



The Coast Christian School
a ministry of Coast Community Church

Coast Christian School

CHILD PROTECTION POLICY

2017

Document No:	CP20172702
Publication Date:	January 2017
Replaces Document & No:	Child Protection Policy 20160101
Contact:	Alison Graeve
Review Date:	Annual cycle: July 2018
Status:	Active

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CHILD PROTECTION POLICY and PROCEDURES

1.0 POLICY STATEMENT

INTRODUCTION

Coast Christian School aims to create a safe setting where students can learn, are respected and empowered to achieve their life goals in a supportive Christian environment. Coast Christian School takes a proactive approach to student wellbeing and values the opportunity to build foundational life lessons and encourage students to reach their full potential.

The focus of this school's duty of care is the protection of children from ill-treatment. The procedures followed must also be in accordance with all relevant legislation, and will take into account other appropriate practices and guidelines aimed at the protection of children.

As a Christian Organisation it is crucial to support all measures legislated to protect children and young people. Furthermore, it would be our understanding that regardless of legislation a Biblical Christian worldview would preclude all forms of abuse and misconduct whether to children and young people or to the aged or anyone helpless and unable to defend themselves. Christ 'legislates' through the 'law of love' that we treat other people in the way in which we would want to be treated (Matthew 7:1-3), and that we will love our neighbour as we love ourselves (Mark 12).

RATIONALE

Child protection is a shared responsibility. Education is to be provided annually for the CCS Community, including parent education, as vital preventative aspects of Child Protection.

All students at Coast Christian School have a right to be protected from physical or psychological harm and to grow and develop in a safe and caring environment.

- All adults have a responsibility to care for and protect students from any kind of abuse or neglect.
- The School is responsible to provide a safe environment for children and to provide an education which fosters their health, developmental needs, spirituality, self respect and dignity. We are entrusted by parents with the care of their children, who are precious in the sight of God.
- Early intervention is vital in preventing child abuse.
- Reports and responses to reports of child abuse should be managed promptly and appropriately.

PURPOSE

This policy relates to risk of significant harm against students by staff, parents, other students, or by other persons outside the school.

This policy is intended to:

- a) Guide staff, volunteers and students on how to behave with Students in the School and clarify the parameters of appropriate and inappropriate conduct for staff and volunteers of

the School. It is for this reason that it has been developed in line with the School's Child Protection Code of Conduct (**Appendix 1: CCS Child Protection Code of Conduct**). *Before commencement of employment or engagement with the School, or as soon as practicable thereafter, all CCS Community Members shall ensure that they read, understand and sign the School's Child Protection Code of Conduct.*

- b) Inform the School Community Members of their mandatory reporting obligations.
- c) Model a contemporary workplace at the School that is faith-filled, collaborative, consultative, and lawfully compliant in relation to child protection practice.

SCOPE

This policy is intended for teaching and non-teaching staff as well as volunteers in their work with students of the school. Coast Christian School staff are committed Christians that seek to care for and nurture students at the College. This policy is to be read in conjunction with related Coast Christian School policies.

LEGAL CONTEXT

The Policy is underpinned by relevant legislation and industrial instruments.

In the event of any conflict between this Policy and the legislation, the provisions of legislation take precedence.

Coast Christian School abides by the following Child Protection legislative requirements:

- The Ombudsman Act 1974 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 Amendment (Parental Responsibility Contracts) Act 2006 (NSW)
- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Regulation 2013
- Child Protection (Prohibited Employment) Act 1998
- Family Law Act 1975 (Cth)
- Commission for Children and Young People Act 1998 (NSW)
- Crimes Act 1900 (NSW)
- Child Protection (Offenders Registration) Act 2000 (NSW)
- Child Protection Legislation Amendment Act 2003: Replacing the term "child abuse" with "reportable conduct"
- NSW Government Keep Them Safe plan: Increasing the statutory threshold from children "at risk of harm" to children "at risk of significant harm"
- Australia is a signatory to the United Nations Convention on the Rights of the Child (1989)

POLICY

Coast Christian School is committed to providing a caring, safe and accepting environment for students.

Coast Christian School is dedicated to early intervention and prevention of child abuse in any form.

Coast Christian School is committed to the implementation of procedures for managing child safety and endorses the importance of the NSW Governments action plan *Keep Them Safe: A shared approach to Child Wellbeing* (KTS).

The NSW Government's KTS plan 'recognises that caring and supporting children is first and foremost the responsibility of parents, families and communities. When Government support becomes necessary child protection is not the sole responsibility of Community Services but a collective responsibility'.

POLICY PRINCIPLES

- Coast Christian School is committed to providing a caring, safe and accepting environment for students.
- Coast Christian School will respond promptly to safety, welfare or wellbeing concerns for children.
- Coast Christian School works in partnership with families, but will always put the safety, welfare and well-being of children and young people first.
- All staff will be aware of the indicators of abuse and neglect of children and young people as outlined in the Mandatory Reporters Guide and the Child Wellbeing and Child Protection – NSW Interagency Guidelines and their legal obligations as Mandatory Reporters of Child Abuse and Neglect.
- Coast Christian School will ensure that staff who are appointed to positions are fit and proper persons to occupy those positions and understand their responsibilities in Child Protection.
- Coast Christian School encourages the participation of parents, children and young people in decision-making.
- Coast Christian School staff will act in accordance with safe protective practices which are outlined in the CCS Child Protection Code of Conduct.
- There are three key pieces of child protection legislation in NSW. These are:
 - a) *Children and Young Persons* (Care and Protection) Act 1998
 - b) *Ombudsman Act* 1974 [Part 3A]
 - c) *Child Protection (Working with Children) Act* 2012 and the related *Child Protection (Working with Children) Regulation* 2013

The legislation is designed to be complementary and it is for this reason that CCS Child Protection Policy is written in three sections to provide clear Child Protection guidelines for the CCS Community. These three sections are labelled: Mandatory Reporting; Reportable Conduct; Working with Children Checks.

DUTY OF CARE

All School Community Members have a duty to take reasonable care for the safety and welfare of Students in their care. That duty is to consider and take all reasonable action to protect Students from known hazards or risk of harm that can be reasonably predicted. The standard of care that is required of a School Community Member must take into consideration various factors, such as a Student's maturity and ability.

This duty of care owed to Students by all School Community Members applies during all activities and functions conducted or arranged by the School where a Student is in the care of a School Community Member.

The risk associated with any activity needs to be assessed and managed by School Community Members before the activity is undertaken. A single serious failure to exercise appropriate duty of care, or persistent repeated failures, may constitute neglect or negligence according to the law if actual harm is caused, or if there is the potential to cause significant harm to a Student.

All School Community Members also have a duty to not neglect the welfare of all Students. Neglect includes either an action or inaction by a person who has care responsibilities towards a Student which may include:

1. Supervisory neglect (failure to adequately supervise a Student),
2. Carer neglect (grossly inadequate care of a Student),
3. Failure to protect from abuse (unreasonable failure to respond to information that may result in harm to a Student), and/or
4. Reckless acts or failure to act (including a gross breach of professional standards that may result in harm to a Student).

In relation to this duty of care all School Community Members must participate in training opportunities as proposed to them by the School in order to maintain and update their understanding of child protection law and practice and the School's policies and procedures in relation to the care of students.

CHILD-FOCUSED RISK MANAGEMENT

All School Community Members will ensure that they use child-focused risk management practices in all their activities in accordance with the School's Risk Management Policy and Procedures.

In this regard all School Community Members must ensure that they comply with all legislative and policy obligations to maintain and update their child protection (Working with Children checks) screening.

INFORMING STAFF OF THEIR LEGAL RESPONSIBILITIES

Child Protection training is provided to CCS Staff annually. This training includes:

- ✓ Informing staff of their mandatory reporting obligations
- ✓ Informing staff of the CCS Child Protection Code of Conduct
- ✓ Advising staff of the CCS procedures regarding identifying and responding to a Risk of Significant harm
- ✓ Advising staff of the CCS procedures regarding allegations of improper conduct by a staff member
- ✓ Advising staff of the necessity of maintaining currency with the Working with Children Checks.
- ✓ Advising staff when any changes or updates occur in legislation and adjusting the documentation

- ✓ Staff will sign an attendance sheet as evidence of having received this training. These attendance sheets will be filed in the school office in a lockable cabinet by the Principal. Staff who are absent from this training session or who are employed during a school year after the Child Protection training has been conducted will be required to read the policy and sign-off their receipt and understanding. If the employee has not participated in any Child Protection training in NSW within 12 months of their employment at CCS, they will also be required to participate in an online Child Protection training program and provide the Principal with evidence of the course completion within one month of commencing their employ at CCS.

GLOSSARY

Child abuse/ child maltreatment These terms are used interchangeably. Child abuse is the term commonly used to describe different types of maltreatment inflicted on a child or young person. It includes assault (including sexual assault), ill-treatment, neglect and exposing the child or young person to behaviour that might cause psychological harm. Child abuse can be a criminal offence under the Crimes Act 1900.

Class of children or young people refers to more than one child or young person who may be at risk of harm because of their association with a person or situation identified as posing a risk of harm through abuse or neglect.

Direct contact means physical contact or face to face contact.

Domestic violence is violence, abuse and intimidatory behaviour perpetrated by one person against another in a personal, intimate relationship. It is partnership violence that includes violence perpetrated when couples are separated or divorced. The acts of domestic violence are mainly but not only perpetrated by men against women within heterosexual relationships but can also occur within same sex relationships, and perpetrated by women against men.

Children and young people may experience harm, by being in the presence of or by being exposed to violence in the parental relationship, by becoming the victims of violence or a combination of the two.

Head of Agency (HOA) is the Principal of Coast Christian School.

Neglect is the failure to provide the basic physical and emotional necessities of life. Neglect may be an ongoing situation and can be caused by a repeated failure to meet the child's or young person's basic physical and psychological needs.

Physical abuse or ill-treatment is assault, non-accidental injury and/or physical harm to a child or young person by a parent, caregiver, another person responsible for the child or young person, or older child. It includes harm or injuries which are caused by excessive discipline, beating or shaking, bruising, lacerations or welts, burns, fractures or dislocation, female genital mutilation and attempted suffocation or strangulation.

Psychological harm refers to harm resulting from abusive behaviours that damage the cognitive or emotional development of a child or young person. Psychological harm includes emotional deprivation and trauma and the serious impairment of a child's or a young person's social, emotional, cognitive or intellectual development and/or disturbance of a child's or a young person's behaviour.

Psychological needs refers to the social, emotional, cognitive or intellectual needs of a child or young person.

Reasonable grounds are grounds which would cause a reasonable person to form a judgement of risk of harm, having regard to the circumstances of the individual case including the nature and seriousness of the allegations made, the age and physical condition of the child, any corroborative evidence which exists, and other relevant information.

Reportable conduct refers to conduct as described in Section 25A of the Ombudsman Act 1974 (NSW).

CCS Community Member/Members and/or School Community Member/s refers to:

All paid employees whether employed on a permanent, temporary or casual basis;
and,

All persons who have been engaged to work within the School or who have face to face contact with students of the School in any place and on any basis including persons holding a church ministry license or church-appointed position, consultants, students on tertiary practicum placements or adult volunteers, including parents, working with students in any capacity.

Significant harm

“Significant” is something that is deemed to be sufficiently serious to warrant a response by a statutory authority, irrespective of a family's consent. That means, what is significant should not be considered minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare, or wellbeing. In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child.

SECTION 1: MANDATORY REPORTING

A mandatory reporter in NSW is an individual required by under Section 27 of the Children and Young Persons (Care and Protection) Act 1998 to “report to the Child Protection Helpline when he/she has reasonable grounds to suspect that a child, or a class of children, is at risk of significant harm from abuse or neglect, and those grounds arise during the course of or from the person’s work.”

Coast Christian School recognises that all staff, including volunteers, are mandatory reporters and will report matters where a child is at risk of significant harm to the Child Protection Helpline on 133 627 after completing the mandatory reporter guide (MRG). The general public will continue to make reports to the Child Protection Helpline by calling 132 111.

As mandatory reporters in NSW, Coast Christian School staff may also report concerns held about the safety, welfare, or well-being of a young person (age 16-17), but are not required to do so by law.

IDENTIFYING AND RESPONDING TO CHILD ABUSE (see **Appendix 2** flowchart)

1. IDENTIFYING CHILD ABUSE

All Coast Christian School staff are expected to be familiar with the general indicators for child abuse and neglect and their indicators, as well as the process for responding to disclosures. Further detail is covered in annual staff training. Indicators of Abuse and Neglect from the DEC are included as **Appendix 3** (Indicators of Abuse and Neglect) in this Policy.

2. RESPONDING TO CHILD ABUSE AND NEGLECT

2.1 All staff are required to report cases of suspected risk of significant harm to the Principal who may consult with other staff such as the School Counselor or nominated Child Protection Staff member.

2.2 A Keep Them Safe Mandatory Reporters Guide (MRG) will be completed and Coast Christian School will follow the process outlined there to report to the relevant authorities. The MRG categorises abuse or neglect under eight headings which are as follows:

- i. Physical abuse
- ii. Neglect: supervision; shelter/environment; food; hygiene/clothing; medical care; mental health care; Education – Not Enrolled; Education – Habitual Absence
- iii. Sexual abuse: Child, young person, problematic sexual behaviour towards others
- iv. Psychological harm
- v. Child/Young person is a danger to self and/or others
- vi. Relinquishing Care
- vii. Carer concern: substance abuse; mental health; domestic violence
- viii. Unborn child

2.3 Where there are urgent concerns for a child or young person’s health or safety, then it is important to immediately contact the police using the emergency line ‘000’. Suspected imminent risk of significant harm concerns need to be reported to the Child Protection Helpline immediately by telephone. **Concerns identified as suspected risk of significant harm must be reported to the Helpline within 24 hours of becoming known.**

The Child Protection Helpline **must** be contacted when:

- There are current concerns about suspected risk of significant harm and/or
- The Mandatory Reporter Guide indicates this should be done.

- 2.4. When a disclosure of child abuse is made, confidentiality must not be promised and whenever possible the student and/or parents/carer should be involved in the actions that may be taken.

It is recognised that it is good practice to discuss a report with the family, where this does not put a child at further risk. Where a close and supportive relationship exists with the family, concerns may be able to be raised in the form of assisting a family to seek support, and take, with statutory help, the necessary steps to ensure a child's safety. This may be appropriate in cases of neglect, or where there is a clear disclosure of abuse by someone outside the family and the family is believing of the child.

Where a child or young person is disclosing or is suspected of being physically or sexually abused, either within the family, or from an unknown source, this should not be discussed with the family prior to a report, as it may result in pressure being placed on a child not to tell, or further abuse or risk to the child or young person.

- 2.5 The Principal will advise the staff member if a significant harm report has been made and the staff member will be provided with the Contact Reference Number (CRN) as soon as practicable. The staff member will also be informed of the feedback provided by the Child Protection Helpline.

NOTE: A staff member who has raised concerns of suspected risk of significant harm should report directly to Family and Community Services if there is any reasonable doubt that the report has been made by the Principal. This may be if, for example, the Principal does not advise the staff member that the report has been made or the Principal declines to make the report.

3. DOCUMENTING YOUR RESPONSE

- 3.1 All staff and volunteers must document observations, consultations and actions involving potential child abuse or neglect using Coast Christian School recording form for disclosures, observation of child abuse. A copy will be stored with the Principal. **Appendix 4** (CCS Recording form for Disclosures, Observations of a Student at risk of abuse).
- 3.2 An MRG will also be completed, signed, printed and stored in the Principal's office.
- 3.3 All records must provide factual information, observable indicators and refrain from opinion or conclusions. Recorders must include child's name, DOB, date, approximate time of any observations or disclosures with exact wording of statements made using indented quotation marks ("example"). Documentation will not include professional judgments and will include use of first person singular examples, "I observed ..."
- 3.4 In the event that a notification is made to Family and Community Services the Contact Reference Number (CRN) is kept on the Principal's files as proof the report has been made. Written records will be made of all communication with Police and Community Services.

STUDENT INTERVIEWS IN CASES REPORTED TO FACS

In relation to reportable cases of risk of significant harm where FACS has been notified, officers of Joint Investigation and Response Team (JIRT) may wish to carry out student interviews, sometimes jointly at School.

No student will be interviewed at the School against the wishes of the student and it is the Principal's responsibility to inform the student of this.

At the commencement of the interview, the Principal should ask the investigating officers to explain to the student, in the presence of the Principal, the purpose of the interview and their role. The Principal will inform the student of his or her right to choose a supportive adult to be present at the interview. JIRT Officers are responsible for communicating with parents about any matters related to an interview. If a person is nominated by the student, the interview

must not commence until that person has arrived. What takes place in the interview becomes part of the investigation and must remain confidential.

Except in cases which involve a member of the family, it is expected that a parent of the child concerned will be present at any interview with the child.

REMOVAL OF STUDENTS BY FACS/JIRT OFFICERS

If the Principal is approached by officers from FACS or JIRT to remove a student from the School premises the following will occur:

- The Principal **MUST** be advised and,
 - Sight the identification of the officers
 - Take a copy of the Section 60 (remove the student from school) or Section 62A (order for student to remain at school) notice
 - Record details of the actions, names of officers and, where possible, place of lodgement of the student
 - Gain an assurance from officers that they will immediately inform the parent/carer that the student has either been removed from the School or has been ordered to remain at the School.

EXCHANGE OF INFORMATION

Because the protection of children and young people from risk of harm is deemed to be more important in some situations than an individual's right to privacy, there are statutory provisions that override restrictions on disclosure of personal information.

Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* allows government agencies and non-government organisations who are prescribed bodies to exchange information that relates to a child's or young person's safety, welfare or well-being, whether or not the child or young person is known to Community Services, and whether or not the child or young person consents to the information exchange. Chapter 16A also requires prescribed bodies to take reasonable steps to coordinate decision making and the delivery of services regarding children and young people.

Coast Christian School is a prescribed body and as such will respond to requests under Section 16A where appropriate. Community Services can also make requests under Section 248 of the Act, and again, Coast Christian School will comply where appropriate and as required.

All Section 16A or Section 248 requests for information should be directed to the Principal who will consult as required and determine the validity of a request and co-ordinate Coast Christian School's response. Similarly, should Coast Christian School wish to use the provisions of Section 16A to seek information from another agency, this should be co-ordinated via the Principal.

Before any phone discussions occur between officers of FACS and the Principal, the Principal will always confirm the identity of the caller by phoning the known number of the FACS Centre before any discussions occur.

Any staff receiving a call from FACS or JIRT must refer the officers to the Principal.

Providing information in good faith, including a response to requests for information and requests for a service, is not a breach of professional ethics or standards of professional conduct and does not carry liability for defamation or constitute grounds for civil action.

COMMUNICATING THIS POLICY AND PROCEDURES

Child Protection is a shared responsibility. Education is to be provided annually for the CCS Community as vital preventative aspects of Child Protection.

A designated staff member, together with the Principal will ensure Policies and Procedures are regularly reviewed and updated and communicated to staff.

CCS staff and volunteers will be made aware of their Mandatory Reporting Obligations by:

1. Staff - All staff will be made aware of this Policy via annual mandatory Child Protection training. Training will be delivered either internally or facilitated through an external provider. This training will occur during the January Staff Development week. A log of staff that have participated in child protection training will be kept by the Principal. Throughout the year relevant information will be forwarded to staff electronically to ensure they are up to date.
Staff will be reminded of the Policy as it applies to them and their students through review at staff development meetings from time to time.
The explanation and implementation of this policy and procedures shall form part of the new staff induction program.
2. Parent/carer/volunteer – The Child Protection Policy is available on the School's website.
A Child Protection information session is held annually, normally during Child Protection Week, to provide parents/carers with information regarding the School's Child Protection teaching program as well as an understanding of CCS Child Protective practices and procedures and the reasons for them within the School. Parents and carers are also made aware of their Mandatory Reporting obligations during this information session.
The Principal will raise the awareness of Child Protection within the CCS Community by regularly including relevant information through brochures, posters and Newsletter articles.
3. Students – The Child Protection Policy will be integrated in the PDHPE program during Child Protection lessons.
Students will be advised by the relevant teaching staff and at an age appropriate level, of the CCS Child Protection procedures.

SECTION 2: REPORTABLE CONDUCT

WHAT IS REPORTABLE CONDUCT UNDER THE OMBUDSMAN ACT 1974?

Under the Ombudsman Act, some matters of abuse may be reportable to the Ombudsman as well as the Department of Family and Community Services (FACS). This will occur when an allegation of abuse or neglect by a CCS Community Member (see GLOSSARY) constitutes a reportable allegation under the Ombudsman's Act.

Under the Ombudsman Act, reportable conduct refers to the following:

- Any sexual offence or sexual misconduct committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material (within the meaning of Division 15A of Part 3 of the Crimes Act 1900); or
- Any assault, ill treatment or neglect of a child; or
- Any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child.

Reportable conduct does **not** extend to the following:

- Conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children, and to any relevant codes of conduct or professional standards, or
- The use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures, or
- Conduct of a class or kind exempted from being reportable conduct by the Ombudsman under Section 25CA.”

Note: Examples of conduct that would not constitute reportable conduct include (without limitation) touching a child in order to attract a child's attention, to guide a child or to comfort a distressed child; a school teacher raising his or her voice in order to attract attention or to restore order in the classroom; and conduct that is established to be accidental.

Some conduct may fall within more than one category.

WHAT IS THE ROLE OF THE NSW OMBUDSMAN?

The NSW Ombudsman is responsible for monitoring the handling of reportable allegations and convictions against employees of all government and certain non-government agencies (such as schools, child care centres, out of school hours services and agencies providing substitute residential care). The NSW Ombudsman is also responsible for scrutinizing the systems of these agencies for preventing and handling reportable allegations and convictions against employees.

All agencies in the Ombudsman's child protection jurisdiction must notify the Ombudsman about reportable allegations and convictions against employees that arise in the course of an employee's work. Designated agencies, whether government or non-government, must in addition report allegations or convictions against employees that arise outside the workplace.

Heads of Agencies (or their delegates) are required to make a notification to the Ombudsman within 30 days of becoming aware of a reportable allegation or conviction.

At the end of the investigation into the allegation, the Head of Agency must send a report to the Ombudsman that includes the School's findings in relation to the allegations, details of any action taken and copies of documents on which the report is based. This enables the Ombudsman to determine if the investigation was carried out in a satisfactory manner.

WHAT IS CCS CHILD PROTECTION CODE OF CONDUCT?

This Policy is to be read in conjunction with the CCS Child Protection Code of Conduct (see **Appendix 1**). This Code provides School Community Members with guidelines for appropriate and inappropriate behavior. This Code is also included in the Staff Handbook, which is provided to each staff member either at the commencement of each school year, or at the point of employment at CCS.

In the event that a School Community Member breaches the CCS Child Protection Code of Conduct the Principal will respond with appropriate Staff Disciplinary measures. Serious breaches of this Code of Conduct, or less serious, persistent breaches, could be grounds for disciplinary action or dismissal. The Principal will keep a record of such instances in a lockable file cabinet in the Principal's office.

CCS Staff are made aware of the standards of professional conduct expected of them during the School's annual Child Protection awareness training.

Staff may also be reminded of the Code of Conduct as it applies to them and their students during individual staff feedback and review meetings conducted at least once each term. Records of these meetings are kept in a lockable file cabinet in the Principal's office. A copy is also provided to the staff member.

WHAT IS THE PROCEDURE FOR HANDLING AND RESPONDING TO NON-REPORTABLE ALLEGATIONS?

If a School Community Member forms a Child Protection concern about a CCS employee as a result of anything they have seen, heard or been told they should:

1. Inform the Principal.
2. Document the allegation in as close to verbatim account as possible of: what has been seen or said and by whom; where and when this occurred.

The Principal will:

1. Ask questions to **clarify** the situation: what has been alleged? (Who, what, when, where?) Estimate of physical force or ill-treatment?
2. Determine if the child or young person is at risk of significant harm. If so, follow the CCS Child Protection Mandatory Reporting procedures outlined in this Policy contacting **Community Services Helpline**.
3. Assess whether disclosure or allegations suggest possible criminal conduct and consider any need for notification to **Police**. If so, there will NOT be any further response by the School without consultation with the Police.
4. Consider and address **risk and situation management issues** subject to involvement and input from Community Services and/or Police.
5. Assess the situation to determine:
 - was the action reasonable for the management, care of discipline of the student(s)?
 - was the action in accord with School's Code of Conduct?

6. If YES – the Principal will manage the allegation in accordance with the CCS normal procedures for the incident.

If NO – the Principal will assess whether or not the allegation relates to **reportable conduct** as defined by the Ombudsman Act?

7. If YES – Consider any **‘class or kind’ exemptions** that may apply. (NB. Reportable conduct that falls within the exemptions from reporting under the ‘class or kind’ determination will NOT be reported to the Ombudsman). Such situations may warrant consideration under the CCS Code of Conduct for employees and a potential disciplinary response. The Principal will record and file the result of this enquiry and subsequent response.

WHAT IS THE PROCEDURE FOR HANDLING AND RESPONDING TO REPORTABLE ALLEGATIONS

8. If no ‘class or kind’ exemptions apply – the Principal will follow CCS procedures for notifying **Ombudsman** (Part A notification) and respond as required (within 30 days of becoming aware of the allegation).

9. The Principal will consider who else may need to know about the allegation, as well as what to tell people who are not involved but are aware of the allegation (other employees or parents) advising people about the importance of **maintaining confidentiality**.

10. Address any **support needs** of both the child and the employee.

11. Commence planning for a **formal investigation** and notification of outcomes.

12. Continue with **ongoing risk management**. NOTE: the employee’s duties may need to be changed during the investigation process.

WHAT IS THE PROCEDURE FOR FORMAL INVESTIGATION OF ALLEGATIONS OF REPORTABLE CONDUCT?

1. If Police and/or Community Services were advised of the allegation, the Principal will ensure that clearance has been obtained from either or both agencies before engaging in any fact-finding activities.

2. Once permission to investigate has been granted the Principal will either investigate or will appoint an outside investigator.

3. The Principal will document a risk assessment. This risk assessment determination will in no way affect the findings in a matter under investigation.

4. The Principal will consider any actual or potential conflicts of interest.

5. The Principal will collect all available relevant information (ensure full documentation). (e.g. Who, What, Where, When, How?) This evidence will include:

- Direct Evidence
- Physical Evidence
- Expert opinions

6. The Principal will interview all relevant witnesses. All interviews will be adequately recorded and the notes filed (see 19. Below). Any further documentary evidence will also be collated and filed.

7. The Principal will address any support needs of child and Person Subject Of Allegation (PSOA).

8. The Principal will provide the PSOA with a letter detailing the allegation/s.

9. Information may be given to the PSOA in accordance with the Working With Children Check 19th February 2010 Section 7.5 including the Freedom of Information Act.

10. The Principal will interview PSOA (ensuring procedural fairness) and follow with another **Risk Assessment**.

11. The Principal will consider all available evidence and make a preliminary finding as to whether the finding is sustained, not sustained, false or not reportable conduct.

12. If an Investigator has been engaged they will report findings to the Principal for consideration.

13. A preliminary findings letter is sent to PSOA and PSOA is invited to respond. Any further responses will be considered.
14. Consider if disciplinary action is required.
15. The Principal will make final findings and send final findings letter, stating the action that will be taken, to PSOA.
16. The Principal will send letters, if appropriate, to the child or young person, their parents or carers and the complainant to inform them of the outcome of the investigation.
17. The Principal will follow CCS procedures for notifying Ombudsman of findings (Part B notification).
18. In the event of findings of sexual offences or sexual misconduct involving a child; or serious physical assault of a child the **Office of the Children's Guardian** is notified by the Principal.
19. The Principal will store all information relating to the investigation in a secure place that is separate (but linked by reference) to the employee's personnel file, except for any outcome impacting on the employee's work. For instance, if the employee is directed to amended duties, training, counseling or additional supervision, is allowed to resign, or is dismissed by the agency.

SECTION 3: WORKING WITH CHILDREN CHECKS

WHY DO WE HAVE A WORKING WITH CHILDREN CHECK?

In accordance with the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013*, the safety, welfare and well-being of children and, in particular protecting them from child abuse, is the paramount consideration in the operation of the CCS Working with Children Check procedures.

The Working with Children Check (WWCC) is an important part of Coast Christian School's recruitment process to prevent people who pose a risk to the safety, welfare and well-being of children from being employed or engaged in child-related work.

Coast Christian School is to meet the employment screening and notification requirements of:

- the *Commission for Children and Young People Act 1998*. Or whatever replaces it
<http://www.legislation.nsw.gov.au/viewtop/inforce/act+146+1998+FIRST+0+N>
- the *Child Protection (Prohibited Employment) Act 1998*. Or whatever replaces it
<http://www.legislation.nsw.gov.au/sessionalview/sessional/act/1998-147.pdf>

The responsibility for this rests with the Principal.

WHO NEEDS TO HAVE A WORKING WITH CHILDREN CHECK?

1. New staff: Prior to employment, and on a statutory 5 year cycle the WWCC online application is to be completed by people who are employed or engaged (or who are seeking to be employed or engaged) in child-related work in any one of the following capacities:

- as a paid employee;
- as a self-employed person or as a contractor or subcontractor;
- as a person undertaking practical training as part of an educational or vocational course (other than as a student undertaking work experience); or
- as a minister, priest, rabbi, mufti or other religious leader or spiritual officer of a religion or other member of a religious organisation.

The CCS Registrar will verify each person's WWCC Number online www.newcheck.kids.nsw.gov.au

The CCS Registrar will maintain records of each cleared worker's WWCC Number, its expiry date, and the date of the school's verification. These records will be kept in a lockable cabinet in the Registrar's office.

ALL CCS Staff (Full Time, Part Time or Casual; Teaching and Non-Teaching) may not commence employment until they receive a Working With Children Check clearance.

2. Existing staff: All existing staff currently employed in child-related work will need to apply for the new WWCC before JULY 31st 2017 so that the Registrar can complete the WWCC process prior to the commencement of the 2018 school year. (Please see the Office of the Children's Guardian phase-in schedule for existing staff in a Primary school).

3. Parent Helpers, including carers, grandparents and relatives acting as volunteers: will need to apply for a WWCC volunteers clearance number prior to December 31st 2017 so that the Registrar can complete the WWCC process prior to March 31st 2018. (Please see

the Office of the Children's Guardian phase-in schedule for volunteers in a Primary School).

RECORD KEEPING FOR WORKING WITH CHILDREN CHECKS

A CCS staff member must provide their WWCC Clearance number as part of their application for child-related work. The CCS Registrar will verify the WWCC Clearance number with the NSW Children's Guardian to ensure that it is still valid and current. If the applicant is cleared, the applicant can be employed or engaged. If the applicant is not cleared, the applicant cannot be employed or engaged.

The Principal is to be advised if the person's WWCC is not verified as "cleared".

Once granted by the NSW Children's Guardian, a person's WWCC Clearance is effective for 5 years (from the date it is granted), unless it is cancelled sooner by the NSW Children's Guardian or surrendered sooner by the worker. The CCS Registrar maintains the WWCC records. These records are kept in the Registrar's office. These records include the child-related workers:

- Full name
- Date of birth
- Working With Children Check number (or application number) and expiry date
- Start date of employment
- Verification date
- Verification outcome
- Expiry date
- Paid or volunteer work

WWCC clearance confirmation records are to be kept for five years after the staff member's engagement has been completed or longer if advice to the contrary has been received. These records will then be disposed of by shredding.

WHAT IF A CCS WORKER BECOMES BARRED?

The NSW Children's Guardian will notify the employer in writing if, at any time following the initial verification by the employer, the person's WWCC clearance is cancelled (i.e. the person is now "barred") or the person becomes subject to an "interim bar".

Should either of the above occur, the Principal will remove the person from child-related work immediately. The Principal will contact the NSW Children's Guardian to investigate the matter. This investigation may lead to the staff member being:

- suspended pending the outcome of an appeal; or
- summarily dismissed; or
- transferred to a non child-related role.

The staff member will only be returned to working with children if and when the WWCC is "cleared."

NOTE: *CCS is under no obligation to find an alternative position for a barred worker. The courts cannot order the re-employment of a person for child-related work if the person is barred from working with children. Damages or compensation are not payable to a worker who has been removed from child-related work because they are barred from working with children.*

WHAT OTHER MEASURES DOES CCS TAKE TO ENSURE STAFF ARE FIT AND PROPER PERSONS FOR CHILD- RELATED WORK?

CCS will conduct referee checks for every employee. As a minimum, two referees must be contacted (as provided by the applicant). Referee's will be asked information on the applicant's good character and suitability for working with, or in the presence of, children. A suggested question to be asked is:

"To your knowledge is there any aspect of the applicant's behavior, actions or activities that would make them unsuitable for working with children?"

The answer provided by the referees to the above question is to be noted on the applicant's interview report.

HOW ARE CCS STAFF ADVISED OF THEIR WWCC OBLIGATIONS?

The WWCC Obligations are included in the annual Child Protection training provided to staff.

Staff are required to sign-off their attendance of this training and their understanding of their Child Protection obligations as members of the CCS staff.

Further information is available at <http://www.kidsguardian.nsw.gov.au/working-with-children/>

APPENDIX 1

Child Protection Code of Conduct for employees and volunteers of Coast Christian School

Expectations of School Community Members

All School Community Members:

WILL	Treat everyone with respect and honesty.
WILL	Behave as a positive role model to Students in all interactions with them.
WILL	Follow CCS Policy and procedures for the safety of Students as outlined in the CCS Child Protection Policy and related materials.
WILL	When conducting any one-to-one activity with a Student: <ul style="list-style-type: none"> • ensure that another adult is present or within sight at all times during one-to-one activity; • ensure that this adult is actively engaged and aware of the action of the School Community Member at all times during the one-to-one activity; and • if the active engagement and awareness of another adult is not possible or practicable, ensure that prior approval for the one-to-one activity has been obtained from the School Community Member's immediate supervisor.
WILL	Record and act on a complaint of abuse, ill-treatment or neglect of a Student.
WILL	Behave in a caring, compassionate manner as a person who takes an interest in the well-being of Students and who sets appropriate boundaries in their interaction with Students.
WILL	Respect the duty to take reasonable care for the safety and welfare of Students.
WILL	Complete and maintain a current Working With Children Check with the Office of the Children's Guardian.
WILL	Inform the School if they are charged with or convicted of an offence relevant to working in child-related employment, or if they have had any reportable allegation made against them.
WILL	Report to the School any allegations or convictions of Reportable Conduct involving any School Community Member.
WILL	Report to the School any information or concerns about inappropriate behaviour by any School Community Member that involves a Student.
WILL	Fulfil their legal obligation to report risk of significant harm, or to report possible criminal activity, in accordance with local procedures.
WILL	Maintain the confidentiality of all parties concerned.
WILL	As far as their role and relationship with Students requires and is appropriate, be familiar with the School's procedures for providing Students with or allowing Students to have access to, prescribed or other medication; and will not allow Students to have access to medications that are not prescribed or recommended for them.

WILL NOT	Develop any 'special' or selective relationships with a Student that could be seen as favouritism such as the offering of gifts or special treatment.
WILL NOT	In the absence of the prior approval from the School Community Member's immediate supervisor, or without the active participation of another adult, engage in one-to-one contact with a Student such as: <ul style="list-style-type: none"> -doing things of a personal nature that Students can do for themselves, such as going to the toilet or changing clothes -accompanying a Student alone in a vehicle -visiting a student's home in circumstances where the Student is alone -tutoring a student, and/or -disciplining or counselling a Student.
WILL NOT	Engage in conduct that could be construed as grooming behaviour of a student or their close family or friends.
WILL NOT	Engage in inappropriate physical contact/force with a Student including physical/corporal punishment of a Student.
WILL NOT	Act in ways which may cause a Student to reasonably fear that unjustified force will be used against them, even if this is not their intention.

APPENDIX 1 (cont'd)

Child Protection Code of Conduct

for employees and volunteers of Coast Christian School

All School Community Members:

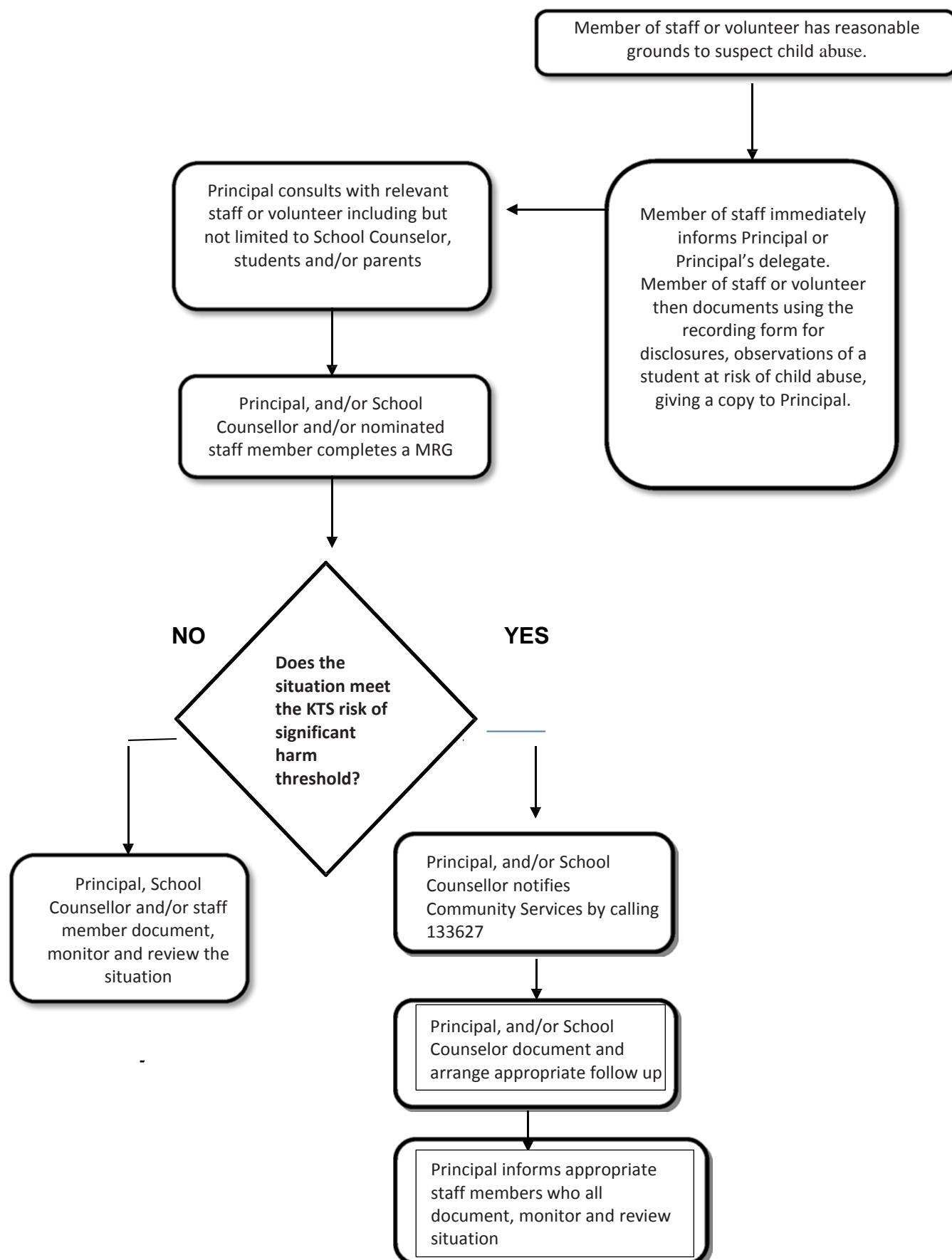
WILL NOT	Swear, blaspheme or use inappropriate or disparaging language in the presence of, towards or about any Student or any School Community Member.
WILL NOT	Behave in a manner which may cause psychological harm to a Student.
WILL NOT	Correct or discipline a Student in excess of what is reasonable or appropriate for the situation.
WILL NOT	Consume or have in their possession alcohol, drugs, tobacco or any prohibited substances on the grounds of the school or at any place where activities of the School are being conducted; or allow students to consume or have in their possession alcohol, drugs, tobacco or any prohibited substances at any place and in any circumstances where they are engaged in the activities of the School.
WILL NOT	Neglect any Student or allow any Students to place themselves at risk when in the care of the School Community Member, or fail to exercise reasonable care for the safety and wellbeing of any Student in any situation where there is a reasonable expectation that they should do so.
WILL NOT	Engage in communication with any Student by any means or by any device, in any manner that contravenes the School's policies and procedures relating to electronic information, communication technology and social media.
WILL NOT	Engage in crossing professional boundaries through behaviour that can reasonably be construed as involving an inappropriate and/or overly personal or intimate relationship with, conduct towards, or focus on a Student or a group of Students.
WILL NOT	Otherwise abuse, neglect, ill-treat or exploit students or other children.

Further information

Please refer to the School's "Staff Code of Conduct" and School's Child Protection Policy for further details. Further information about this Code can be sought from the School Principal.

APPENDIX 2

Coast Christian School Child Protection Procedural Flowchart for Identifying and Responding to Child Abuse



APPENDIX 3

(taken from the DEC Policy for Protecting and Supporting children and young people)

Indicators of abuse and neglect

Risk of harm within the *Children and Young Persons (Care and Protection) Act 1998* relates to the impact of abuse and neglect on a child or young person. The following indicators have been developed from research and clinical experience over recent decades. One indicator in isolation may not imply abuse or neglect. Each indicator needs to be considered in the context of other indicators and the child's or young person's circumstances. The lists are not in hierarchical order.

Setting the context

The following factors in the life circumstances of the child or young person are relevant when considering indicators of abuse and neglect:

- history of previous harm to the child or young person
- social or geographic isolation of the child, young person or family, including lack of access to extended family or supports
- abuse or neglect of a sibling
- family history of violence including injury to children and young people
- domestic or dating violence.

Issues for the parent or caregiver affecting their ability to care for the child or young person:

- the parent or carer's abuse of alcohol or other drugs affecting their ability to care for the child or young person or arrange for their education
- a deficiency in functional parenting skills required to provide for the safety, welfare and well-being of children and young people
- the parent or caregiver is experiencing significant problems in managing the child or young person's behaviour or their engagement with any educational options
- the parent or caregiver has unrealistic expectations of age appropriate behaviour in the child or young person
- the parent is experiencing significant problems in relating to the young person.

General indicators of abuse or neglect in children and young people:

- where the child or young person gives some indication that the injury or event did not occur as stated
- where the child or young person tells you she/he has been abused
- when the child or young person tells you she /he knows someone who has been abused, may be referring to herself/himself
- someone else tells you such as a relative, friend, acquaintance or sibling of the child or young person that the child or young person may have been abused
- poor concentration
- sleeping problems, e.g. nightmares, bed wetting
- marked changes in behaviour or mood, escalation in risk-taking behaviours, tantrums, aggressiveness, withdrawal
- child or young person complains of stomach aches and headaches with no physical findings
- unrealistic expectations of a young person including failure to allow the young person to participate in decisions that affect them or expecting adult behaviours.

General indicators of abuse or neglect in young people:

- self harming behaviour such as cutting or burning self
- high level of risk taking behaviours such as climbing up cliff faces while intoxicated
- substance abuse
- involvement in criminal activities such as stealing and fighting
- social isolation
- difficulty in maintaining long term peer relationships

- persistently negative themes in art work and creative writing
- homelessness.

Indicators of neglect

Indicators in children and young people:

- poor standards of hygiene leading to social isolation
- scavenging or stealing food
- extended stays at school, public places, other homes
- being focused on basic survival
- extreme longing for adult affection
- flat and superficial way of relating, lacking of a sense of genuine interaction
- anxiety about being dropped or abandoned
- self comforting behaviour, e.g. rocking, sucking
- non-organic failure to thrive
- delay in developmental milestones
- loss of “skin bloom”
- poor hair texture
- untreated physical problems

Indicators in young people:

- staying at the homes of friends and acquaintances for prolonged periods, rather than at home
- resources are not provided which would allow the young person to care adequately for himself or herself, e.g. access to washing or food
- exposure to serious risks through non-attendance at school e.g. crime, anti-social behaviour, drug and alcohol abuse.

Indicators in parents or carers:

- failure to provide adequate food, shelter, clothing, medical attention, hygienic home conditions or leaving the child or young person inappropriately without supervision
- inability to respond emotionally to a child or young person
- child or young person left alone for long periods
- keeping a child or young person at home from school to care for others
- depriving of or withholding physical contact or stimulation for prolonged periods
- failure to provide psychological nurturing
- one child or young person treated differently, for example, scapegoated
- absence of social support from relatives, other adults or social networks.

Indicators of physical abuse or ill treatment

Indicators in children and young people:

- facial head and neck bruising
- lacerations and welts from excessive discipline or physical restraint
- explanation offered by the child or young person is not consistent with the injury
- other bruising and marks which may show the shape of the object that caused it e.g. a hand-print, buckle
- bite marks and scratches where the bruise may show a print of teeth and experts can determine whether or not it is an adult bite
- multiple injuries or bruises
- ingestion of poisonous substances, alcohol, drugs, or major trauma
- dislocations, sprains, twisting
- fractures of bones, especially in children under 3 years
- burns and scalds
- head injuries where the child or young person may have indicators of drowsiness, vomiting, fits or retinal haemorrhages suggesting the possibility of the child having been shaken.

General indicators of female genital mutilation (FGM) that could include:

- having a special operation associated with celebrations
- reluctance to be involved in sport or other physical activities when previously interested
- difficulties with toileting or menstruation
- anxiety about forthcoming school holidays or a trip to a country which practises FGM
- older siblings worried about their sisters visiting their country of origin
- long periods of sickness.

Indicators in young people:

- aggressive or violent behaviour towards others, particularly younger children
- explosive temper that is out of proportion to precipitating event
- being constantly on guard around adults and cowering at sudden movements.

Indicators in parents or caregiver:

- direct admissions by parents or carers that they fear they may injure the child or young person
- family history of violence, including previous harm to children and young people
- history of their own maltreatment as a child or young person
- repeated presentations of the child or young person to health or other services with injuries, ingestions or with minor complaints
- marked delay between injury and presentation for medical assistance
- history of injury which is inconsistent with the physical findings
- history of injury which is vague, bizarre or variable.

Indicators of psychological harm**Indicators in children and young people:**

- feelings of worthlessness about life and themselves
- inability to value others
- lack of trust in people and expectations
- lack of interpersonal skills necessary for adequate functioning
- extreme attention seeking or risk taking behaviour
- other behavioural disorders, e.g. disruptiveness, aggressiveness, bullying.

Indicators in young people:

- avoiding all adults
- being obsessively obsequious to adults
- difficulty in maintaining long term significant relationships
- being highly self critical.

Children and young people sustain psychological harm from all types of abuse.

Indicators in parents or carers:

- constant criticism, belittling, teasing of a child or young person, or ignoring or withholding praise and affection
- excessive or unreasonable demands
- persistent hostility and severe verbal abuse, rejection and scapegoating
- belief that a particular child or young person is bad or evil
- using inappropriate physical or social isolation as punishment
- situations where an adult's behaviour harms a child's or young person's safety, welfare and well-being
- exposure to domestic violence.

Indicators of sexual abuse or ill treatment**Indicators in children and young people:**

- describe sexual acts e.g. Daddy hurts my wee wee
- direct or indirect disclosures

- age inappropriate behaviour and/or persistent sexual behaviour
- self-destructive behaviour, drug dependence, suicide attempts, self-mutilation
- persistent running away from home
- going to bed fully clothed
- regression in developmental achievements in younger children
- child or young person being in contact with a known or suspected perpetrator of sexual assault
- unexplained accumulation of money and gifts
- bleeding from the vagina or external genitalia or anus
- injuries such as tears or bruising to the genitalia, anus or perineal region
- sexually transmitted diseases
- adolescent pregnancy
- trauma to the breast, buttocks, lower abdomen or thighs.

Indicators in young people:

- particularly negative reactions to adults of only one sex
- sexually provocative
- desexualisation, e.g. wearing baggy clothes in order to disguise gender. Eating disorders may be a possible indicator in this category
- art work or creative writing with obsessively sexual themes
- preoccupation with causing harm to men they suspect are homosexual
- engaging in violent sexual acts and talking about these acts
- knowledge about practices and locations which are usually associated with prostitution.

General indicators of child or young person's stress should be considered such as:

- poor concentration at school
- sleeping/bedtime problems e.g. nightmares bed-wetting
- marked changes in behaviour or mood, tantrums, aggressiveness, withdrawal
- child complains of stomach aches and headaches with no physical findings.

Indicators in parents, carers, siblings, relatives, acquaintances or strangers:

- exposing a child or young person to prostitution or child pornography or using a child or young person for pornographic purposes
- intentional exposure of child or young person to sexual behaviour in others
- ever committed/been suspected of child sexual abuse
- inappropriate curtailment, or jealousy regarding age appropriate development of independence from the family
- coercing child or young person to engage in sexual behaviour with other children and young people
- verbal threats of sexual abuse
- denial of adolescent's pregnancy by family
- perpetration of spouse abuse or physical child abuse.

Offenders use a range of tactics including force, threats and tricks to engage children or young people in sexual contact and to try to silence the child or young person. They may also try to gain the trust and friendship of parents in order to obtain access to children and young people.

APPENDIX 4

Coast Christian School Recording Form for Disclosures, Observations of a Student at Risk of Abuse

To be completed by Staff member and/or volunteer

Name of staff member or volunteer:

Student Details

Student name:

Students DOB:

Student Grade:

Student Teacher:

Please describe your observations and concerns:

(include date and time of observation; details of observation; who you consulted with; any action or follow up plans)

Other information:

(Please include information such as living arrangements, current and past AVOs, known siblings, person to be believed responsible for alleged abuse or harm)

Reporter's signature:

If you have a concern for the immediate safety of the child, please notify the Principal and follow the flowchart procedure for the notification process.