



Child Safety - Code of Conduct Standard 3

Safeguarding Children and Young People at SACCSS Events

Code of Conduct

SACCSS – Sports Association of Catholic Coeducational Secondary Schools

The Sports Association of Catholic Coeducational Secondary Schools (SACCSS) provides the opportunity for students of member Colleges

- to enjoy and experience sport through representing their school,
- to strive for their personal best through individual and team based competition,
- to feel valued, make new friends and social connections, develop a sense of self through mastery of skill and involvement in teams
- to improve their physical fitness, health and well being

Through the participation in sport within SACCSS we aim to develop:

- sportsmanship, including the ability to win with modesty, lose with dignity and accept decisions
- interpersonal skills, where students learn appropriate communication skills and behaviours within their team and towards their opposition
- suitable competitions that allow for new skills and/or refine already existing skills
- students develop a connectedness to their own College and develop friendships/ connections with students from other associated Colleges
- students develop a sense of pride through representing themselves and their College out in the community
- a range of students develop leadership skills
- staff have an opportunity to interact with students in a positive manner.

Purpose

This Code of Conduct has a specific focus on safeguarding children and young people at **SACCSS Events** against sexual, physical, psychological and emotional abuse or neglect. It is intended to complement other professional and/or occupational codes.

All staff, volunteers, contractors, and board/school council members at **SACCSS** are expected to actively contribute to a school sporting association culture that respects the dignity of its members and affirms the Gospel values of love, care for others, compassion and justice. They are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as noted below.

Acceptable behaviours

All staff, volunteers, contractors, visitors, parents/guardians and board/school council members are responsible for supporting the safety of children within our association by:

- adhering to the [SACCSS Child Safety Policy](#) and upholding the associations commitment to child safety at all times
- taking all reasonable steps to protect the young people at our events from abuse
- treating everyone in the SACCSS community with respect, modelling positive and respectful relationships and acting in manner that sustain a safe and positive environment
- promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander young people
- promoting the cultural safety participation and empowerment of young people with culturally and /or linguistically diverse backgrounds

- promoting the safety, participation and empowerment of young people with a disability
- if an allegation of child abuse is made, ensuring as quickly as possible that the young person/people are safe in accordance with the [SACCSS Child Safety Policy](#)
- ensuring that this Code of Conduct is followed in any interactions with students from every associated member school of SACCSS when attending any SACCSS event

Unacceptable behaviours

All staff, volunteers, contractors, visitors, parents/guardians and board/school council members must NOT:

- exhibit behaviours with young people which may be construed as unnecessarily physical
- engage in open discussions of a mature or adult nature in the presence of young people
- use inappropriate language in the presence of young people
- express personal views on culture, race or sexuality in the presence of young people
- discriminate against any young person on the basis of age, gender, race, culture, vulnerability, sexuality, ethnicity or disability
- photograph or video a young person without the consent of the parent or guardian
- consume alcohol or take illicit drugs under any circumstances at an event where students are present.
- work with any young person while under the influence of alcohol or illegal drugs

Responsibilities in matters of Child Safety:

All staff, volunteers, contractors, visitors, parents/guardians and board/school are responsible for:

- listening and responding to concerns of young people; particularly if they are telling ou that they or another young person have been abused or that they are worried about their safety/the safety of another young person
- reporting any allegations of child abuse as outlined in the [SACCSS Child Protection – Reporting Obligations](#)
- understanding and complying with all reporting obligations as they relate to amndatiry reporting and reporting under the Crimes Act 1958 (Vic) and as contained in the [SACCSS Child Safety Policy](#)
- reporting any child safety concerns as outlined in the [SACCSS Child Protection – Reporting Obligations](#)
- ensuring as far as practical that adults are not alone with a young person
- ensuring child safety protocols at all SACCSS events and venues are implemented
- ensuring risk assessments at all SACCSS events and venues incorporate child safety

All staff, volunteers, contractors, visitors, parents/guardians and board/school must NOT:

- ignore or disregard any suspected or disclosed child abuse
- put young people at risk of abuse
- initiate unnecessary physical contact with a young person or do things of a personal nature that a young person can do for themselves, such as toileting or changing clothes
- exchange personal contact details such as phone number, social networking sites or personal email addresses with a young person

Please list any SACCSS Event where you will have interactions with students from the associations 14 member colleges:

I, _____, confirm I have been provided with a copy of the above *SACCSS Code of Conduct* and have listed any known interactions I will have with students from its member colleges. I will update this list when/if necessary.

Signed: _____

Date: _____





Standard 2: Child Safety Policy

Date of policy Implementation: January 2017

Date of last major review: created November 2016

Date of next major review: January 2018

Contents

1. Introduction	2
2. Purpose of the Policy	2
3. Principles.....	3
4. Definitions used in this Policy	3
5. Policy Commitments	5
6. Responsibilities and Organisational Arrangements	6
6.1 Guide to Responsibilities of School Leadership	6
6.2 Guide to Responsibilities of School Staff	6
7. Expectation of our School Staff – Child Safety Code of Conduct	7
8. Student Safety and Participation	7
9. Reporting and Responding.....	7
10. Screening and Recruitment of School Staff.....	8
11. Child Safety – Education and Training for School Staff	8
12. Risk Management	9
13. Relevant Legislation	9
14. Related Policies	9
14.1 Catholic Education Melbourne Policies	9
14.2 School Policies	Error! Bookmark not defined.
15. Breach of Policy	10
16. Review of this Child Safety Policy	10
17. References	10

1. Introduction

The Sports Association of Catholic Coeducational Secondary Schools (SACCSS) provides the opportunity for students of member Colleges

- to enjoy and experience sport through representing their school,*
- to strive for their personal best through individual and team based competition,*
- to feel valued, make new friends and social connections, develop a sense of self through mastery of skill and involvement in teams*
- to improve their physical fitness, health and well being*

Through the participation in sport within SACCSS we aim to develop:

- sportsmanship, including the ability to win with modesty, lose with dignity and accept decisions*
- interpersonal skills, where students learn appropriate communication skills and behaviours within their team and towards their opposition*
- suitable competitions that allow for new skills and/or refine already existing skills*
- students develop a connectedness to their own College and develop friendships/ connections with students from other associated Colleges*
- students develop a sense of pride through representing themselves and their College out in the community*
- a range of students develop leadership skills*
- staff have an opportunity to interact with students in a positive manner.*

At SACCSS we hold the care, safety and wellbeing of children and young people as a central and fundamental responsibility of our school sporting association. Our commitment is drawn from and inherent in the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel ([CECV Commitment Statement to Child Safety](#)).

The person of each individual human being, in his or her material and spiritual needs, is at the heart of Christ's teaching: that is why the promotion of the human person is the goal of the Catholic school (Congregation for Catholic Education 1997, n. 9).

2. Purpose of the Policy and SACCSS Commitment

The purpose of this policy is to demonstrate the strong commitment of **SACCSS** to the care, safety and wellbeing of all students in our school sporting association. It provides an outline of the policies, procedures and strategies developed to keep students safe from harm, including all forms of abuse at our sporting environments, on campus at member schools, online and in other locations provided by the association.

This policy takes into account relevant legislative requirements within the state of Victoria, including the specific requirements of the Victorian Child Safe Standards as set out in "[Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015](#)"

3. Principles

Catholic schools and organisations they associate with (ie. SACCSS) have a moral, legal and mission-driven responsibility to create nurturing environments where children and young people are respected, their voices are heard and they are safe and feel safe ([CECV Commitment Statement to Child Safety](#)).

The following principles underpin our commitment to child safety at SACCSS:

- All students deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- SACCSS has a zero tolerance approach to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability, gender diversity or sexual orientation etc.
- Our association works in partnership with member schools, families and the community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection.
- All adults in our association, including teaching and non-teaching staff, volunteers, and contractors, have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- The policies, guidelines and codes of conduct for the care, wellbeing and protection of students are based on honest, respectful and trusting relationships between adults and children and young people.
- Policies and practices demonstrate compliance with legislative requirements and cooperation with the Church, governments, the police and human services agencies.
- All persons involved in situations where harm is suspected or disclosed must be treated with sensitivity, dignity and respect.
- Staff, volunteers, contractors, parents and students should feel free to raise concerns about child safety, knowing these will be taken seriously by association leadership.
- Appropriate confidentiality will be maintained, with information being provided to those who have a right or a need to be informed, either legally or pastorally.

4. Definitions used in this Policy

Child: A child or a young person enrolled as a student at any SACCSS member school.

Child abuse includes:

- (a) any act committed against a child involving:
 - (i) a sexual offence
 - (ii) an offence under section 49B(2) of the **Crimes Act 1958** (grooming)
- (b) the infliction, on a child, of:
 - (i) physical violence
 - (ii) serious emotional or psychological harm
- (c) serious neglect of a child. (["Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015"](#))

Child safety encompasses matters related to protecting all children from child abuse, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse. (["Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015"](#))

Child neglect: The failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. ([Safe Schools Hub](#))

Child physical abuse: Generally, child physical abuse refers to the non-accidental use of physical force against a child that results in harm to the child. Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or

carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour. ([Safe Schools Hub](#))

Child protection: Statutory services designed to protect children who are at risk of serious harm. ([Safe Schools Hub](#))

Child sexual abuse: Any sexual activity between a child under the age of consent (16) and an adult or older person (i.e. a person five or more years older than the victim) is child sexual abuse.

Child sexual abuse can also be:

- any sexual behaviour between a child and an adult in a position of power or authority over them (e.g. a teacher); the age of consent laws do not apply in such instances due to the strong imbalance of power that exists between young people and authority figures, as well as the breaching of both personal and public trust that occurs when professional boundaries are violated
- any sexual behaviour between a child and an adult family member, regardless of issues of consent, equality or coercion
- sexual activity between peers that is non-consensual or involves the use of power or coercion
- non-consensual sexual activity between minors (e.g. a 14-year-old and an 11-year-old), or any sexual behaviour between a child and another child or adolescent who, due to their age or stage of development, is in a position of power, trust or responsibility over the victim. Sexual activity between adolescents at a similar developmental level is not considered abuse. ([Safe Schools Hub](#))

Mandatory Reporting: The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandated persons include teachers, nurses, police, psychologists, psychiatrists and medical practitioners. ([Safe Schools Hub](#))

Reasonable Belief: When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

School environment means any physical or virtual place made available or authorised by the school governing authority for use by a child during or outside school hours, including:

- (a) a campus of the school
- (b) online school environments (including email and intranet systems)
- (c) other locations provided by the school for a child's use (including, without limitation, locations used for school camps, sporting events, excursions, competitions, and other events). (["Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015"](#))

School staff means an individual working in a school environment (on or off campus including at School Sports Events ran by SACCSS) who is:

- (a) directly engaged or employed by a school governing authority
- (b) a volunteer or a contracted service provider (whether or not a body corporate or any other person is an intermediary)

5. Policy Commitments

All students *participating at SACCSS events* have the right to feel safe and be safe. The wellbeing of children *at our events* will always be our first priority and we do not and will not tolerate child abuse. We aim to create a child-safe and child-friendly environment where children are free to enjoy life to the full without any concern for their safety. There is particular attention paid to the most vulnerable children, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Our commitment to our member school students

- (a) We commit to the safety and wellbeing of all children and young people enrolled in our *member schools*.
- (b) We commit to providing children and young people with positive and nurturing experiences.
- (c) We commit to listening to children and young people and empowering them by taking their views seriously, and addressing any concerns that they raise with us.
- (d) We commit to taking action to ensure that children and young people are protected from abuse or harm.
- (e) We commit to seeking input and feedback from students regarding the creation of a safe school sporting environment.

Our commitment to parents and carers

- (a) We commit to communicating honestly and openly with parents and carers about the wellbeing and safety of their children.
- (b) We commit to engaging with, and listening to, the views of parents and carers about our child-safety practice, policies and procedures.
- (c) We commit to transparency in our decision-making with parents and carers where it will not compromise the safety of children or young people.
- (d) We commit to acknowledging the cultural diversity of students and families, and being sensitive to how this may impact on student safety issues.
- (e) We commit to continuously reviewing and improving our systems to protect children from abuse.

Our commitment to our school staff (school employees, volunteers, contractors, board members)

- (a) We commit to providing all SACCSS staff with the necessary support to enable them to fulfil their roles. This will include regular and appropriate learning opportunities.
- (b) We commit to providing regular opportunities to clarify and confirm policy and procedures in relation to child safety and young people's protection and wellbeing. This will include annual training in the principles and intent of the Child Safety Policy and Child Safety Code of Conduct, and staff responsibilities to report concerns.
- (c) We commit to listening to all concerns voiced by SACCSS Member Schools staff, board members, volunteers, and contractors about keeping children and young people safe from harm.
- (d) We commit to providing opportunities for SACCSS Member schools employees, volunteers, contractors and board members to receive formal debriefing and counselling arising from incidents of the abuse of a child or young person.

6. Responsibilities and Organisational Arrangements

Everyone employed or volunteering at SACCSS Events has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all students is at the forefront of all they do and every decision they make. ([CECV Commitment Statement to Child Safety](#))

6.1 Guide to Responsibilities of SACCSS Leadership

The board members and Executive Officers at SACCSS recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety. Responsibilities include:

- creating an environment for children and young people to be safe and to feel safe
- upholding high principles and standards for all staff, volunteers, and contractors
- promoting models of behaviour between adults and children and young people based on mutual respect and consideration
- ensuring thorough and rigorous practices are applied in the recruitment, screening and ongoing professional learning of staff
- ensuring that school personnel have regular and appropriate learning to develop their knowledge of, openness to and ability to address child safety matters
- providing regular opportunities to clarify and confirm legislative obligations, policy and procedures in relation to child and young people's protection and wellbeing
- ensuring the school meets the specific requirements of the Victorian Child Safe Standards as set out in "[Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015](#)".

6.2 Guide to Responsibilities of SACCSS Staff

Responsibilities of SACCSS staff (including school employees, volunteers, contractors) include:

- treating children and young people with dignity and respect, acting with propriety, providing a duty of care, and protecting children and young people in their care
- following the legislative and internal school processes in the course of their work, if they form a reasonable belief that a child or young person has been or is being abused or neglected
- providing a physically and psychologically safe environment where the wellbeing of children and young people is nurtured
- undertaking regular training and education in order to understand their individual responsibilities in relation to child safety and the wellbeing of children and young people
- assisting children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse
- following the [SACCSS Child Safety Code of Conduct](#).

7. Expectation of our SACCSS – Child Safety Code of Conduct

At SACCSS, we expect employees, volunteers and contractors to proactively ensure the safety of students at all times and to take appropriate action if there are concerns about the safety of any child from any of our 14 member schools. All staff must remain familiar with the relevant laws, the code of conduct, and policies and procedures in relation to child protection and to comply with all requirements. We have developed a [Child Safety Code of Conduct](#), which recognises the critical role that staff play in protecting the students at our events and establishes clear expectations of school employees, volunteers and contractors for appropriate behaviour with children in order to safeguard them against abuse and or neglect.

Our Code also protects staff, school employees, volunteers and contractors through clarification of acceptable and unacceptable behaviour.

8. Student Safety and Participation

At SACCSS, we actively encourage all students to openly express their views and feel comfortable about giving voice to the things that are important to them.

Our member schools teach students about what they can do if they feel unsafe and enable them to understand, identify, discuss and report on child safety. We listen to and act on any concerns students, or their parents or carers, raise with us.

9. Reporting and Responding

Our association records any child safety complaints, disclosures or breaches of the Child Safety Code of Conduct, and stores the records in accordance with security and privacy requirements. Our association complies with legal obligations that relate to managing the risk of child abuse under the *Children, Youth and Families Act 2005* (Vic.), the *Crimes Act 1958* (Vic.) and the recommendations of the [Betrayal of Trust](#) report.

Child protection reporting obligations fall under separate pieces of legislation with differing reporting requirements.

Mandatory Reporters

- Select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Human Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.
- This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable grounds for the belief.

Voluntary Reporters

- In addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a [child is](#) in need of protection from any form of child abuse, may disclose that information to the Police or DHHS.

Our association's **Child Protection – Reporting** [SACCSS Child Protection – Reporting Obligations](#) updated on **November 2016**, sets out the actions required under the relevant legislation when there is a reasonable belief that a child within our association is in need of protection or a criminal offence has been committed, and provides guidance and procedures on how to make a report.

Our policy assists staff, volunteers and families to:

- identify the indicators of a child or young person who may be in need of protection
- understand how a 'reasonable belief' is formed
- make a report of a child or young person who may be in need of protection
- comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

Our association has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a student from within SACCSS:

- Any concerns/complaints should be communicated to the SACCSS President via the Executive Officers who would involve the SACCSS Executive Committee and Principal of the school from which the child belongs.
- SACCSS Incident Report is available on the SACCSS website and can be found in the SACCSS Handbook.

10. Screening and Recruitment of SACCSS Staff

SACCSS will apply thorough and rigorous screening processes in the recruitment of employees and volunteers involved in child-connected work. All employees, contractors and volunteers are provided with copies of the association's Child Safety Code of Conduct and the Child Safety Policy.

When recruiting and selecting employees, contractors and volunteers involved in child-connected work, we make all reasonable efforts to:

- confirm the applicant's Working with Children Check and National Police Check status and/or professional registration (as relevant)
- obtain proof of personal identity and any professional or other qualifications
- verify the applicant's history of work involving children
- obtain references that address the applicant's suitability for the job and working with children.

11. Child Safety – Education and Training for SACCSS Staff

SACCSS provides employees with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion of child abuse and neglect.

12. Risk Management

At SACCSS we are committed to proactively and systematically identifying and assessing risks to student safety across our various sporting event venues, and reducing or eliminating (where possible) all potential sources of harm. We document, implement, monitor and periodically review our risk management strategies for child safety and ensure that the strategies change as needed and as new risks arise.

- The Executive Officers will be responsible for circulating SACCSS Child Safety documents and expectations to all officials, contractors etc they hire for SACCSS events.
- The Executive Officers will brief all contractors at the beginning of every event on Child Safety and the SACCSS Policy including Mandatory and Voluntary Reporting obligations. They will keep on file a Register which include signed SACCSS Code of Conduct and WWCC details of all those hired by SACCSS.

13. Relevant Legislation

- [Children, Youth and Families Act 2005 \(Vic\)](#)
- [Working with Children Act 2005 \(Vic\)](#)
- [Education and Training Reform Act 2006 \(Vic.\)](#)
- [Equal Opportunity Act 2010 \(Vic.\)](#)
- [Privacy Act 1988 \(Cth\)](#)
- [Crimes Act 1958 \(Vic\)](#) – Three new criminal offences have been introduced under this Act:
 - a) **[Failure to disclose offence](#)**: Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
 - b) **[Failure to protect offence](#)**: The offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
 - i) **[Grooming offence](#)**: This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

14. Related Policies

14.1 Catholic Education Melbourne Policies

- [Policy 2.2: Guidelines Relating to the Employment of Staff](#) (currently under review)
- [Policy 2.19: Child Protection – Reporting Obligations](#)
- [Policy 2.19a: School Guidelines –Police and DHHS Interview Protocols](#)
- Policy 2.20: Misconduct Policy (withdrawn and currently under review)
- [Policy 2.26: Pastoral Care of Students in Catholic Schools](#)(currently under review)

15. Breach of Policy

Where any person is suspected of breaching any obligation, duty or responsibility within this policy, SACCSS is to take appropriate action, including in accordance with: Child Protection – Reporting Obligations and with the assistance of the current SACCSS President will contact Catholic Education Melbourne (Office of Professional Conduct, Ethics and Investigation).

16. Review of this Child Safety Policy

At SACCSS we are committed to continuous improvement of our child safety systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed to ensure it is working in practice and updated to accommodate changes in legislation or circumstance.

We will maintain a history of updates to the policy.

History of Updates to Policy

Date	Comment (e.g. major review, minor review)

17. References

Catholic Education Commission of Victoria Ltd (CECV) 2016, [*Commitment Statement to Child Safety: A safe and nurturing culture for all children and young people in Catholic schools.*](#)

Catholic Education Commission of Victoria Ltd (CECV) 2013, [*Victorian Catholic Education Multi Enterprise Agreement 2013*](#), CECV.

Congregation for Catholic Education 1997, [*The Catholic School on the Threshold of the Third Millennium*](#), Vatican.

Safe Schools Hub 2014, [*National Safe Schools Framework Glossary*](#), Australian Government Department of Education and Training.

State of Victoria 2016, [*Child Safe Standards – Managing the Risk of Child Abuse in Schools: Ministerial Order No. 870*](#), Education & Training Reform Act 2006, Victorian Government Gazette No. S2.

Victorian Government Department of Justice 2016, [*Betrayal of Trust Implementation*](#).



Child Protection – Reporting Obligations

Introduction

Protection for children and young people is based upon the belief that each person is made in the image and likeness of God and that the inherent dignity of all should be recognised and fostered.

Catholic schools are entrusted with the holistic education of the child in partnership with parents, guardians and caregivers, who are the primary educators of their children. Catholic school staff therefore have a duty of care to students by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in harm or injury to the student and to work for the positive wellbeing of the child

Under the [National Framework for Protecting Australia's Children 2009–2020](#), protecting children is everyone's responsibility – parents, communities, governments and business all have a role to play. In Victoria, a joint protocol, [Protecting the safety and wellbeing of children and young people](#), involving the Department of Health and Human Services (DHHS) Child Protection, the Department of Education and Training (DET), the Catholic Education Commission of Victoria and licensed children's services, exists to protect the safety and wellbeing of children and young people.

All teachers, other staff, parish priests, canonical and religious order administrators of Catholic schools within Victoria must understand and abide by the professional, moral and legal obligations to implement child protection and child safety policies, protocols and practices.

Purpose of this policy

Schools must comply with the legal obligations that relate to managing the risk of child abuse under the ***Children, Youth and Families Act 2005 (Vic.)***, the ***Crimes Act 1958 (Vic.)*** and the recommendations of the [Betrayal of Trust Report](#).

This policy is designed to assist staff to:

- identify the indicators of a child or young person who may be in need of protection
- understand how a 'reasonable belief' is formed
- make a report of a child or young person who may be in need of protection
- comply with mandatory reporting obligations under child protection law and their legal obligations relating to criminal child abuse and grooming under criminal law.

Child Protection reporting obligations fall under separate pieces of legislation with differing reporting requirements. This policy sets out the actions required under the relevant legislation when there is a reasonable belief that a child is in need of protection or a criminal offence has been committed and provides guidance and procedures on how to make a report.

1. [*Children, Youth and Families Act 2005 \(Vic.\)*](#)
 - 1.1. [Mandatory Reporting](#)
 - 1.2. [Forming a 'reasonable belief'](#)
 - 1.3. [Types of child abuse and indicators of harm](#)
 - 1.4. [Reporting child protection concerns](#)
 - 1.5. [When to make a mandatory report](#)
 - 1.6. [When a report may be required, though not mandated](#)
 - 1.7. [Flowchart – Responding to a possible mandatory reporting concern.](#)
2. [*Crimes Act 1958 \(Vic.\)*](#)
 - 2.1. [Failure to disclose](#)
 - 2.2. [Failure to protect](#)
 - 2.3. [When to report criminal offences.](#)
3. [*How to make a report for mandatory reporting and criminal offences*](#)
 - 3.1. [Making a report](#)
 - 3.2. [Potential consequences of making a report](#)
 - 3.3. [Related resources.](#)

Procedures

1. Children, Youth and Families Act 2005 (Vic.)

1.1 Mandatory Reporting

Mandatory reporting is a legal requirement under the *Children, Youth and Families Act 2005 (Vic.)* (Act) to protect children from harm relating to physical injury and sexual abuse. A child, for the purpose of the relevant parts of the Act, is any person **17 years** of age or younger. School personnel mandated under this Act who, in the course of carrying out their duties, form a **reasonable belief** that a child is in need of protection from physical, emotional, psychological, developmental harm or sexual abuse, and that the **child's parents are unwilling or unable to protect the child**, must report that belief to DHHS Child Protection and the grounds for it as soon as possible after forming the belief. A subsequent report must be made on each occasion on which the mandatory reporter becomes aware of further reasonable grounds for the belief.

1.2 Forming a 'reasonable belief'

When staff are concerned about the safety and wellbeing of a child or young person, they must assess that concern to determine if a report should be made to the relevant agency. This process of considering all relevant information and observations is known as forming a 'reasonable belief'.

A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a 'reasonable belief' might be formed if:

- a child states that they have been physically or sexually abused
- a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been physically or sexually abused
- a child or young person exhibits sexually-abusive or age-inappropriate behaviours
- professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused
- signs of abuse lead to a belief that the child has been physically or sexually abused.

1.3 Types of child abuse and indicators of harm

Child abuse can have a significant effect on a child's physical or emotional health, development and wellbeing. The younger a child the more vulnerable he/she is and the more serious the consequences are likely to be.

There are many indicators of child abuse and neglect. The presence of a single indicator, or even several indicators, does not prove that abuse or neglect has occurred. However, the repeated occurrence of an indicator, or the occurrence of several indicators together, should alert staff to the possibility of child abuse and neglect. While any indicators of possible child abuse or neglect are concerning, it is important to know which indicators **must** be reported.

It is **mandatory** to report concerns relating to:

- physical abuse
- sexual abuse.

While not mandated, making a report to DHHS Child Protection may also be needed for:

- emotional abuse
- neglect
- medical neglect
- family violence
- human trafficking (including forced marriage)
- sexual exploitation (including pornography and prostitution)
- risk-taking behaviour
- female genital mutilation
- risk to an unborn child
- a child or young person exhibiting sexually-abusive behaviours.

Note: For full definitions for all of the types of child abuse and a comprehensive list of the indicators of harm refer to [Appendix 2: Protecting the safety and wellbeing of children and young people](#).

1.4 Reporting child protection concerns

All school staff who believe on reasonable grounds that a child or young person is in need of:

- protection from physical harm or sexual abuse – **must** report their concerns to DHHS Child Protection
- protection from harm that is not believed to involve physical harm or sexual abuse – are encouraged to report their concerns to DHHS Child Protection
- therapeutic treatment – are encouraged to report their concerns to DHHS Child Protection or Child FIRST.

Child Protection is the Victorian Government Agency, provided by the DHHS, that protects children at risk of significant harm. Child Protection has statutory powers and can use these to protect children.

Child FIRST is the Family Information Referral Support Team run by a registered community service in a local area that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services.

Mandatory reporters **must report their concern to DHHS Child Protection** if there is a reasonable belief that a child or young person is in need of protection from physical injury or sexual abuse. Refer to: [A step-by-step guide to making a report to Child Protection or Child FIRST \(PDF - 270Kb\)](#)

It is essential to document the concerns and observations which contributed to the suspicion that a child is in need of protection. This information may be gathered over a period of time and should be treated confidentially and held securely.

It is recommended – not, however, a requirement – that concerns and observations regarding suspected physical injury or sexual abuse of a child are discussed with the principal or a senior school staff member and to ensure support is provided to all involved in matters of this nature. The confidentiality of these discussions must be maintained.

If more than one mandated reporter has formed a belief about the same child on the same occasion, it is sufficient for one professional to make a report. The other is obliged to ensure the report has been

made and that all grounds for their own belief were included in the report made by the other staff member (Section 184 (2)).

If one mandated reporter directs another mandated reporter not to make a report, and the one professional continues to hold the belief that a child is in need of protection, then that professional is legally obliged to make a report to Child Protection.

The mandatory reporter may continue to suspect that a child is at risk and in need of protection. Any further observations should continue to be recorded and a report made on each separate occasion where a belief has been formed, on reasonable grounds, that a child is likely to be at risk and in need of protection. If there is any suspicion that this relates to a sexual offence involving an adult and a child **under 16** then it must be reported to the police. Refer to [Department of Justice and Regulations – Failure to disclose offence](#) and the [Betrayal of Trust: Fact Sheet](#).

1.5 When to make a mandatory report

Type of Reporting	By Whom	To Whom
Mandatory Reporting - DHHS Child Protection Mandatory reporters must make a report as soon as practicable if, in the course of practising their profession or carrying out their duties, they form a belief on reasonable grounds that a child or young person is in need of protection, as a result of physical injury or sexual abuse, and the child's parents are unable or unwilling to protect the child.	Mandatory reporters <ul style="list-style-type: none"> Teachers registered to teach or who have permission to teach pursuant to the <i>Education and Training Reform Act 2006</i> (Vic.) Principals of government and non-government schools Registered medical practitioners Nurses All members of the police force. 	Contact DHHS Child Protection

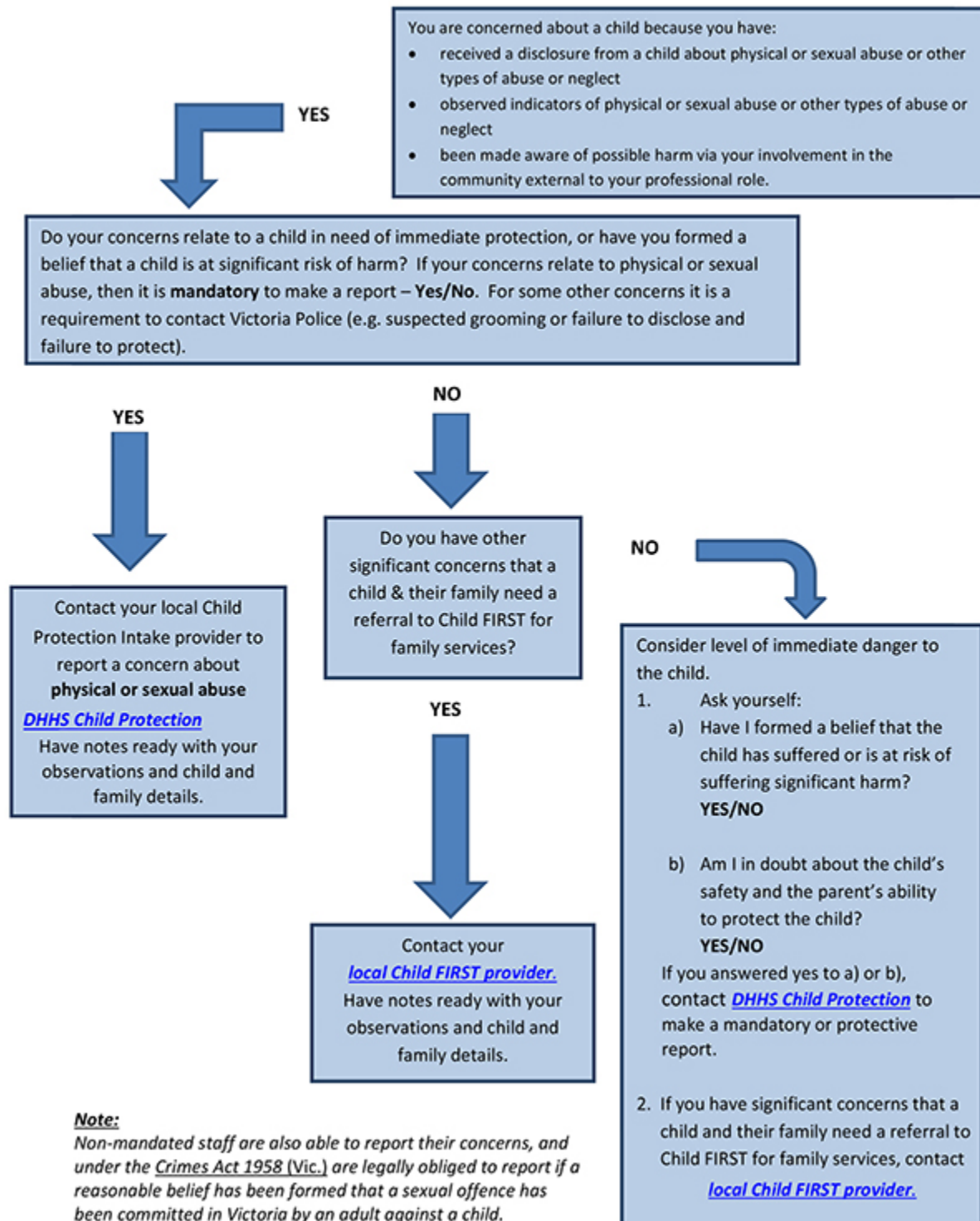
1.6 When a report may be required, though not mandated

Type of Reporting	By Whom	To Whom
Child in need of protection Any person may make a report if they believe on reasonable grounds that a child	Any person	Contact DHHS Child Protection and

<p>is in need of protection for any of the following reasons:</p> <ul style="list-style-type: none"> • The child has been abandoned and there is no other suitable person who is willing and able to care for the child. • The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child. • The child has suffered or is likely to suffer significant harm as a result of physical injury and the parents are unable or unwilling to protect the child. • The child has suffered or is likely to suffer significant harm as a result of sexual abuse and their parents are unable or unwilling to protect the child. • The child has suffered or is likely to suffer emotional or psychological harm and the parents are unable or unwilling to protect the child. <p>The child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care.</p>		<p>Victoria Police if it is clear a crime has been committed.</p>
<p>Child in need of therapeutic treatment</p> <p>Any person may make a report if they believe on reasonable grounds that a child who is 10 years of age or over, but under 15 years of age, is in need of therapeutic treatment because he or she has exhibited sexually-abusive behaviours. Contact Child FIRST if there is no significant concern about the immediate safety of the child.</p>	Any person	<p>Contact DHHS Child Protection or Child First</p> <p>Contact Details</p>
<p>Significant concerns about wellbeing of a child</p> <p>School staff can seek advice from or make referral to DHHS Child Protection or Child FIRST if they have a significant concern for the wellbeing of a child and where the immediate safety of the child is not compromised.</p>	Any person	<p>Contact DHHS Child Protection or Child First</p> <p>Contact Details</p>

The staff member should share relevant information with Child FIRST to help them complete their assessment of the referral.		
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1.7 Flowchart – Responding to a possible mandatory reporting concern



[Click here to download a PDF of the flowchart.](#)

2. Crimes Act 1958 (Vic.)

Three new criminal offences have been introduced under the *Crimes Act 1958* (Vic.):

- [failure to disclose offence](#), which requires adults to report to police a reasonable belief that a sexual offence has been committed against a child
- [failure to protect offence](#), which applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but failed to do so
- [grooming offence](#), which targets communication with a child or their parents with the intent of committing child sexual abuse.

2.1 Failure to disclose

Any staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a **child under 16** must disclose that information to police. Failure to disclose the information to police is a criminal offence under **section 327 of the Crimes Act 1958 (Victoria)** and applies to **all adults** in Victoria, not just professionals who work with children. The obligation is to disclose that information to the police as soon as it is practicable to do so, except in limited circumstances such as where the information has already been reported to DHHS Child Protection.

For further information about the 'failure to disclose' offence, see: [Department of Justice and Regulations – Failure to disclose offence](#) and the [Betrayal of Trust: Fact Sheet](#).

2.2 Failure to protect

Any staff member in a position of authority who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child **under 16** who is in the care or supervision of the organisation must take all reasonable steps to reduce or remove that risk. Failure to take reasonable steps to protect a child in the organisation from the risk of sexual abuse from an adult associated with the organisation is a criminal offence contained in **section 49C (2) of the Crimes Act 1958 (Vic.)**. In a school context this will include the principal and the business manager and may also extend to School Counsellors, heads of departments and heads of school.

For further information about the 'failure to protect' offence, see: [Department of Justice and Regulations - Failure to protect offence](#) and the [Betrayal of Trust: Fact Sheet](#).

2.3 Grooming

The offence of grooming prohibits predatory conduct designed to prepare or 'groom' a child for future sexual activity and is contained in **section 49B (2) of the Crimes Act 1958 (Vic.)**. The offence applies to communication with children **under 16 years**. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails. The offence can be committed by any person aged 18 years or over. It does not apply to communication between people who are both under 18 years of age. For further information about the 'grooming offence', see: [Department of Justice and Regulation – Grooming offence](#) and the [Betrayal of Trust: Fact Sheet](#).

For more information about managing and responding to the risk of abuse, see [Responding to Student Sexual Assault](#) and [Risk Management](#) in the [Department of Education and Training resources](#).

2.4 When to report criminal offences

This table sets out when to report a concern that a child or a young person has been abused, or is in need of protection.

Types of Reporting	By Whom	To Whom
<p>Reasonable belief that a sexual offence has been committed by an adult against a child under 16.</p> <p>Any adult who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must report that information to police.</p> <p>You will not be guilty of an offence if you do not report in the following circumstances:</p> <ul style="list-style-type: none"> • The victim is 16 years of age or older and does not have an intellectual disability that limits his/her capacity to make an informed decision; and he/she does not want the information reported to the police. • The victim has disclosed the information in confidence in the course of a therapeutic relationship with you as a registered medical practitioner or counsellor. • The victim turned 16 years of age before 27 October 2014. • Reasonable excuses for failing to comply with the requirement include: • a reasonable belief that the information has already been reported to police or DHHS Child Protection disclosing all of the information • a reasonable fear that the disclosure will place someone (other than the alleged perpetrator) at risk of harm. 	Any person aged 18 or over	Victoria Police

3. How to make a report for mandatory reporting and criminal offences

The following information provides practical guidance in relation to record-keeping for both mandatory reporting and criminal offences.

3.1 Making a report

In case of emergency or if a child is in life-threatening danger contact Triple Zero (000) or the local police station.

Alternatively, to report concerns about the immediate safety of a child within their family unit to DHHS Child Protection, call the local Child Protection Intake Provider (see [DHHS Child Protection contacts](#)). If after hours call the **Child Protection Crisis Line on 13 12 78**.

The table below describes the information to include when making a mandatory report about child abuse or child protection concerns.

Step	Description
1.	Keep comprehensive notes that are dated and include the following information: <ul style="list-style-type: none">• a description of the concerns (e.g. physical injuries, student behaviour)• the source of those concerns (e.g. observation, report from child or another person)• the actions taken as a result of the concerns (e.g. consultation with the principal, report to DHHS Child Protection etc.).
2.	Discuss any concerns about the safety and wellbeing of students with the principal or a member of the school leadership team. The individual staff member should then make their own assessment about whether they should make a report about the child or young person and to whom the report should be made.
3.	Gather the relevant information necessary to make the report. This should include the following information: <ul style="list-style-type: none">• full name, date of birth and residential address of the child or young person• the details of the concerns and the reasons for those concerns• the individual staff member's involvement with the child or young person• details of any other agencies which may be involved with the child or young person.
4.	Make a report to the relevant agency: <ul style="list-style-type: none">• To report concerns which are life-threatening phone 000 or the local police station.• To find the nearest Victoria Police Sexual Offences and Child Abuse Investigation Team contact your local police station. Visit the Victoria Police website for local contact numbers.• To report concerns about the immediate safety of a child within their family unit to DHHS Child Protection:

	<ul style="list-style-type: none"> • Call your local Child Protection Intake provider immediately, Child Protection • For After Hours Child Protection Emergency Services, call 13 12 78. • To report concerns to DHHS Child Protection, contact your local child protection office. <p>**Non-mandated staff members who believe on reasonable grounds that a child is in need of protection are able to report their concerns to Child Protection.</p>
5.	<p>Make a written record of the report including the following information:</p> <ul style="list-style-type: none"> • the date and time of the report and a summary of what was reported • the name and position of the person who made the report and the person who received the report.
6.	<p>Notify relevant school staff and/or Catholic Education Melbourne staff of a report to DHHS Child Protection or Child FIRST.</p> <ul style="list-style-type: none"> • School staff should advise the principal or a member of the leadership team if they have made a report. • School staff can seek further assistance by contacting the Catholic Education Melbourne Wellbeing & Community Partnerships Unit.
7.	<p>In the case of international students, the principal must notify the International Education Division of the Department of Education and Training on (03) 9637 2990 to ensure that appropriate support is arranged for the student.</p> <p>In the case of Koorie students, the principal must notify the Diocese or Regional Office (as appropriate) to ensure the regional Koorie support officer can arrange appropriate support for the student.</p>

3.2 Potential consequences of making a report

This table describes the potential consequences of making a report.

Potential consequence	Description
Confidentiality	<p>The identity of a reporter must remain confidential unless:</p> <ul style="list-style-type: none"> • the reporter chooses to inform the child, young person or parent of the report • the reporter consents in writing to their identity being disclosed • a court or tribunal decides that it necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child • a court or tribunal decides that, in the interests of justice, the reporter is required to provide evidence.
Professional Protection	<p>If a report is made in good faith:</p> <ul style="list-style-type: none"> • it does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter • the reporter cannot be held legally liable in respect of the report.

Interviews	<p>DHHS Child Protection and/or Victoria Police may conduct interviews of children and young people at the school without their parent’s knowledge or consent.</p> <ul style="list-style-type: none"> • Interviewing children and young people at school should only occur in exceptional circumstances and if it is in the best interests of the child to proceed in this manner • DHHS Child Protection and/or Victoria Police will notify the principal or a member of the leadership team of their intention to interview the child or young person on the school premises • When DHHS Child Protection practitioners/Victoria Police officers come to the school premises, the principal or a member of the leadership team should request to see identification before permitting them to have access to the child or young person • When a child or young person is being interviewed by DHHS Child Protection and/or Victoria Police, school staff must arrange to have a supportive adult present with the child or young person. <p>For more information on these requests and school responsibilities: see the Department of Education & Training website: Police and DHHS Interviews.</p>
Support for the child or young person	<p>The roles and responsibilities of staff members in supporting children who are involved with DHHS Child Protection may include the following:</p> <ul style="list-style-type: none"> • acting as a support person for the child or young person • attending DHHS Child Protection case-planning meetings • observing and monitoring the child’s behaviour liaising with professionals.
Requests for Information	<p>DHHS Child Protection and/or Child FIRST and/or Victoria Police may request information about the child or family for the purpose of investigating a report and assessing the risk to the child or young person.</p> <p>In certain circumstances, DHHS Child Protection can also direct school staff and Department staff to provide information or documents about the protection or development of the child. Such directions should be in writing and only be made by authorised persons within DHHS Child Protection: see the Department of Education & Training website: Requests for Information About Students</p>
Witness Summons	<p>If DHHS Child Protection makes a Protection Application in the Children’s Court of Victoria, any party to the application may issue a Witness Summons to produce documents and/or to give evidence in the proceedings: see the Department of Education & Training website: Subpoenas and Witness Summonses</p>

3.3 Related resources

Catholic Education Melbourne

- [Catholic Schools Operational Guide](#) (CEVN website).

Department of Education and Training

- [Duty of care](#)
- [Police and DHHS Interviews](#)
- [Responding to Student Sexual Assault](#)
- [Requests for Information about Students](#)
- [Subpoenas and Witness Summonses](#)
- Flowchart: [A step-by-step guide to making a report to Child Protection or Child FIRST \(PDF - 270Kb\)](#)
- [Mandatory Reporting eLearning Module](#).

Related legislation

- Children, Youth and Families Act 2005 (Vic.)
- Crimes Act 1958 (Vic.)
- Education and Training Reform Act 2006 (Vic.)
- Victorian Institute of Teaching Act 2001 (Vic.).

Department of Health and Human Services

- [Child Protection](#)
- [Child FIRST](#).

Victoria Police

- [Victoria Police Sexual Offences and Child Abuse Investigation Teams \(SOCIT\)](#).

Department of Justice and Regulations

- [Failure to disclose offence](#)
- [Failure to protect offence](#)
- [Grooming offence](#).

Other resources

- [Daniel Morcombe Child Safety Curriculum](#)
- Parents: [Daniel Morcombe Child Safety Curriculum Parents Guides](#) (Queensland Department of Education, Training and Employment)

Further information

Catholic Education Melbourne Wellbeing & Community Partnerships Unit operates the ***Student Wellbeing Information Line (9am – 5pm daily) 03 9267 0228***

The *Student Wellbeing Information Line* seeks to:

- address matters that impact on the wellbeing and educational outcomes of young people arising in Catholic school communities across the Archdiocese of Melbourne using a solution focused-framework
- act as a conduit between the school and the family to promote effective communication and resolution of enquiries
- empower and enhance the capacity, competence and confidence of stakeholders to address matters related to the wellbeing of young people.

APPENDIX 1

School's internal process and related documents

Add your school's internal reporting processes here:

Add your school's links to related documents and policies here:



CHILD SAFE STANDARD 1: CULTURE OF SACCSS & OUR STATEMENT OF COMMITMENT TO CHILD SAFETY

SACCSS global statement is:

- **SACCSS** is committed to safety and wellbeing of all children and young people. This will be the primary focus of our care and decision-making.
- **SACCSS** has zero tolerance for child abuse.
- **SACCSS** is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.
- Every person involved in **SACCSS** has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

The SACCSS' principles for child safety:

"In its planning, decision-making and operations **SACCSS** will..."

1. Take a preventative, proactive and participatory approach to child safety;
2. Value and empower children and young people to participate in decisions which affect their lives;
3. Foster a culture of openness that supports all persons to safely disclose risks of harm to children and young people
4. Respect diversity in cultures and child rearing practices while keeping child safety paramount;
5. Provide written guidance on appropriate conduct and behaviour towards children and young people;
6. Engage only the most suitable people to work with children and young people and have high quality staff and volunteer supervision and professional development;
7. Ensure children and young people know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues;
8. Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
9. Share information appropriately and lawfully with other organisations where the safety and wellbeing of children and young people is at risk; and
10. Value the input of and communicate regularly with families and carers."

Acknowledgments:

1 Adapted from Our Community (2016) *Child Protection Toolkit: What every not-for-profit organisation must do now*.

2 **PROTECT** | The Department of Education and Training | ©2016



To Whom it may concern,

Re: Victorian Child Safe Standards

We are writing to inform you of the changes we at SACCSS are implementing in 2017 due to the new Child Safe Standard regulations that were introduced in 2016 to schools and now to tier 2 organisations such as ourselves as of January 1st 2017. Firstly, if you are unaware of what the Child Safe Standards are; here is a brief explanation taken from the DHS website.

'Victoria has introduced compulsory minimum standards for organisations that provide services for children to help protect children from abuse.

The **Child Safe Standards** form part of the Victorian Government's response to the **Betrayal of Trust Inquiry** (the 2013 Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations).

Education, awareness raising and helping organisations to create and maintain child safe environments will be the initial focus of the Child Safe Standards.'

Please go to [DHS Victoria Child Safe Standard Information](#) for more information.

SACCSS is committed to the safety and wellbeing of all children and young people, ensuring all our events have our students safety as first priority. We will continue to work with our Member Schools, Volunteers and Contractors to ensure we are all doing everything within our power to make our events as safe as possible. (Please see '[SACCSS Statement of Commitment](#)' attached and can also be found on the SACCSS website www.saccss.com.au)

In order for SACCSS to fulfil its obligations to these Child Safe Standards we are required to undergo the following process with all volunteers and contractors (First Aid, Umpires, Officials etc) hired by our association:

- Provide a copy of our '[Child Safe Policy](#)' document (attached and can also be found on the SACCSS website) which is to be distributed and read by any contractors hired by us. We require you to please pass on this document to staff organised by yourself on behalf of SACCSS.
- Upon arrival at a SACCSS event, the Executive Officers; Rebecca Clugston and Jo Lewis, will conduct a briefing before the event commences where all Contractors details will be logged on the '[SACCSS Child Safe Register](#)'; which includes the following (this process only needs to be carried out once annually):
 - o Contractors will be required to provide us with their WWC card,
 - o Sign a '[SACCSS Code of Conduct](#)' (attached and also available on our website)
 - o Acknowledge and agree that they understand their responsibility to comply with '[SACCSS Reporting Obligations](#)'
- Once briefed, all Volunteers and Contractors will be asked to wear/carry a SACCSS Lanyard which contains the contact details on the Executive Officers if they are required throughout the day, this will also identify them to the staff and family members of our schools that they're presence at our event has been acknowledged by us.

We understand that these changes have a significant impact on all involved, however they are now legislation and we appreciate your assistance and cooperation on this matter very much. We look forward to continuing to work with you to provide the highest quality, safe sporting events for all our students.

Regards,

Rebecca Clugston and Jo Lewis
Executive Officers of SACCSS