating to contractors' duties and responsibilities with respect to child protection;
- ensuring applicants for direct contact contractor work are informed about the school's child protection practices (including the child protection policy and relevant code of conduct);
- requiring further screening of all direct contact contractors, in addition to completing "Working with Children Checks" (or equivalent), such as:
  - proof of identity and any professional or other qualifications;
  - relevant history of work involving children; and
  - referee checks that address the person's suitability for the job and working with children;
- having procedures for appropriate supervision or support arrangements in relation to:
  - the induction of new direct contact contractors into the school's policies, codes, work practices and procedures governing child protection and child-connected work; and
  - monitoring and assessing a job occupant's continuing suitability for child-connected work; and
- implementing work practices that enable the Principal to be satisfied that people engaged in child-connected work perform appropriately in relation to child safety.

## 2.7 Standard 7: Responding to and Reporting Allegations of Suspected Child Abuse

### **Description**

Each MSA-governed school has clear policies and procedures for responding to allegations of suspected child abuse.

*(This Standard deals with the policies and procedures that each school is to have in place to respond internally to allegations of child abuse and report allegations to external authorities and agencies in accordance with the laws and regulations of the States and Territories within which the school operates. Standard 10 deals with reporting by MSA-governed schools to MSA leadership.)*

### **Rationale**

School policies and procedures for reporting and responding to suspected child abuse should be clear and comprehensive. This is to encourage staff, volunteers, families and children to report any suspected child abuse through appropriate internal channels such as a school's child protection officer (or similar). School leaders need to be made aware of any allegations of abuse or child safety concerns and school staff must be supportive to children, families and staff who have reported or witnessed abuse or have a child safety concern.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school has established and effectively implemented a robust set of policies and procedures for responding to and reporting suspected child abuse. Evidence of meeting this Standard would be demonstrated by:

- ensuring it has policies and procedures for responding to and reporting allegations of suspected child abuse that are:
  - sensitive to the diversity characteristics of the school community (including Aboriginal and Torres Strait Islander families, families of students from culturally and/or linguistically diverse backgrounds and people with disabilities);
  - made publicly available; and
  - accessible to students, school staff and the wider community.
- ensuring that its procedures:
  - cover all forms of child abuse as defined in the child protection laws and regulations that apply in the State or Territory within which the school operates;
  - apply to allegations or disclosures of child abuse made by or in relation to a child, school staff, volunteers, contractors, visitors or other persons who are connected to the school environment, regardless of when these actions are alleged to have taken place; and

- identify the position of the person or people who are responsible for:
  - promptly managing the school’s response to an allegation or disclosure of child abuse, and ensuring that the allegation or disclosure is taken seriously;
  - responding appropriately to a child who makes or is affected by an allegation of child abuse;
  - monitoring overall school compliance with this procedure; and
  - managing an alternative procedure for responding to an allegation or disclosure if the person or people allocated primary responsibility cannot perform their role due to conflict of interest or otherwise.
  
- including a statement that to fulfil the roles and responsibilities in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse;
  
- clearly describing the actions the school will take to respond to an allegation of child abuse, including actions to:
  - inform appropriate authorities about the allegation (including mandatory reporting and reportable conduct of school staff);
  - inform the child’s parents/carers as appropriate and as soon as practicable unless the allegation involves their behaviour;
  - protect any child connected to the alleged child abuse until the allegation is resolved;
  - make, secure, and retain records of the allegation of child abuse and the school’s response to it; and
  
- specifying there is nothing in place that:
  - prohibits or discourages school staff from reporting an allegation of child abuse to an appropriately authorised person external to the school;
  - states or implies that it is the victim’s responsibility to inform the Principal or other authorities of the allegation;
  - requires staff to make a judgement about the truth of the allegation of child abuse; or
  - prohibits staff from making records in relation to an allegation or disclosure of child abuse.

## 2.8 Standard 8: Strategies to Identify and Reduce or Remove Risks of Child Abuse

### **Description**

Each MSA-governed school takes a risk-based approach to child protection by identifying and considering their child protection risks. This is based on a range of factors including the nature of their activities with children, physical and on-line environments and the characteristics of the children to whom they provide services. It includes “business as usual” risks as well as risks posed by specific activities such as camps, tours or excursions. Where risks are identified the school institutes measures to reduce or remove them.

### **Rationale**

Risk management is part of a school’s core responsibility with respect to its duty of care to protect students as well as its legal obligation with respect to workplace health & safety. By taking a risk management approach to child protection a school can better target its use of resources and build a stronger, more effective, child protection culture.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school is taking a proactive approach to identifying and effectively controlling its situational child protection risks. Evidence of meeting this Standard would be demonstrated by:

- taking a proactive approach to identifying risks of child abuse occurring in various school environments (on-line, camps, tours, cultural, immersions, excursions, sports coaching etc.);
- recording the risks the school has identified in a risk register;
- assessing the risks with regard to the likelihood of the risk event occurring and the potential consequences if it was to occur;
- taking steps to reduce or remove the risks;
- regularly reviewing the overall effectiveness of the risks controls that have been implemented; and
- ensuring that child protection training is provided to all staff at least annually.

## 2.9 Standard 9: Strategies to Promote Child Empowerment and Participation

### **Description**

Each MSA-governed school has simple and accessible age-appropriate processes that help students understand what to do if they want to report abuse, inappropriate behaviour or concerns about their safety. All staff and volunteers are to have an awareness and acceptance of student rights and adult responsibilities with respect to child abuse.

### **Rationale**

Children need to feel safe and comfortable in reporting concerns or allegations of child abuse. Children may not report abuse because they feel uncomfortable or because they do not know how to raise their concerns, or allegations of abuse. High levels of awareness and simple and accessible processes are required to ensure that students are empowered and participate effectively in reporting abuse, inappropriate behaviour or concerns about their own safety or the safety of their friends.

### **Implementation Outcomes**

Successful implementation of this Standard should empower students and allow them to comfortably report any concerns or allegations of child abuse that they may have. Evidence of meeting this Standard would be demonstrated by:

- providing students with age appropriate education about:
  - what child abuse is;
  - a child’s right to make decisions about their body and their privacy;
  - the fact that no one has a right to injure them; and
  - how they can raise concerns about abuse;
- ensuring information and processes for reporting concerns are accessible to all students including those from culturally diverse backgrounds and those with disabilities;
- training relevant staff on methods of empowering children and encouraging children’s participation;
- gathering feedback from children, for example through surveys and focus groups, about whether they would feel safe and be taken seriously if they were to raise concerns, and implement improvements based on this feedback; and
- raising awareness in the school community about children’s rights and processes for reporting concerns, for example through communications such as school assemblies, websites and newsletters.

## 2.10 Standard 10: Catholic Church Protocols and Requirements

### **Description**

Each MSA-governed school complies with relevant requirements of the Catholic Church in respect of child protection and cooperates with Catholic Church agencies that have authority in the jurisdiction in which the school operates.

### **Rationale**

MSA and each MSA-governed school pursue their purposes in the name of the Catholic Church. The Marist Brothers and the Marist Association of St Marcellin Champagnat adhere to the protocols adopted by the Catholic Church, namely:

- **Integrity in Ministry** (Principles and Standards for Catholic Clergy and Religious Australia)
- **Integrity in the Service of the Church** (Principles and Standards for lay workers in the Catholic Church in Australia)
- **Towards Healing** (Principles and Procedures in responding to complaints against personnel of the Catholic Church of Australia)

From time to time, the Catholic Church, through its various national, State and Territory-based, and diocesan agencies and offices, develop policies, protocols and procedures with respect to child protection. MSA collaborates with these offices and agencies to meet its responsibilities.

### **Implementation Outcomes**

Successful implementation of this Standard should ensure that each MSA-governed school is compliant with all relevant requirements of the Catholic Church in respect of child protection and cooperates with Catholic Church agencies which have authority in the jurisdictions in which the school operates. Evidence of meeting this standard would be demonstrated by:

- ensuring that relevant Church requirements are incorporated into the child protection programme that has been developed at the school;
- providing training for school personnel in any Catholic Church-determined policies, protocols or procedures that may be additional to other legal requirements on them; and
- cooperating with offices and agencies of the Church which have responsibilities with respect to child protection.

## 2.11 Standard 11: Marist Protocols and Requirements

### **Description**

MSA, through its Regional Directors, is assured that each MSA-governed school complies with all relevant State, Territory and Federal Government legislation, the requirements set out in the MSA Standards, and relevant requirements of the Catholic Church and the Marist Association of St Marcellin Champagnat.

### **Rationale**

MSA is the means through which the Marist Association of St Marcellin Champagnat discharges its governance responsibilities with respect to the implementation of these Child Protection Standards in each MSA-governed school. In accordance with this authority MSA requires regular assurance from each MSA-governed school on the overall effectiveness of its child protection programme and child abuse incidents, either current or historical. The MSA Regional Directors have a responsibility for ensuring this.

### **Implementation Outcomes**

Successful implementation of this Standard should provide governance assurance on the overall effectiveness of the child protection programme established and implemented within each MSA-governed school and ensure that all reportable matters are brought to the attention of MSA. Evidence of meeting this Standard would be demonstrated by:

- each Regional Director:
  - approving a child protection programme for each MSA-governed school within their Region, after it has been considered and endorsed by the MSA Regional Council;
  - ensuring that an annual risk assessment is undertaken by each MSA-governed school within their Region;
  - annually conducting an internal audit of the implementation of the child protection programme of each school within their Region;
  - annually submitting a written report to the Professional Standards Committee of the Association Council on the overall effectiveness of the child protection programme of each MSA-governed school within their Region; and
  - submitting a summary to the Professional Standards Committee of reportable incidents received from each MSA-governed school within their jurisdiction;

- each MSA-governed school:
  - notifying its Regional Director as soon as reasonably practicable, (and in any event within 12 hours) of the school’s becoming aware of a child abuse incident (either current or historical) that relates to abuse, or potential abuse, by a member of staff (including employees, volunteers, brothers or interns) of the school, this notification being provided in the manner and form prescribed by MSA from time to time;
  - undertaking an annual risk assessment of the overall effectiveness of its child protection programme, by methods prescribed by MSA, and submitting this risk assessment to its Regional Director;
  - providing an annual Attestation of Compliance with these MSA Standards, by a form prescribed by MSA, and submitting this to its Regional Director; and
  - submitting to, and actively co-operating with, any audit (either internal or external) directed by MSA from time to time; and
- the Professional Standards Committee’s receiving regular assurance from each MSA-governed school, in the form of management reports via the Regional Director, that the school is complying with its child protection obligations and is effectively managing its child protection risk.

