

6.10

MERCY EDUCATION POLICY

6.10 CHILD SAFETY AND WELLBEING REPORTING

Introduction

Mercy Education and its schools are required to manage a variety of incidents involving children, young people, students, parents, employees, and volunteers. Some of these matters relate to the reporting of current or historical child abuse suspicions, incidents, disclosures, or allegations.

This policy outlines the types of child abuse matters that must be reported to Mercy Education Ltd (Mercy Education/MEL), relevant State authorities and other external reporting bodies.

Purpose

To outline for Mercy Education and its schools the reporting requirements for current or historical child abuse suspicions, incidents, disclosures, or allegations to Mercy Education, relevant State authorities and other external reporting bodies.

Definitions

Child: A child is a person under the age of 18 years or as defined according to applicable legislation. Enrolled students over the age of 18 years are not included in the definition of a child.

Child abuse: includes

- a) any act committed against a child involving
 - (i) a sexual offence; or
 - (ii) an offence according to relevant State legislation
- b) the infliction, on a child, of—
 - (i) physical violence; or
 - (ii) serious emotional or psychological harm; and
- c) the serious neglect of a child.

Child safety: matters related to protecting all children and young people from child abuse, managing the risk of child abuse, providing support to a child or young person at risk of child abuse and responding to suspicions, incidents, disclosures, or allegations of child abuse.

Clergy: any cleric, member of religious institute or other persons who are employed or engaged by a Church body, or appointed by a Church body to voluntary positions, in which they work with or are near children or young people or are engaged in other forms of pastoral care or chaplaincy.

NB: Whilst specifically the definition of the word 'clergy' is for ordained persons who are religious leaders serving the needs of their religion and its members, for the purpose of this document, it includes other professed religious personnel providing pastoral care or chaplaincy services.

Employee: an individual working in a school environment or school boarding environment who is:

- Directly engaged or employed by a school governing authority
- Contracted service provider (whether a body corporate or any other person is an intermediary) engaged by the school governing authority to perform child-related work; or
- A minister of religion, a religious leader or an employee or officer of a religious body associated with the school.

School boarding environment: any physical, online, or virtual space made available or authorised by Mercy Education for a child, young person or student boarding at a school boarding premises to use at any time, including:

- a) online or virtual school boarding environments (including email, intranet systems, software applications, collaboration tools, and online services);
- b) other locations provided by the provider of school boarding services or through a third-party provider for a child, young person or student to use including, but not limited to, locations used for:
 - (i) camps
 - (ii) approved homestay accommodation
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers, or another school; or
 - (iv) sporting events, excursions, competitions, or other events.

School environment: any of the following physical, online, or virtual places, used during or outside school hours:

- a) A campus of the school
- b) Online or virtual school environments made available or authorised by the school governing authority for use by a child, young person or student (including email, intranet systems, software applications, collaboration tools, and online services); and
- c) Other locations provided by the school or through a third-party provider for a child, young person or student to use including, but not limited to, locations used for:
 - (i) camps
 - (ii) approved homestay accommodation
 - (iii) delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers, or another school; or
 - (iv) sporting events, excursions, competitions, or other events.

Significant Harm: What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or wellbeing. The significance can result from a single act or omission or an accumulation of these.

Student: means a person who is/was enrolled at or attends the school or a student at the school boarding premises or previously attended the boarding premises. This may include a young person over the age of 18 years.

Volunteer: an individual (including College Advisory Council Members) who is engaged by Mercy Education or its schools and performs work without remuneration or reward for the school environment or school boarding environment.

Wellbeing: Wellbeing encompasses the health of the whole person – physical, mental, social and emotional.

Young person/people: students aged 18 years and older that are enrolled at the school.

Policy Coverage

This policy applies to Board Directors, Board Committee members, employees engaged by Mercy Education and its schools, members of groups formally constituted and associated with the school (e.g., College Advisory Council, Parents Association, Alumni Association), parents, volunteers, clergy, and the wider school community. The policy also applies to students at Mercy Education schools who are aged 18 years and older.

Policy Statement

- 01 Where there is a child abuse suspicion, incident, disclosure, or allegation (current or historical) which
 - Involves or implicates a Mercy Education employee or volunteer, or
 - A child, young person or student suffers significant harm because of an activity or relationship conducted within a Mercy School, or
 - Legislation has been breached, thenthe matter should be reported to the Chief Executive of Mercy Education.

- 02 Where there is a child abuse suspicion, incident, disclosure, or allegation (current or historical) which involves or implicates the Chief Executive, the matter should be reported directly to the Board Chair

- 03 Any child abuse suspicion, incident, disclosure, or allegation (current or historical) must be reported to the relevant state authority or external reporting body as required by specific legislation (see item 06)

- 04 Full and accurate records must be created and maintained for all incidents, responses and decisions related to the safety and wellbeing of a child, young person or student. This includes a suspicion, incident, disclosure, or allegation of child abuse

- 05 Schools must have systems for creating, securing, maintaining, and disposing of records in accordance with applicable State legislation and diocesan child safe recommendations. Reference must be made to public record standards in each State (e.g., Public Record Office Victoria Recordkeeping Standards) noting minimum retention periods.

06 Reporting Guide for child abuse suspicion, incident, disclosure, or allegation (current or historical)

Issue	Action / Reporting Authority	Reportable to Mercy Education Ltd (MEL)
Child, young person or student is at immediate risk of abuse or if school environment, school boarding or home environment is deemed unsafe	Call 000 Report to Police	Yes - if child, young person or student suffers significant harm or is likely to suffer significant harm, and / or Mercy Education Ltd (MEL) employee or volunteer is involved or implicated
Breach of MEL Code of Conduct – Employees and Volunteers or relevant policy	Performance issue or Misconduct	Yes - if connected to child abuse, or legislation or MEL Code of Conduct
Reportable Conduct	Report to relevant State authority: <ul style="list-style-type: none"> • VIC: Commission for Children & Young People (CCYP) • WA: Commission for Children & Young People (CCYP) 	Yes – reporting to CCYP in Victoria is done by Melbourne Archdiocese Catholic Schols (MACS) on behalf of the MEL Chief Executive (Head of Entity)
Mandatory Reporting	Report to relevant State authority <ul style="list-style-type: none"> • VIC: Department of Families, Fairness & Housing (Child Protection) • SA: Department of Human Services (Child Protection) • WA: Department of Communities (Mandatory Reporting Service) 	Yes - if MEL employee or volunteer is involved or implicated or if a child, young person or student suffers significant harm or is likely to suffer significant harm, as result of an activity or relationship conducted within a Mercy Education school
Current suspicion, incident, disclosure, or allegation related to a child, young person or student at risk, or an incident, disclosure, or allegation related to a past student	See advice from relevant State authority, Diocesan Office, or MEL	Yes - if MEL employee or volunteer is involved or implicated and/ or criminal behaviour is suspected, or legislation breached
Enquiry or request for historical records regarding past or present employee, volunteer, child, young person or student	Seek advice from MEL	Yes - MEL will seek approval from the Institute of the Sisters of Mercy Australia and Papua New Guinea (ISMAPNG) prior to the release of historical records

Related Documents:

Australian Catholic Safeguarding Ltd (ACSL)

- <https://www.acsltd.org.au/>

Victorian Catholic Education Authority (VCEA)

- <https://vcea.catholic.edu.au/child-safety>

Victorian Government PROTECT

- <https://www.vic.gov.au/protect>

Commission for Children and Young People (VIC)

- <https://ccyp.vic.gov.au/reportable-conduct-scheme/about-reporting-allegations/>

Department of Families, Fairness and Housing (VIC)

- <https://services.dffh.vic.gov.au/reporting-child-abuse>

Catholic Education South Australia (CESA)

- <https://www.cesa.catholic.edu.au/our-schools/safe-environments-for-all>

Department for Child Protection (Department of Human Services) – South Australia

- <https://www.childprotection.sa.gov.au/reporting-child-abuse>

Catholic Education Western Australia Ltd (CEWA)

- <https://www.cewa.edu.au/our-schools/key-initiatives/child-safe-framework/>

Commissioner for Child and Young People (WA)

- <https://www.ccyp.wa.gov.au/our-work/child-safety-everyones-responsibility/>

Department of Communities (WA)

- <https://www.wa.gov.au/organisation/department-of-communities/child-protection>

Legislation

- *Ministerial Order 1359 Implementing the Child Safe Standards – Managing the Risk of Child Abuse in Schools and School Boarding Premises*
- *Child Safety (Prohibited Persons Act 2016) (SA)*
- *Children and Young People (Safety) Act 2017 (SA)*

Mercy Education Ltd (MEL)

- *Mercy Education Limited Governance Statement*
- *MEL Policy 1.10 Codes of Conduct*
- *MEL Code of Conduct*
- *MEL Parent Code of Conduct: Respectful Relationships*
- *MEL Policy 6.09 Child Safety and Wellbeing*
- *MEL Policy 6.09a/b/c Child Safety and Wellbeing*

Review History:

Version	Date Released	Next Review	Author	Approved
1.0	March 2024	March 2026	Head of People & Culture	MEL Board