

# Xavier College

## Responding to and Reporting Allegations of Child Abuse and Student Sexual Offending Policy



### 1. BACKGROUND

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Xavier College Limited (the 'College') has developed the following Responding to and Reporting Allegations of Child Abuse and Student Sexual Offending Policy (the 'Policy').

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

The College will take appropriate, prompt action in response to all allegations or disclosures of abuse, neglect, inappropriate behaviour or concerns about child safety by reporting all matters to the Victorian Child Protection Service, the Commission for Children and Young People, or the Police, depending on the allegation or disclosure made.

The College has established simple and accessible procedures for anyone to report, if appropriate, a child abuse concern internally to one of the College's Child Safety Leads. Please be aware that consulting with a Child Safety Lead does not change any obligation you have under legislation to report to an external authority.

The College has developed and implemented procedures for Board members, staff and Direct Contact Volunteers for responding to allegations and disclosures of child abuse or student sexual offending, or suspected child abuse or suspected or student sexual offending, including procedures for support following a disclosure by a student.

Reporting procedures for Third Party Contractors, External Education Providers, Indirect Contact Volunteers, parents and/or carers and other community members are also included in our Child Safety Policy which is available on our public website.

### 2. PURPOSE

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This Policy provides the framework for:

- Reporting allegations of child abuse and student sexual offending
- The creation of a positive and robust child safety culture
- The promotion and open discussion of child safety issues within the College; and
- Compliance with all laws, regulations and standards relevant to child safety and protection in Victoria, most especially Ministerial Order 870.

### 3. STATEMENT OF COMMITMENT

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The College has **zero tolerance** for child abuse and is committed to acting in children's best interests and keeping them safe from harm. The College regards its child safety responsibilities with the utmost importance. It is committed to providing the necessary resources to ensure compliance with all relevant child safety and protection laws and regulations and to uphold a child safe culture at all times.

Child abuse includes sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and a child's exposure to family violence.

The College is committed to the protection of all children from all forms of child abuse and demonstrates this commitment through the implementation of a comprehensive Child Safety Program designed to keep children safe. Further, students at the College, through our actions, processes and support, are empowered to have voice and to take action for their own care.

### 4. SCOPE

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This Policy applies to all College employees (partners in mission), Jesuits, directors, students, parents and guardians, third party service providers, volunteers and contractors involved in the College environment.

### 5. POLICY STATEMENT

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#### 5.1 Overview

##### 5.1.1 Introduction

The College's policies and procedures for responding to and reporting allegations of suspected child abuse and/or student sexual offending are made available to staff, students, parents/carers and the wider College community through the College's staff intranet and by request.

All of the College's procedures for reporting and responding to allegation of child abuse and/or student sexual offending are designed and implemented taking into account the diverse characteristics of the College community.

A summary of these procedures is made publicly available on the College's website through our Child Protection and Safety Policy and is accessible to all children, College staff and the wider community.

The College will respond to all allegations of child abuse and/or student sexual offending in an appropriate manner including:

- Informing the appropriate authorities and fully co-operating with any resulting investigation
- Protecting any child connected to the allegation until it is resolved and providing ongoing support to those affected

- Taking specific measures in response to an allegation that concerns a culturally diverse child or a child with a disability; and
- Securing and retaining records of the allegation and the College's response to it.

### 5.1.2 Documenting Your Observations and Actions

It is critical that all teaching staff, non-teaching staff, Board members, Volunteers, Third Party Contractors and External Education Providers keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse and/or student sexual offending. This information may be sought at a later date if the matter is the subject of court proceedings. Your notes may also assist you later if you're required to provide evidence to support your decisions regarding the handling of child protection incidents.

For more information about how to record observations, disclosures or allegations refer to *Child Protection Record Keeping*.

### 5.1.3 Preserving Evidence

When an incident of suspected child abuse and/or student sexual offending occurs at the College, consider all of the following:

- **Environment:** Do not clean up the area and preserve the sites where the alleged incident occurred
- **Clothing:** Take steps to ensure that the person who has allegedly committed the abuse and the child who has allegedly been abused remain in their clothing. If this is not possible, ensure the clothes are not washed, handled as little as possible and stored in a sealed bag
- **Other physical items:** Ensure that items such as weapons, bedding and condoms are untouched; and
- **Potential witnesses:** Reasonable precautions must be taken to prevent discussion of the incident between those involved in the alleged incident.

## 6. RELATED DOCUMENTS

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This Policy should be read in conjunction with the following related policies, procedures and documents:

- Responding to Student Sexual Offending Procedure
- Responding to Incidents, Disclosures and Suspicions of Child Abuse Procedure
- Managing Your Initial Response to a Child Protection Incident
- Responding to an Emergency
- Reporting a Child Abuse Concern Internally
- General Legal Obligation to "Act to Protect" and to Report Child Sexual Abuse
- Mandatory Reporting
- Reportable Conduct of Staff, Volunteers and Others
- Responding to Other Concerns About the Wellbeing of a Child

- Conduct that is Reportable to the Victorian Institute of Teachers (VIT)
- Communication with Parents/Carers
- Support for Students Interviewed at the College
- Making Additional Reports
- Child Protection Complaints Management
- Confidentiality & Privacy
- Record Keeping

## 7. BREACHES OF THIS PROCEDURE

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If you believe that the College has breached its obligations, please contact the Principal by writing or telephone. The College will investigate your notification and will inform you of the outcome as soon as is practicable after a decision has been made.

The College can be contacted on:

- Telephone: (03) 9854 5411
- In Writing: The Principal, Xavier College, 135 Barkers Road KEW, VIC 3101
- Email: [principal@xavier.vic.edu.au](mailto:principal@xavier.vic.edu.au)

Alternatively, the Director of Professional Standards at the Australian Province at the Society of Jesus (Jesuits) can be contacted on:

- Telephone: (03) 9810 7300
- In Writing: Director of Professional Standards, PO Box 6071, HAWTHORN, VIC 3122
- Email: [professionalstandards@sjasl.org.au](mailto:professionalstandards@sjasl.org.au)

Certain incidents might be covered by the College's Whistleblower Policy which can be found [here](#).

The Principal is responsible for ensuring that all breaches of this Policy and underlying policies, guidelines and procedures are escalated to the Risk and Compliance Committee as soon as possible.

A breach of this Policy may lead to disciplinary action including possible termination of employment or appointment and/or referral to the appropriate authorities.

## 8. FURTHER INFORMATION

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If you would like further information about the way the College manages its Child Safety commitments, the first point of contact is to the relevant Director of Campus or Child Safety Lead.

### **POLICY RATIFICATION AND REVIEW:**

The College's policies are ratified by the Xavier College Limited Board. This Policy will be reviewed on a three-year basis or earlier if required.