



# Child Safety and Safeguarding Program

## Child Safeguarding Record Keeping Policy and Procedures

### Background

St Patrick's College is a Catholic School in the Edmund Rice tradition. The charism of Blessed Edmund Rice expressed through the touchstones of Liberating Education, Gospel Spirituality, Inclusive Community, Justice and Solidarity, underpins our continued commitment to a safe and inclusive environment for all.

St Patrick's College is a Catholic day and boarding college for boys in the Edmund Rice tradition, established in 1893. St Patrick's College is committed to providing a caring, supportive, and safe environment where every student has a place, a voice and their story is known.

EREA Victorian Schools Ltd. (EREA VSL) and St Patrick's College are committed to ensuring the safety, wellbeing, and participation of all students.

The EREA VSL Board, the College's and the Boarding School's governing authority, has approved the College's Child Safeguarding Record Keeping Policy and Procedures, as set out in the Policy Administration section, below.

### St Patrick's College's Statement of Commitment to Child Safety

All children and young people have a right to feel safe and be safe.

St Patrick's College is committed to embedding a culture where the safety, wellbeing, and participation of all children and young people under our care is paramount. Particular attention is given to the needs of vulnerable children and young people, including Aboriginal and Torres Strait Islander children and young people, children and young people with disability and mental health issues, children and young people from culturally and/or linguistically diverse backgrounds, children and young people who are unable to live at home, and those who identify as lesbian, gay, bisexual, transgender or intersex. We are committed to at all times acting in the best interests of children and young people.

We have no tolerance for child abuse and all allegations and safety concerns are treated very seriously and consistent with our robust safeguarding policies and procedures. St Patrick's College is committed to nurturing the wellbeing of all children and young people, respecting their dignity, ensuring their safety and protecting them from abuse and other harm. St Patrick's College and its School-Based Staff, Contractors and Volunteers have legal and moral obligations to respond swiftly, including contacting authorities where relevant when we are concerned about a child's safety, which we follow rigorously.

St Patrick's College is committed to providing a safe and child-friendly environment, where children and young people are safe and feel safe and can actively participate in decisions that affect their lives.

At St Patrick's College we have zero tolerance for child abuse and are committed to acting in our students' best interests and keeping them safe from harm.

St Patrick's College regards its child safeguarding, wellbeing, and protection responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child safety, wellbeing and protection laws and regulations and maintain a child-safe culture.

## **Purpose**

Standard 2 of the Victorian Child Safe Standards, as well as multiple Victorian child safe organisation and child protection laws and regulations, require St Patrick's College to keep a variety of records related to child safeguarding. They also require that School-Based Staff, School Boarding Premises Staff and Volunteers understand their record keeping obligations.

To implement this Standard, Ministerial Order 1359 requires The EREA VSL Board to create, maintain and dispose of records relevant to child safety and wellbeing in accordance with Public Record Office Victoria Record Keeping Standards, and to develop a policy or statement that details the processes that St Patrick's College has in place to meet these Standards.

Ministerial Order 1359 also requires The EREA VSL Board to ensure that Staff and relevant Volunteers understand their record keeping obligations. In particular, it must ensure that **“School-Based Staff”** and **“School Boarding Premises Staff”** who are engaged in **“child-connected work”** receive guidance on their record keeping obligations at least annually. Where appropriate to the nature and responsibilities of their role, **Volunteers** who are engaged in **“child-connected work”** must also receive guidance on relevant topics, including – if reasonable and necessary – on any record keeping obligations.

Effective record keeping about child safeguarding at the College is one of St Patrick's College's key strategies in the management of its child safe organisation and child protection obligations, including the fulfillment of our duty of care.

It is through such record keeping that the College can ensure that, if there ever is a need for evidence of the College's child safe culture, including precautions and preventative measures taken in response to the risk of child abuse or other harm, or of the College's response to particular child safety incidents or concerns, the College has well-documented and easily-accessible records.

This Policy and its Procedures set out the College's expectations, systems and procedures for creating and managing records relevant to the Child Safety and Safeguarding Program. They set out the College's processes for creating, maintaining and disposing of those records that are relevant to child safety and wellbeing in accordance with Public Record Office Victoria Record Keeping Standards.

## Principles

EREA VSL and St Patrick's College are committed to ensuring the safety, wellbeing, and participation of all students. We have no tolerance for child abuse.

The EREA VSL Board and St Patrick's College have a moral, legal and mission-driven responsibility to create nurturing College environments where children and young people are respected and their voices heard, and where they are safe and feel safe.

Ministerial Order 1359 and the EREA VSL Safeguarding Framework set out the principles that guide The EREA VSL Board and St Patrick's College in the development and regular review of the Child Safeguarding Record Keeping Policy and Procedures.

## Scope

For the purposes of this Policy and its Procedures, references to the College include the Boarding School.

This Policy and its Procedures apply to all School-Based Staff, including School Boarding Premises Staff, and, where indicated in the Policy, to relevant Volunteers and Contractors.

They apply in all College and Boarding School environments (together referred to as College environments) within the meaning of Ministerial Order 1359, including physical, virtual and online environments used during or outside of school hours, on-site and off-site College grounds (e.g. extra-curricular activities such as sport and other programs, camps and excursions, interstate and overseas travel), and environments provided by External Education Providers and other Contractors.

## Definitions

Definitions of particular terms used in this Policy and its Procedures can be found in the [Child Safety and Safeguarding Policy: Master Definitions List](#).

Of particular importance to this Policy and its Procedures are the following definitions.

### “Child-Connected Work”

For the purposes of Ministerial Order 1359, “child-connected work” is defined as work authorised by the school governing authority or the provider of school boarding services and performed by an adult in a school or school boarding premises environment while children are present or reasonably expected to be present.

Under this definition, all **School-Based Staff members** are engaged in child-connected work.

Under this definition, many, but not all, **Volunteers** and **Contractors** are engaged in child-connected work. Volunteers and Contractors who are not adults or who do not work when children are present or expected to be present are NOT engaged in child-connected work.

“Child-connected work” is broader than “child-related work” (defined below). “Child-connected work” does not need to involve direct contact with children, whereas “child-related work” does. For example, a consultant engaged by the College to work with the College Advisory Council and who attends the College for meetings during school hours when children are present is not engaged in “child-related work” but is engaged in “child-connected work” for the purposes of Ministerial Order 1359.

## “Child-Related Work”

“Child-related work” is defined in the Worker Screening Act 2020 (Vic). It is work performed at or for the College or the Boarding School by a School-Based Staff member, Volunteer or Contractor that usually involves direct contact with a child (unless the direct contact is only occasional and incidental to the work).

Direct contact means any contact between a person and a child that involves:

- physical contact
- face-to-face contact
- contact by post or other written communication
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

Under this definition, only those Volunteers and Contractors who have direct contact with students are engaged in child-related work for the purposes of Ministerial Order 1359.

## “Child Safety Incident or Concern”

This Policy and its Procedures (and the College’s Child Safety and Safeguarding Program) use the phrase “child safety incident or concern” rather than the more limited concept of “child abuse”.

Child safety incidents or concerns can take many forms. These include not only “child abuse” of a child or young person by their parents/carers, but also conduct by other adults or other children that can cause harm to a child or young person. The perpetrator may be a parent, carer, School-Based Staff member, Volunteer, Contractor, another adult or even another child or young person.

At the College, we define “child safety incidents or concerns” as:

- incidents of or concerns about **child abuse** as defined in the Child Wellbeing and Safety Act 2005 (Vic) (CWS Act)

- incidents of or concerns about **other harm**, defined in the [Child Safeguarding Reporting and Responding Obligations Policy and Procedures](#)
- incidents of or concerns about **Reportable Conduct** as defined in the CWS Act
- incidents of or concerns about a breach of the Child Safeguarding Codes of Conduct by School-Based Staff, Volunteers and Contractors, no matter how minor the breach
- incidents of or concerns about **child abuse or other harm** of a student by another student or by another person while at the College or in a College environment.

## “Records Relevant to Child Safeguarding”

Records relevant to child safeguarding include not just records of child safety incidents or concerns and the College’s response, but also a number of other different types of records, such as:

- human resources records about recruitment, screening, supervision and training of School-Based Staff, Volunteers and Contractors
- records that can establish the whereabouts of children, School-Based Staff, Volunteers and Contractors on particular dates and times
- records of reviews/audits of the College’s child safeguarding policies and practices.

## “School-Based Staff”

“School-Based Staff” means an individual working in the College who is:

- directly engaged or employed by a school governing body\*
- a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by a school governing body to perform child-related work; or
- a minister of religion, religious leader or an employee or officer of a religious body associated with the school.

\*St Patrick's College engages or employs School-based Staff and Contractors at the College (other than the Principal, Deputy Principal and the Director of Human Resources, Risk and Compliance.) on behalf of The EREA VSL Board.

This means that, at the College, **all School-Based Staff members, as well as Direct Contact Contractors**, are “School-Based Staff” for the purposes of Ministerial Order 1359, no matter their age or the frequency of their engagement.

## “School Boarding Premises Staff”

“School Boarding Premises Staff” means an individual working in a school boarding environment who is:

- directly engaged or employed by the school boarding premises governing authority\*
- a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by the school boarding premises governing authority to perform child-related work; or
- a minister of religion, religious leader or an employee or officer of a religious body associated with the school.

\*St Patrick's College engages or employs all School Boarding Premises Staff and Contractors at the Boarding School on behalf of The EREA VSL Board.

This means that, at the Boarding School, **all School Boarding Premises Staff, as well as Direct Contact Contractors**, are “School Boarding Premises Staff” for the purposes of Ministerial Order 1359, no matter their age or the frequency of their engagement.

## “Volunteers” and “Contractors”

A Volunteer is someone who performs work for the College without remuneration or reward. Volunteers may be family members of students, or from the wider College or local community. Volunteers are not “School-Based Staff” or “School Boarding Premises Staff” for the purposes of Ministerial Order 1359.

A Contractor is someone engaged by the College to perform specific tasks. Contractors are not employees of the College. However, Contractors who have direct contact with children (see below) are “School-Based Staff” or “School Boarding Premises Staff” for the purposes of Ministerial Order 1359.

The College categorises Volunteers and Contractors as either:

- **Direct Contact Volunteers/Contractors:** Volunteers and Contractors who have direct physical or face-to-face contact with, or who directly communicate with, students (such as Volunteers and Contractors who are tutors, provide learning support, work in the Canteen, attend or provide excursions/incursions, assist in music/drama productions and coach sports teams). External Education Providers are considered Direct Contact Contractors. **All Direct Contact**

**Volunteers/Contractors who are adults are engaged in both “child-related work” and “child-connected work”.**

- **Regular Volunteers/Contractors:** Volunteers and Contractors who assist the College in ways that do not involve direct contact with students (although there could be indirect or incidental contact), and who do this more than seven times per year (such as Volunteers working in the College’s administration office, contracted consultants, regular maintenance workers or cleaners, and caterers for staff events). **Regular Volunteers/Contractors are NOT engaged in “child-related work”. They are only engaged in “child-connected work” if they are adults and if they work when children are present or expected to be present.**
- **Casual Volunteers/Contractors:** Volunteers and Contractors who assist the College in ways that do not involve direct contact with students (although there could be indirect or incidental contact) or whose services are aimed at the general public, and who do this seven times or less per year (such as Volunteers who work on a stall at a College fete or on a barbecue at a sporting event, and one-off emergency maintenance workers). **Casual Contact Volunteers/Contractors are NOT engaged in “child-related work”. They are only engaged in “child-connected work” if they are adults and if they work when children are present or expected to be present.**

## Roles and Responsibilities

In addition to relevant roles and responsibilities as set out in [Child Safety and Safeguarding Roles and Responsibilities Policy and Procedures](#), certain people have particular responsibilities under this Policy and its Procedures, which are set out in the subsections below.

## St Patrick's College's Policy

### Child Safeguarding Record Keeping in General

St Patrick's College is committed to ensuring that all records, including records related to child safeguarding, are managed in an efficient, systematic and transparent way. When creating, maintaining and disposing of records relating to child safeguarding, the College complies with relevant Public Record Office Victoria Recordkeeping Standards, including minimum retention periods, as set out in the following subsections and **Procedures**, below.

The College provides all School-Based Staff with information about St Patrick's College's record management system. All School-Based Staff are responsible for ensuring that full and accurate



records of College and Boarding School functions and activities are created and captured in St Patrick's College's record management system.

It is the College's policy that its records, including records related to child safeguarding, are:

- kept up to date
- indexed in a logical manner that facilitates easy location, retrieval and association of related information
- preserved in a suitable physical or digital environment that ensures that records are not subject to degradation, loss, alteration or corruption for the period of time they must be retained.

## Records of Child Safety Incidents or Concerns and the College's Response

1. Where a School-Based Staff member, Volunteer or Contractor:

- believes on reasonable grounds that a student is in need of protection as a result of physical or sexual abuse, such that a **Mandatory Report to DFFH Child Protection** has been or will be made
- believes on reasonable grounds that a student is in need of protection for any reason or is in need of therapeutic treatment for sexually abusive behaviour, such that a **Report to DFFH Child Protection** has been or will be made
- has significant concerns for the wellbeing of a student, such that a **Report to DFFH Child Protection** has been or will be made
- believes on reasonable grounds that a sexual offence has been committed against a child, or that student sexual offending has occurred, such that a **Mandatory Report to Police** has been or will be made
- believes that other circumstances exist such that a **Report to Police** is required,

they **must** make written and dated notes of their observations and concerns to assist in reporting the concerns to DFFH Child Protection or Police.

For information about when and how to make these external reports, refer to [Child Safeguarding Reporting and Responding Obligations Policy and Procedures](#).

2. Staff, Volunteers and Contractors **must** also properly document all other observations of and verbal and written communications about child safety incidents or concerns (including notes of observations, student disclosures, meetings and telephone calls), regardless of whether or not the child safety incident or concern meets the relevant thresholds for external reporting.

## **Records of Working with Children Check Documentation**

### **1. WWC Check Records of School-Based Staff and Contractors\***

The College records electronically, in a consolidated register, the following information for all School-Based Staff members and relevant Contractors who are required to hold a WWC clearance:

- first name
- family name
- date of birth
- WWC Check Application Receipt Number (if a valid card or WWC Check Card Number cannot be produced for verification)
- WWC Check Card Number
- date and outcome of WWC clearance verification
- expiry date
- notices sent by Working with Children Check Victoria
- notices provided by the School-Based Staff member or Contractor.

### **2. WWC Check Records of Volunteers\***

The College records (either electronically or in hard copy format) the following information for relevant Volunteers who are required to hold a WWC clearance:

- full name
- date of birth
- WWC Check Application Receipt Number(if a valid card or WWC Check Card Number can't be produced for verification)
- WWC Check Card Number
- date and outcome of WWC clearance verification
- expiry date
- notices sent by Working with Children Check Victoria.

### **3. Statutory Declarations and Undertakings\***

The College, keeps the following information for Volunteers and Contractors who are required by the College to complete a Statutory Declaration and Undertaking:

- full name
- date of birth
- completed statutory declaration
- completed undertaking

\*Note: For information about which Volunteers and Contractors at the College are required to have a valid WWC clearance and which may be required to complete a Statutory Declaration and Undertaking, refer to our [Child Safeguarding Working with Children Checks Policy and Procedures](#).

## Records of Teacher Registration and Victorian Institute of Teaching (VIT) Notifications

Under our [Teacher Registration Policy](#), the College maintains a register of the registration status of all teachers at the College. That register includes:

- each teacher's full name
- each teacher's registration number
- the Victorian Institute of Teaching (VIT) category of registration
- the expiry and renewal date of the teacher's registration
- a record of the date and type of any notifications made to the VIT by the College about a registered teacher.

For information about notifications to the VIT, refer to the [Child Safeguarding Reporting and Responding Obligations Policy and Procedures](#).

## Reportable Conduct Records

When a reportable allegation is made, the Principal, or the Director of Human Resources, Risk and Compliance Mr. Jamie Bobrowski if the matter involves the Principal, **must** document certain information:

- the allegation
- the College's initial response to the person making the allegation, the alleged victim(s) and the employee who is the subject of the allegation

- the initial risk assessment
- any communication with the Police or other authorities.

The Melbourne Archdiocese Catholic Schools (MACS) Safeguarding and Standards Unit then documents the following information, on behalf of the EREA VSL Chief Executive Officer and the Principal:

- the Investigation Plan, detailing how the investigation is to be carried out
- all interviews including details of questions and responses. Details should also include the location of the interview, who was present and start and finish times
- any decisions made, both during and at the conclusion of the investigation, including their rationale, the position and name of the person making the decision and the date the decision was made
- any personal contact, discussions or emails with anyone about the matter (including dates, details of discussions, questions, advice, outcomes, the name of the person making the contact, details of their position and, where appropriate, the reason for the contact)
- the Investigation Report
- the final report for the Commission for Children and Young People (CCYP) that sets out details of the findings in relation to each allegation and the reasons for the findings.

For information about the Reportable Conduct Scheme, refer to [Child Safeguarding Reporting and Responding Obligations Policy and Procedures](#).

## **Other Child Safeguarding Human Resources Management Records**

The College maintains other records related to human resources management, including those related to our [Child Safeguarding Recruitment Policy and Procedures](#) and [Child Safeguarding Training and Supervision Policy and Procedures](#), pursuant to our general [Human Resources](#) policies and procedures. These include records in relation to:

- recruitment, screening and suitability assessment
- supervision, performance reviews and professional development
- completion of child safeguarding training
- personnel files.

## **Record Keeping about Information Sharing**

The College records the following information when sharing, or responding to a request to share, information about the safety, welfare and wellbeing of a student at College (Information):

- who requested the Information and the date of the request (if any)
- who shared the Information
- why the Information was shared (e.g. whether it was shared pursuant to a statutory or other legal obligation)
- whom the Information was shared with
- whether informed consent was sought from, and if so whether it was provided by, the student and/or their parent/carer
- the approval of the Information Sharing Manager to share the Information
- the date that the Information was shared.

For more information, refer to our [Sharing Information Relating to a Student's Safety or Wellbeing Policies and Procedures](#).

## **Documenting Other Child Safeguarding Actions (Institutional Duty of Care)**

Due to section 91 of the Wrongs Act 1958 (Vic) (Wrongs Act) (explained in the **Procedures**, below), the College maintains accurate and comprehensive records not only of child safety incidents and concerns involving School-Based Staff, Volunteers and Contractors, but also of:

- actions taken in response (including systemic reviews and resulting improvements)
- biennial reviews of and improvements to our child safeguarding policies, procedures, work systems and strategies,

as these could be required as evidence in relation to possible future negligence claims against the College for damages in respect of child physical or sexual abuse.

## **Procedures**

### **How We Keep Records Related to Child Safety and Safeguarding**

St Patrick's College has a framework in place for the management of records, including records related to child safeguarding. This includes:

St Patrick's College uses SiMON and Synergetic as its record keeping functionality for all student records. Aspects of SiMON are secured and only accessibility to levels of authority within the College depending on the matter, incident.

Digital storage is the preferred format for record storage and retrieval. The following records related to child safeguarding must be stored electronically:

Safeguarding notes - SiMON

Synergetic

For all other records, it is the College's policy that, if the records are in hard copy, those records will transition from hard copy to digital format in accordance with a transition plan.

This Policy does not differentiate between the period of retention required for paper/print records and digital records.

## **Records of Child Safety Incidents or Concerns and the College's Response**

Documenting observations and communications about all child safety incidents or concerns, including those that do not meet the relevant threshold for external reporting, ensures that:

- all information about individual students can be taken into account should future child safety incidents or concerns arise
- any patterns that might arise from child safety incidents or concerns can inform reviews of our Child Safety and Safeguarding Program.

### **1. How to Document the Child Safety Incident or Concern**

The College requires all School-Based Staff members, Volunteers and Contractors to use:

- [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#) to record all child safety incidents and concerns (other than student sexual offending), including observations, beliefs, suspicions, disclosures or allegations of child abuse or other harm, regardless of whether the alleged perpetrator may be a parent/carer, other student, School-Based Staff member, Volunteer, Contractor or any other person
- the [PROTECT Student Sexual Offending Record Keeping Template](#) to record all observations, beliefs, suspicions, disclosures or allegations of student sexual offending.

For Volunteers and Contractors, a Child Safeguarding Officer may complete the form on their behalf.

These Template forms are provided by the Department of Education and Child Protection for all Victorian schools, and are made available on the College's public website, internal intranet, and in hard copy at the College. Copies of the Templates are also available in the **Forms and Documents** section below and in the [Additional Resources](#) section of the Child Safety and Safeguarding Program.

The following information may assist when completing the form:

- Not all of the sections of the forms will be able to or will need to be filled out for every child safety incident or concern. Some of the information will already be held in the student's record and need not be repeated. Other parts of the forms may not apply to each situation.
- It is not School-Based Staff members', Volunteers or Contractors' role to quiz the child or the person making the disclosure or allegation in order to complete the forms. They should only record what information is observed or offered during the incident, disclosure or allegation and then report the matter to a Child Safeguarding Officer or the Principal and any relevant external agencies in line with legal obligations.
- All records should include dates and times and enough detail to record key observations or conversations, especially those relating to a student's disclosure.

All completed forms must be given to a Child Safeguarding Officer or the Principal, or where the allegation involves the Principal, the EREA VSL Chief Executive Officer or the EREA VSL Director of Safeguarding.

Any other notes and records obtained or made by School-Based Staff, Volunteers or Contractors regarding child safety incidents or concerns should also be given to the Principal or a Child Safeguarding Officer. For example, these may include:

- handwritten notes taken during a disclosure by a student
- copies of any written reports made to the Police or external bodies about the matter
- if the allegation includes claims of inappropriate online activity, any digital copies of correspondence between the student and the person or School-Based Staff member who is the subject of the allegation.

## 2. How to Document the College's Response

A Child Safeguarding Officer or the Principal, or where the matter involves the Principal, the EREA VSL Chief Executive Officer or the EREA VSL Director of Safeguarding, will:

- in conjunction with the relevant School-Based Staff member, Volunteer or Contractor if required, record on the relevant form the various responses of the College as they occur
- complete the 'Process of Review' section of the relevant form between four to six weeks after an incident, suspicion or disclosure of abuse.

### **3. Record Maintenance**

The College maintains records of these forms indefinitely.

The Senior Child Safety Officer-Director of Human Resources, Risk and Compliance, Mr Jamie Bobrowski is responsible for keeping all records relating to child safety incidents or concerns, including records of allegations, investigations and findings made under the Child Safety and Safeguarding Program, up to date and secure.

Records are located A Confidential/Restricted File Library that only the School Principal, Deputy Principal and Assistant Principal-Pastoral Care & Wellbeing have access to..

When the child safety incident or concern relates to an allegation against a School-Based Staff member, Volunteer or Contractor (including incidents, complaints or allegations of a breach of the Child Safeguarding Codes of Conduct), records may also be maintained as part of our general Human Resources Management records.

#### **Records of Working with Children Check Documentation**

It is the responsibility of the Director of Human Resources, Risk & Compliance Manager - Mr Jamie Bobrowski to verify and record the WWC clearance status of all School-Based Staff and relevant Volunteers/Contractors.

It is the responsibility of the Director of Human Resources, Risk & Compliance Manager - Mr Jamie Bobrowski to maintain a record of all Volunteers and Contractors required to complete the Statutory Declaration and Undertaking, and of the provision of these documents.

These College maintains the WWCC registers and other WWC documentation indefinitely.

Where St Patrick's College engages, as a Contractor, a company or other contracted service provider with multiple employees, the College may require, in its contract with the Contractor, the Contractor to keep all required WWCC documentation for each person engaged by the Contractor to provide the contracted service to the College.



## **Records of Teacher Registration and VIT Notifications**

It is the responsibility of Director of Human Resources, Risk & Compliance Manager - Mr Jamie Bobrowski to ensure that the register of teachers is kept up to date with relevant notifications.

The College maintains these records indefinitely.

## **Reportable Conduct Records**

The Director of Human Resources, Risk & Compliance Manager - Mr Jamie Bobrowski is responsible for maintaining College records relevant to the Reportable Conduct Scheme (such as records of internal reports to the Principal about reportable allegations and notifications to the MACS Safeguarding and Standards Unit).

These records are stored A Confidential/Restricted File Library that only the School Principal, Deputy Principal and Assistant Principal-Pastoral Care & Wellbeing have access to.. They are kept on a file that is separate to the employee's personnel file.

The College maintains these records indefinitely.

The MACS Safeguarding and Standards Unit creates, and provides to the EREA VSL Chief Executive Officer, all other relevant Reportable Conduct Scheme records, including all outcomes of internal investigations and decisions to make or not make a Reportable Conduct report to the CCYP.

## **Other Child Safeguarding Human Resources Management Records**

The College creates and maintains electronic records of all child safeguarding training completed by School-Based Staff and relevant Volunteers and Contractors through CompliLearn.

The Director of Human Resources, Risk & Compliance Manager - Mr Jamie Bobrowski is responsible for recording and maintaining (electronically or hard copy format) all other records relating to child safeguarding human resources management.

The College maintains these records indefinitely.

## **Records About Information Sharing**

Whenever a request for Information is made to the College or College otherwise shares Information, the Director of Human Resources, Risk and Compliance must enter the Information sharing request proposal and/or response in our Information Sharing Register.

The Information Sharing Register is reviewed in Principal meetings and key information is provided as necessary to The EREA VSL Board.

All records created in accordance with the Sharing Information Relating to a Student's Safety or Wellbeing Policies and Procedures are maintained by the Director of Human Resources, Risk and Compliance.

The College maintains these records indefinitely.

## **Documenting Other Child Safeguarding Actions (Institutional Duty of Care)**

Section 91 of the Wrongs Act imposes a duty of care on the College, as a child-related organisation, to take reasonable precautions to:

- prevent the physical or sexual abuse of a child under its care, supervision or authority
- by an individual associated with the College.

If a victim of physical or sexual abuse, alleged to have occurred at the College or to have involved School-Based Staff, Volunteers or Contractors, brings a negligence claim against the College, a court will presume that the College breached its duty of care unless the College can prove that it took reasonable precautions to prevent the abuse.

Whether or not the College has taken reasonable precautions to prevent the physical or sexual abuse of students will be assessed by the court in accordance with considerations set out in the Wrongs Act and case law.

The following records may assist in demonstrating reasonable precautions taken by the College to prevent the physical or sexual abuse of its students:

1. records that document actions taken by the College in response to specific child safety incidents and concerns (refer to **Records of Child Safety Incidents or Concerns and the School's Response and Reportable Conduct Records**, above)
2. records that document the implementation of the College's Child Safeguarding Risk Management Policy and Procedures

3. records that document reviews and improvements of our child safeguarding policies, procedures, work practices and systems (refer to [Child Safeguarding Regular Reviews and Continuous Improvement Policy and Procedures](#)).
4. records that document child safeguarding training provided to and completed by School-Based Staff and relevant Volunteers and Contractors (refer to [Child Safeguarding Training and Supervision Policy and Procedures](#)).

The College maintains the records in paragraphs 1, 2 and 3 indefinitely, and the records in paragraph 4 for at least 50 years.

## Implementation

This Policy and its Procedures are made available to all School-Based Staff, Volunteers, and Contractors, via the College's PolicyConnect site. They are included in induction training and in ongoing refresher training for School-Based Staff and relevant Volunteers and Contractors. For more information, refer to [Child Safeguarding Training and Supervision Policy and Procedures](#).

They are made accessible to parents/carers, students and the wider College community in summary in our [Child Safeguarding Safety and Wellbeing Policy and Procedures](#), which is available on our public website, as well as **Complispace-PolicyConnect** ..

They are also available in hard copy by request.

## Breach of Child Safeguarding Record Keeping Policies and Procedures

St Patrick's College enforces this Policy and its Procedures. In the event of any non-compliance, we will instigate a review, in a timely and fair manner, that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension

- in the case of serious breaches, termination of employment, contract or engagement.

For more information, refer to [Child Safeguarding Compliance and Breach Policy and Procedures](#).

## Policy Review

A review of the Child Safeguarding Record Keeping Policy and Procedures is conducted every two years or earlier if required, such as due to changes in legislation.

The EREA VSL Board is responsible for ensuring that this Policy and its Procedures are reviewed and updated as needed and for approving this Policy and its Procedures.

## EREA VSL and St Patrick's College Policy and Procedures Linkages

- [Child Safeguarding Safety and Wellbeing Policy and Procedures](#)
- [Child Safeguarding Reporting and Responding Obligations Policy and Procedures](#)
- [Child Safeguarding Working with Children Checks Policy and Procedures](#)
- [Child Safeguarding Recruitment Policy and Procedures](#)
- [Child Safeguarding Training and Supervision Policy and Procedures](#)
- [Child Safeguarding Regular Reviews and Continuous Improvement Policy and Procedures](#)
- [Working with Children Checks Policy and Procedures](#)
- [Child Safeguarding Risk Management Policy and Procedures](#)

## Source of Obligation and Related Legislative Instruments

### Child Safeguarding Record Keeping in General

- [Ministerial Order 1359](#), Clauses 6 and 12

### Records of Child Safety Incidents or Concerns and the School's Response

- [Ministerial Order 1359](#), Clause 11(3)(h)(iii)
- Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria, [PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#), 2018

## Records of Working with Children Check and Other Human Resources Documentation

- [Ministerial Order 1359](#), Clauses 10(2)(d) and (e), and 10(4)
- [Worker Screening Act 2020 \(Vic\)](#).

## Records of Teacher Registration and VIT Notifications

- [Education and Training Reform Act 2006 \(Vic\)](#).

## Documenting Other Child Safeguarding Actions

- [Wrongs Act 1958 \(Vic\)](#).

## Related Forms and Documents

- Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria, [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#)
- Department of Education, [Catholic Education Commission of Victoria and Independent Schools Victoria, PROTECT Responding to Suspected Student Sexual Offending - a Template for All Victorian Schools](#)
- WWCC Register
- Register of Teachers
- Information Sharing Register

## References and Resources

- Department of Education, Catholic Education Commission of Victoria and Independent Schools Victoria, [PROTECT Identifying and Responding to All Forms of Abuse in Victorian Schools](#)

- Public Records Office Victoria, [Creating, Managing and Retaining Records for Current or Future Child Sexual Abuse Allegations](#)
- Public Records Office Victoria, [PROS 19/08 Retention and Disposal Authority for Records of Organisational Response to Child Sexual Abuse Incidents and Allegations](#)

## Policy Administration

<b>Responsible Officer</b>	<b>EREA VSL Chief Executive Officer</b>
Policy Owner	EREA VSL Director of Safeguarding
Approving Body	EREA VSL Board
Approval Date	February 2024
Risk Rating	High
Date of next review	February 2026
<b>Policy Database Information</b>	
Version	1.0
Related Documents	
Superseded Documents	