

National Safeguarding Policy

1. Introduction

1.1 Background

Edmund Rice Education Australia ('EREA') Flexible Schools Ltd is a Company Limited by Guarantee and the Governing Authority for 24 Schools, including two special education Schools in New South Wales.

The network of Schools under the governance of EREA Flexible Schools Ltd (**Schedule 1**) are Catholic Schools, administered 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.

All EREA Flexible Schools Ltd Schools, use Four Principles to provide a 'Common Ground' for relationships to be established in a non-judgmental, inclusive and flexible way which helps young people engage in their learning and wellbeing. These Common Ground Principles are Respect, Safe and Legal, Participation and Honesty, and are used by everyone in the school community to encourage learning, build positive relationships and resolve conflict peacefully.

At EREA Flexible Schools Ltd, the safety, Wellbeing and active participation of every Child, Young Person and enrolled adult (Student) entrusted to our care take precedence. Every member of our Schools, including Employees, Volunteers and Contractors, is bound by legal and ethical obligations to respond promptly to any concerns regarding a Student's safety. We are resolute in our commitment to upholding these obligations rigorously.

EREA Flexible Schools Ltd maintains a zero-tolerance towards Child Abuse. Recognising its pervasive and enduring nature, we are steadfast in our pursuit of continuously enhancing and fortifying the protective measures for Students. This endeavour is achieved through the establishment of robust, accessible and transparent policies and procedures.

EREA Flexible Schools Ltd includes two Edmund Rice Special Education Schools ('ERSES') within its network. These are ground-breaking and innovative special Schools designed for Students with mild to moderate intellectual disabilities. Each school offers small classes, excellent facilities and provides individualised education programs.

1.2 Principles

The EREA Flexible Schools Ltd National Safeguarding Policy ('Policy') is founded upon the EREA Charter ('Charter') and is grounded in the core values that we, as an EREA entity, uphold. This Policy is further supported by the National Safeguarding Principles, National Principles for Child Safe Organisations (humanrights.gov.au) and the National Catholic Safeguarding Standards – Australian Catholic Safeguarding Ltd (acs ltd.org.au). The following guiding principles underpin the continuous development and review of our work systems, practices, policies and procedures to ensure the

protection of Children and Young People from abuse:

- (a) **The Right to Safety:** Every Child and Young Person has the right to be safe.
- (b) **Child-Centric Welfare:** The welfare and best interests of the Child and Young Person is paramount.
- (c) **Respect for Views and Privacy:** The perspectives and privacy of the Child and Young Person must be respected.
- (d) **Established Behaviour Expectations:** Clear expectations for appropriate behaviour with Children and Young People are outlined in the EREA Flexible Schools Ltd *Child Safety Code of Conduct* within the EREA Flexible Schools Ltd *Code of Conduct*.
- (e) **Cultivation of a Child Safe Culture:** The safety of Children and Young People is dependent upon the existence of a child safe culture.
- (f) **Inclusion of Families, Carers and Communities:** Families, carers and relevant communities play a critical role in fostering a child safe culture through their active participation in decision-making processes regarding Child Safety and Wellbeing.
- (g) **Robust Screening Procedures:** Comprehensive procedures are in place to screen all Staff, Direct Contact Volunteers, Third Party Contractors and External Education Providers who have direct contact with Children and Young People.
- (h) **Shared Responsibility for Child Safety:** The safety and protection of children is a collective responsibility shared by all.
- (i) **Mandatory Child Safeguarding Training:** Mandatory training in Child Safety is a requirement for all Staff.
- (j) **Accessible Incident Response:** Simple and accessible procedures are in place for responding to alleged or suspected incidents of Child Abuse.
- (k) **Tailored Support for Vulnerable Groups:** A child safe culture identifies specific strategies for the care and support of Children and Young People who may be particularly vulnerable, including:
 - Aboriginal and Torres Strait Islander Children and Young People;
 - Children and Young People from culturally and/or linguistically diverse backgrounds;
 - Children and Young People with disabilities;
 - Children and Young People who are unable to live at home;
 - Lesbian, gay, bisexual, transgender, intersex and questioning Children and Young People.

1.3 Purpose

This Policy underscores EREA Flexible School Ltd's unwavering commitment to cultivating a positive and robust Child Safeguarding culture. It ensures that every Child and Young Person within the care of EREA Flexible Schools Ltd is not only safe but also valued as integral members of their respective School communities. This Policy further aims to elevate Child Safeguarding to the forefront of all EREA Flexible Schools Ltd Schools and entities by offering comprehensive guidance. This includes the implementation of robust systems and processes to ensure that all representatives of EREA Flexible Schools Ltd fulfill their legislative obligations, uphold ethical standards and proactively prevent the potential harm to Children and Students in each School.

Recognising the complexity of maintaining a nationally consistent approach to Safeguarding across various jurisdictions, EREA Flexible Schools Ltd commits to adopting a best practice model. This ensures that each school maintains clear and accessible policies and procedures outlining the roles and responsibilities of all Staff, Volunteers, Contractors and Students. The Policy applies to all individuals active within EREA Flexible Schools Ltd, referred to as ‘Representatives’, both at the organisation and School levels. Additionally, it extends to encompass Students’ families, supporters, partners and external third-party providers.

By implementing this Policy, each School and Representative of EREA Flexible Schools Ltd commits to embedding an active Safeguarding culture and practice into their operations and educational processes. This proactive approach enables the identification and appropriate management of risks in a timely manner.

1.4 Scope

This Policy applies to EREA Flexible Schools Ltd and its Employees in each of its Schools as listed in **Schedule 1**.

This Policy encapsulates EREA Flexible School Ltd’s overarching objective to safeguard the wellbeing of all Children, Young People and Students within our Schools. It applies to all EREA Flexible School Ltd Representatives, including those with both direct and indirect contact with Students, decision-makers impacting Students, and those with access to sensitive Student information. This Policy covers all physical, virtual and online environments, encompassing on-site and off-site School premises. Specific responsibilities are vested in the Board, the Director and Chief Executive Officer (‘CEO’), the Regional Directors, and the Area Principal or Head of Campus of each School.

2. Definitions

Term	Definition
Board	means the EREA Flexible Schools Ltd Board.
Child Abuse	includes sexual offences, grooming, physical violence, serious emotional or psychological harm, serious neglect and exposure to family violence.
Employee	means any person employed by any EREA Flexible Schools Ltd, including the Schools.
Safeguarding	includes, not only Child Abuse, but also embraces the overall Wellbeing of the Child or Young Person.
School	means the registered non-government schools (including Registered Training Organisations and other educational facilities) located in and operating in Australia which are listed in Schedule 1 and such other schools, Registered Training Organisations or educational facilities as the EREA

	Flexible Schools Ltd may establish in Australia or acquire, govern and operate.
Staff	any person who is employed by EREA Flexible Schools Ltd on a casual, fixed term or continuing basis, either pursuant to a contract of employment or appointed to a role at the School pursuant to an agreement with a religious order.
Wellbeing	includes mental health issues, stress, depression, anxiety, building resilience and educating for safety and mental health awareness.

3. Governance, Accountabilities, Roles and Responsibilities

3.1 Accountabilities Matrix

The Accountabilities Matrix below describes the roles and responsibilities of each layer of EREA Flexible School Ltd’s governance structure as related to enhancing safeguarding culture.

Governance layer	Roles and responsibilities
Council (TEREA)	<ul style="list-style-type: none"> Requiring and fostering a positive Safeguarding culture as core to its Mission via a Statement of Commitment to Child Safety and the Apology for historical abuse and harm The responsible body for any Audit conducted by Australian Catholic Safeguarding Limited against the National Catholic Safeguarding Standards
EREA Ltd (Member for EREA Flexible Schools Ltd)	<ul style="list-style-type: none"> Receives an Annual Report from EREA Flexible Schools Ltd on the program of an active and embedded Safeguarding culture Provides an Annual Safeguarding report to TEREA
EREA Flexible Schools Ltd Board	<ul style="list-style-type: none"> EREA Flexible Schools Ltd is the Governing Authority Leading and supporting a positive Safeguarding culture across designated Schools Approving Board-level Safeguarding framework, policies and procedures Provision of expert Safeguarding leadership resources Assurance mechanisms related to Schools Oversight and analysis of active management and reporting (including legislative requirements such as Reportable Conduct) Annual Report to the Member (EREA Ltd)
EREA Flexible Schools Ltd CEO	<ul style="list-style-type: none"> The EREA Flexible Schools Ltd CEO is the Head of Entity Developing, implementing and reviewing Board-level Safeguarding framework, policies and procedures

	<ul style="list-style-type: none"> Active management and reporting (including legislative requirements such as Reportable Conduct)
Schools	<ul style="list-style-type: none"> Creating, enabling and leading an active and embedded Safeguarding culture Developing, implementing and reviewing School-level Safeguarding policies and procedures Annual attestation to EREA Flexible Schools Ltd

3.2 Roles and Responsibilities

The roles and responsibilities of EREA Flexible Schools Ltd and its Safeguarding, Risk and Compliance Committee are detailed below.

Role	Responsibilities
EREA Flexible Schools Ltd Board	The EREA Flexible Schools Ltd Board is responsible for approving and overseeing the entity's policy suite. The policy suite is set to ensure that adequate procedures, guidelines, resources and training are in place for everyone to comply with the policies.
EREA Flexible Schools Ltd Safeguarding, Risk and Compliance Committee	This Committee provides advice and support to the Board in carrying out their functions, as outlined above. More details can be found in the Committee's Terms of Reference.
EREA Flexible Schools Ltd CEO	The CEO ensures that EREA Flexible Schools Ltd adheres to all legal, regulatory and procedural compliance obligations through policy implementation. They oversee the development of procedures and guidelines to facilitate policy adherence. Additionally, the Director and CEO ensures that all EREA Flexible Schools Ltd Employees are screened in accordance with relevant State or Territory legislated requirements. They also enforce sound governance and management practices to uphold the highest standards for the protection of Children and Young People.
Regional Directors	Regional Directors have a primary responsibility to ensure that EREA Flexible Schools Ltd Schools and entities within their Region maintain the highest standards in relation to the Safeguarding and protection of Children and Young People.
Area Principals	Area Principals are responsible for upholding policy adherence and ensuring compliance with National Child Safeguarding Principles. Their role oversees the comprehensive implementation, management and reporting of the Child Safeguarding program requirements and Standards within their respective school/s. Additionally, Area Principals are tasked with unwavering dedication

	to national governance, risk, compliance and Safeguarding policy requirements for EREA Flexible Schools Ltd.
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4. Obligations

In accordance with State legislation, it is mandatory to report any suspicion of harm or abuse towards a Child or Young Person. EREA Flexible Schools Ltd places utmost importance on strict adherence to these legislative requirements, as well as all other Child protection laws.

When an individual suspect that a Child or Young Person may require protection, they are obligated to follow the procedures outline in the EREA Flexible Schools Ltd *Child Safeguarding Program* specific to their jurisdiction.

In all interactions with Children and Young People, members of the EREA Flexible Schools Ltd community are expected to uphold the highest standards of behaviour, as outlined in the *Child Safety Code of Conduct*.

5. EREA Flexible Schools Ltd Incident Management Framework

The *Incident Management Framework* of EREA Flexible Schools Ltd outlines the specific types of incidents that require escalation and notification to EREA Flexible Schools Ltd. It delineates the timeline and provides a detailed description of the notification process. This includes utilising the EREA Flexible Schools Ltd Assurance platform for notifications, which must be followed in conjunction with this Policy.

6. Policy compliance

EREA Flexible Schools Ltd monitors the safety of its students through regular reporting from its Officers and Schools. Furthermore, Safeguarding compliance and risk management is monitored through annual reporting, risk assessments and attestations of compliance that are provided to EREA Flexible Schools Ltd by each of the Schools within the network.

EREA Flexible Schools Ltd requires the immediate escalation to the CEO of any instances of non-compliance with our policies and/or with any legal and regulatory requirements, as well as any other information or incidents that may suggest a breakdown in Safeguarding systems, procedures and risk controls.

6.1 Breach of this Policy

Any non-compliance with this policy may be subject to disciplinary action, including and up to termination of an Employee’s employment.

Procedures for reporting are outlined in School level policy and procedures, and Staff can make a report directly to EREA Flexible Schools Ltd’s Director of Safeguarding. All reports will be treated confidentially.

6.2 Policy Review

This Policy will be reviewed every two (2) years unless there is legislative change or a regulatory requirement to do so earlier.

The EREA Flexible Schools Ltd Board is responsible for ensuring this Policy is reviewed and updated as needed, and for approving this Policy.

Any related guidelines are reviewed annually or following the incidence of something not covered in those guidelines that impacts on EREA Flexible School Ltd's responsibilities.

7. Related Policies, Procedures and Legislation

7.1 EREA Flexible Schools Ltd Policy Linkage

This Policy should be read in conjunction with the following related documents:

- (a) EREA Flexible Schools Ltd Statement of Commitment to Child Safety
- (b) National Safeguarding Principles and National Catholic Safeguarding Standards
- (c) EREA Flexible Schools Ltd Child Safeguarding Program (NSW) – PolicyConnect
- (d) EREA Flexible Schools Ltd Child Safeguarding Program (QLD) – PolicyConnect
- (e) EREA Flexible Schools Ltd Child Safeguarding Program (SA) – PolicyConnect
- (f) TCEO Child Safeguarding Program (TAS) – PolicyConnect
- (g) EREA Flexible Schools Ltd Child Safeguarding Program (WA) – PolicyConnect
- (h) EREA Flexible Schools Ltd Child Safeguarding Program (NT) – PolicyConnect
- (i) EREA Flexible Schools Ltd Code of Conduct – EREAFS Ltd Website

7.2 Related legislative instruments

The following legislation, standards and regulations apply, and this inform all EREA Flexible School Ltd policies and procedures:

Queensland

- (a) *Education (Queensland College of Teachers) Act 2005*
- (b) *Working with Children (Risk Management and Screening) Act 2000* and the *Working with Children (Risk Management and Screening) Regulation 2020*
- (c) *Education (General Provisions) Act 2006*
- (d) *Criminal Code Act 1899*
- (e) *Civil Liability Act 2003*
- (f) *Child Protection Act 1999*

New South Wales

- (a) *Teacher Accreditation Act 2004*
- (b) *Child Protection (Working with Children) Act 2012*
- (c) *Child Protection (Working with Children) Regulation 2013*
- (d) *Education Act 1990*
- (e) *Children's Guardian Act 2019*

- (f) *Crimes Act 1900*
- (g) *Civil Liability Act 2002*
- (h) *Children and Young Persons (Care and Protection) Act 1998*

South Australia

- (a) *Teachers Registration and Standards Act 2004*
- (b) *Child Safety (Prohibited Persons) Act 2016* and the Child Safety (Prohibited Persons) Regulations 2019
- (c) *Criminal Law Consolidation Act 1935*
- (d) *Civil Liability Act 1936*
- (e) *Criminal Law Consolidation Act 1935*
- (f) *Children and Young People (Safety) Act 2017*

Northern Territory

- (a) *Teacher Registration (Northern Territory) Act 2004*
- (b) *Care and Protection of Children Act 2007*
- (c) *Domestic - and Family Violence Act 2007*
- (d) *Criminal Code Act 1983*
- (e) *Care and Protection of Children Act 2007*

Tasmania

- (a) *Teachers Registration Act 2000*
- (b) *Registration to Work with Vulnerable People Act 2013* and the Registration to Work with Vulnerable People Regulations 2014
- (c) *Criminal Code Act 1924*
- (d) *Civil Liability Act 2002*
- (e) *Children Young Persons and their Families Act 1997*

Western Australia

- (a) WA Registration Standards (Standard 7)
- (b) *Teacher Registration Act 2012* (to be Teacher Registration Amendment Act 2022)
- (c) *Working with Children (Criminal Record Checking) Act 2004* and Working with Children (Criminal Record Checking) Regulations 2005
- (d) *Parliamentary Commissioner Act 1971*
- (e) *Children and Community Services Act 2004*

Schedule 1 – Schools under the Governance of EREA Flexible Schools Ltd

School	Address
Albert Park Flexible Learning Centre	1 Hale Street, Brisbane QLD 4000
Bowen Education Engagement Program	48 George Street, Bowen QLD 4805
Burdekin Education Program	Ayr Racecourse – Cunningham Street, Ayr QLD 4807
Deception Bay Flexible Learning Centre	17 Silver Street, Deception Bay QLD 4508
Edmund Rice Flexi School	Bldg G21 Elizabeth TAFE – Woodford Road, Elizabeth SA 5112
FAME	13 McKinna Road, Christie Downs, SA 5164
Geraldton Flexible Learning Centre	15 Bayly Street, Geraldton WA 6530
Gympie Flexible Learning Centre	30 Everson Road, Gympie QLD 4570
Hemmant Flexible Learning Centre	56 Hemmant-Tingalpa Road, Hemmant QLD 4174
Inala Flexible Learning Centre	67 Poinsettia Street, Inala QLD 4077
Ipswich Flexible Learning Centre	1 Queen Victoria Parade, Ipswich QLD 4305
Mount Isa Flexible Learning Centre	74 Abel Smith Parade, Sunset Mount Isa QLD 4825
Noosa Flexible Learning Centre	2 Girraween Court, Sunshine Beach QLD 4567
Pambula Beach Flexible Learning Centre	149 Pambula Beach Road, Pambula, NSW 2549
Rockhampton Flexible Learning Centre	210 Upper Dawson Road, Rockhampton QLD 4700
St Edmunds College	60 Burns Road, Wahroonga NSW 2076
St Francis Flexible Learning Centre	22 Ashbourne Grove, West Moonah TAS 7009
St Gabriel's School	190 Old Northern Road, Castle Hill NSW 2154
St Joseph's Flexible Learning Centre	5 Bloomfield Street, Alice Springs NT 0870
St Mary's Flexible Learning Centre	63 Forrester Road, St Marys NSW 2760
Southport Flexible Learning Centre	2 Nakina Street, Southport QLD 4215
The Centre Education Programme	108 Mudgee Street, Kingston QLD 4114
Townsville Flexible Learning Centre	22 Ingham Road, West End Qld 4810
Wollongong Flexible Learning Centre	Cnr Princes Hwy and Towradgi Road, Towradgi NSW 2518

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