



Child Safe Policy

Foundation for Life

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1. Purpose

This policy sets out the approach that Coast Christian School (the School) takes to ensuring a child safe school environment, including ensuring students have appropriate participation in decisions that affect their wellbeing at the School.

This policy implements, and is to be read and understood in conjunction with, the National Principles for Child Safe Organisations published by the Australian Human Rights Commission and the NSW Child Safe Standards.

2. Scope

This policy applies to all staff, contractors, volunteers and visitors. Breach of the policy is grounds for disciplinary measures.

This policy applies to all students at the School, including Preparatory Classes, but does not address provisions for 'young people' due to the K-6 context.

This policy applies in all School environments, both physical and online, and on-site and off-site School ground (examples include during sports carnivals and excursions).

3. Distribution of this policy

This policy is to be provided to all staff, contractors, volunteers and visitors at the School at the time of their engagement with the School. Staff are to be given refresher training on this policy at least annually.

4. Related policies/documents

Child Safe Code of Conduct – Employees and Volunteers

Child Safe Code of Conduct – School Community Members

Code of Conduct – Students

Complaints Handling Procedure for Allegations of Staff Misconduct or Reportable Conduct

Working with Children Check – Verifying and Maintaining – Procedure

Complaints and Grievances Policy

Whistleblower Policy

Shared Site Use Policy

Staff Discipline Policy

Discrimination, Harassment and Bullying Statement

5. Responsibilities

The School Board is responsible for approving this policy and amendments of it, together with other responsibilities set out below in this policy.

The School Principal is responsible for implementing this policy organisation-wide as set out below in this policy.

All staff, contractors, volunteers and visitors are to abide by this policy.

All School Community Members are to be aware of their obligations under our Child Safe Code of Conduct.

6. Statement of Commitment to Child Safety and Wellbeing

The safety, welfare and wellbeing of children is the paramount consideration¹ for all responsibilities under this policy, and we have a zero tolerance for child abuse and neglect and any form of child and young person mistreatment at the School.

We acknowledge that children, like adults, possess human rights and that children have the right to special protection because of their vulnerability to exploitation and abuse². In our context, children have the right to learn in a safe, caring, accepting and protected environment.

We are committed to following all measures legislated to protect children. Additionally, our Biblical Christian worldview compels us to protect and support children - and any other vulnerable person - from harm.

We are committed to providing a child safe environment where children and young people are safe, feel safe and are supported, respected and empowered to learn in a Christian setting.

We acknowledge our duty of care to keep children safe and protect them from the many forms of child abuse (including physical, sexual and psychological abuse, ill-treatment and neglect), and aims to take a proactive rather than reactive approach to fostering student safety and wellbeing.

¹ Section 7 – Children’s Guardian Act (NSW) 2019

² United Nations Convention on the Rights of the Child (CRC) 1990

7. Guiding Principles

- All School Community Members have a responsibility to create a safe environment and protect children from harm.
- We acknowledge that parents entrust us with the care of their children.
- We work in partnership with families, but will always put the safety, welfare and wellbeing of children first.
- We are responsible for providing a safe environment for children in our care.
- We are responsible to provide an education which fosters children's health, developmental needs, spirituality, wellbeing, self-respect and dignity.
- We recognize that a proactive approach to preventing child abuse, and early intervention, is vital in ensuring children are protected from harm.
- School Community Members should be equipped to ensure the safety of children, and to prevent anything that puts the safety and wellbeing of students at risk.
- School Community Members should understand their own individual obligations and be equipped to respond to child abuse appropriately.
- School Community Members should understand what constitutes reportable conduct and how to respond and report appropriately.
- Staff who are also Mandatory Reporters (see definition below) should be aware of the additional obligations of the role of Mandatory Reporter.
- Any issue that puts a child at risk should be rectified and reported immediately.
- Reports of a child at risk should be responded to immediately.
- Relevant School Community Members are to hold a clear Working With Children Check ("WWCC").

8. NSW Child Safe Standards

The NSW Child Safe Standards (which implement the National Principles for Child Safe Organisations (2019) arising from the Royal Commission into Institutional Responses to Child Sexual Abuse) are as follows:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved.
4. Equity is upheld and diverse needs are taken into account.
5. People working with children are suitable and supported.
6. Processes to respond to complaints of child abuse are child focused.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.

10. Policies and procedures document how the organisation is child safe.

9. Our Duty of Care

We have a duty to take reasonable care for the safety and welfare of students in their care. The duty extends to considering known hazards or risk of harm that can be reasonably predicted and taking all reasonable action to protect students. The standard of care that is required takes into consideration various factors such as a student's vulnerability, maturity and ability. Children requiring support with personal care and/or those with intellectual disabilities, limited verbal communication or behaviour disorders are at a higher risk of all forms of abuse. All children, given their age, are vulnerable, more so those with intellectual and physical disabilities, who are from different cultural backgrounds and heritages or who have a history of trauma. Children should feel culturally safe and that their family heritage is respected and supported. When equity and diversity is supported, vulnerable children will be safer when they can recognise abuse, be given strategies to avoid it and know how to report it if it occurs.

The duty of care includes an obligation not to neglect the welfare of students. Neglect includes either an action or inaction by a person who has care responsibilities towards a student, and includes:

1. Supervisory neglect (failure to adequately supervise a student);
2. Carer neglect (inadequate care of a student);
3. Failure to protect (unreasonable failure to protect or 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).

A single or repeated failure to exercise an appropriate duty of care of students may constitute neglect or negligence according to the law if actual harm is caused or even if there is potential to cause harm.

10. Participation in Redress Scheme

As further evidence of our commitment to protecting children and ensuring any harm is addressed appropriately, we have voluntarily opted into the National Redress Scheme in response to the ["Royal Commission into Institutional Responses to Child Sexual Abuse"](#).

11. Child Safe Code of Conduct

We have developed the Child Safe Code of Conduct to support School Community Members in understanding their obligations to protect Children. It is mandatory for School Community

Members to sign an acknowledgment of the Code before employment or engagement with the School.

12. Other Codes of Conduct

We have developed the following general Codes of Conduct which assist various School Community Member groups with awareness of how they should behave at the School, including their conduct and contact with children:

- Code of Conduct (for School Community Members)
- Code of Conduct for Students (which is drawn in a Child-Friendly manner so as to engage children and maximise their understanding of the behaviour expected of them)

13. Responsibility for Setting and Monitoring this policy

The School's Board of Directors has ultimate responsibility for the prevention and identification of child abuse or harm, and is responsible for ensuring that appropriate and effective internal control systems are in place to detect reportable matters and respond effectively. The Board is also responsible for ensuring that supporting policies and procedures are in place.

The Board leads Child Safety "from the top" and ensures a child-safe culture is embedded at the School to ensure child safety is paramount.

The Board does this by:

- setting a zero-tolerance stance to child abuse;
- setting clear roles for who is responsible for what actions under this policy;
- ensuring systems and processes are in place to ensure all School Community Members are trained of their obligations to keep children safe at the School;
- ensuring systems and processes are in place to ensure any concern, risk, or reportable conduct is reported and that immediate steps are taken to ensure a risk of harm is remediated;
- making child safety a top priority when making governance decisions for the organisation;
- having a stipulated 'Child Safe Champion' Board member;

- requiring regular reporting as a standing agenda item from the Principal of child-safety issues and concerns; and
- ensuring that child safe policies and procedures are reviewed regularly by the Board.

14. Responsibility for Implementing this policy

The Board delegates oversight for the daily running of the school to the Principal who is referred to as the 'Head of Relevant Entity', and who is also responsible on a day-to-day basis for Child Safety. If the Principal is absent, then responsibility transfers to his or her delegate.

It is the Principal's responsibility to:

- promote child safety at all times;
- ensure procedures are in place to require all School Community Members to be aware of, and to abide by, this policy (including awareness of how to prevent, identify, detect and respond to child abuse/harm) and their obligations regarding Mandatory Reporting and Reportable Conduct;
- ensure reports of child abuse/harm (including sexual abuse) are dealt with appropriately;
- conduct regular risk assessments to ensure our activities are safe;
- ensure appropriate reporting of any actual or suspected child abuse issues; and
- attend to investigations and discharge of statutory duties under this policy.

15. Child Safeguarding

The term safeguarding is a broad concept that captures the proactive and preventative steps we take to protect, care and educate children and young people, as well as the steps the School takes to respond to child safe concerns that require statutory reporting and response. A child safe response is part of safeguarding that focusses on protecting individual children or young people identified as being at risk of significant harm from child abuse or neglect.

15.1. Reporting Observations of Child Abuse

There are different schemes of reporting referenced under this policy, summarised briefly as

follows and detailed more comprehensively in separate headings further below:

1. Reporting to the OCG – any allegations of Reportable Conduct committed by “employees” (as defined below and which includes staff, volunteers and contractors);
2. Reporting to the Child Protection Hotline (DCJ) – any Mandatory Reporting issues observed by a Mandatory Reporter (as defined below);
3. Reporting under the Crimes Act (NSW) 1900; and
4. Reporting to the Principal – all of the above and any general child safe issues observed by any School Community Member.

16. Comparison of OCG Reporting and Mandatory Reporting

OCG Reporting focuses on allegations of harm (defined below) against children BUT only when the alleged perpetrators are “employees” (defined below). All School Community Members are to report reportable conduct to the Principal who will conduct an investigation and inform the OCG at various steps along the way so that the OCG can ensure the investigation is running appropriately.

The Mandatory Reporting scheme focuses on risk of harm (defined differently below) to children when the alleged perpetrators are from anywhere at all and of any relationship to the child (eg relatives/neighbours; not just School employees). Only those in Professional roles with children are Mandatory Reporters (see definition below) and they have a professional obligation to personally report to the DCJ Child Protection Hotline. However, the Principal may have other information that is unknown to the Mandatory Reporter but relevant to another child or another case. Furthermore, the Principal is able to provide support to staff who may be under duress due to making a report. Therefore, unless a report is being made about the Principal, any Mandatory Reporters are instructed to inform the Principal prior to submitting their report to the DCJ Child Protection Hotline. The “mandatory” component comes into play when the risk of harm is Significant, but the option to report less-than-significant risk of harm remains available – this can include where a seemingly minor one-off incident is becoming a pattern which may (or may not) eventuate to be Significant. Although any person is at liberty to report their concerns to the Child Protection Hotline (staff, in consultation with the Principal), we recommend that the Principal take the responsibility for reporting any issues concerning students which do not otherwise fall within the “Significant” risk of harm provisions of the Mandatory Reporting Scheme.

Neither Scheme requires the abuse/neglect to have occurred at School. Both Schemes extend to abuse/neglect which has happened either at School or elsewhere, and whether recently or in the

past. Both Schemes require us to respond promptly and appropriately to the allegations of abuse/neglect. Aside from any these reporting obligations, all School Community Members must be aware of how to protect children from harm and how to respond if a child is being harmed.

17. NSW Reportable Conduct Scheme - OCG

17.1. About the Scheme

The Reportable Conduct Scheme is a NSW Government initiative which has been in operation since 1999. In response to the Royal Commission into Institutional Responses to Child Sexual Abuse, the Scheme transferred in March 2020 from the responsibility of the NSW Ombudsman to the [Office of the Children's Guardian](#)³.

17.2. What the OCG oversees

The OCG now oversees:

- The NSW Reportable Conduct Scheme
- Working with Children Checks
- The NSW Child Safe Standards - which substantially mirror the [National Principles for Child Safe Organisations](#) – see above).

17.3. Intention of Scheme

The Scheme allows the OCG to:

- actively ensure we have proper policies and procedures in place to keep children safe, and
- monitor and guide the progress of any investigation of reportable conduct.

17.4. Conduct Covered by the NSW Reportable Conduct Scheme

Conduct covered by the Scheme ("[Reportable Conduct](#)") is:

- a sexual offence;
 - o sexual touching of a child;
 - o a child grooming offence;
 - o production, dissemination or possession of child abuse material.
- sexual misconduct;
 - o descriptions of sexual acts without a legitimate reason to provide the descriptions;
 - o sexual comments, conversations or communications;
 - o comments to a child that express a desire to act in a sexual manner towards the child, or another child.
- ill-treatment of a child;
 - o conduct that is unreasonable; and

³ Children's Guardian Act (NSW) 2019

- seriously inappropriate, improper, inhumane or cruel;
- these can include a range of conduct such as making excessive or degrading demands of a child, a pattern of hostile or degrading behaviours towards a child or using inappropriate forms of behaviour management towards a child.
- neglect of a child;
 - an obviously or very clearly unreasonable or serious act or series of acts that the employee knew or ought to have known was unacceptable, and
 - evidence of psychological harm to the child that is more than transient, including displaying patterns of ‘out of character behaviour’, regression in behaviour, distress, anxiety, physical symptoms or self-harm, and
 - an alleged casual link between the employee’s conduct and the significant emotional or psychological harm to the child, and
 - can include failing to protect a child from abuse and exposing a child to a harmful environment.
- assault against a child;
 - applies physical force against a child without lawful justification or excuse – such as hitting, striking, kicking, punching or dragging a child (**actual physical force**); or
 - threatening to physically harm a child through words and/or gestures and regardless of whether the person actually intends to apply any force; or
 - a physical assault is serious where it results in the child being injured, beyond a type of injury like a minor scratch, bruise or graze; or it had the potential to result in a serious injury; or the injury suffered may be minor but the assault is associated with aggravated circumstances (for example, kicking a child, pulling a child by grabbing the child around the neck); or
- failure to protect OR failure to report offences; and
- behaviour causing significant emotional or psychological harm to a 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;
- a physical assault that only involves minor force; and did not, and was not ever likely to, result in serious injury. Generally, physical force that does not result in transient injury and which had no potential to result in serious injury would be considered “trivial or negligible”; or
- Conduct of a class or kind exempted from being reportable conduct.

17.5. OCG FAQs for Employees

We require all “Employees” (defined below) to read and keep in mind [FAQs for Employees](#). This brochure defines who is an “employee” for the purpose of the OCG Reportable Conduct scheme.

17.6. OCG FAQs for Employers

The School adopts, and requires all “Employees” (defined below) to read and keep in mind, [FAQs for Employers](#) so they can understand our overarching obligations.

17.7. Obligations under Scheme

The following obligations apply under the Scheme⁴:

1. School Community Members are to report Reportable Conduct, or allegations of reportable conduct, to the Principal immediately of becoming aware. If the allegation is about the Principal, then the matter should be reported directly to the OCG via reportableconduct@kidsguardian.nsw.gov.au OR use [OCG Forms](#) and also to the Board Chair via boardchair@coastcs.nsw.edu.au.
2. The Principal will report to the OCG⁵ ([using OCG Forms](#)) within 7 business days of being made aware of any allegation [*noting there does not need to be any evidence or proof that the conduct occurred*] made against any of the following persons that provide services to children:
 - Staff [*even if the alleged conduct occurred outside of, or before commencement of, their course of employment*]
 - Volunteers [*even if the alleged conduct occurred outside of, or before commencement of, their volunteer work, regardless of whether a WWCC is required – so this category includes Parent Volunteers*]
 - Contractors/subcontractors - if required to hold a WWCC for the purpose of their engagement [*even if the alleged conduct occurred outside of, or before commencement of, their engagement*]

and which may constitute reportable conduct [*whether or not the alleged conduct took place before the above were engaged, meaning even a historic allegation is reportable*].

For clarity:

- Allegations of reportable conduct trigger the obligation to report – even if there is evidence or proof that indicates the offence did not occur.
- As long as the alleged offender is currently employed/engaged by us at the time we learn of the allegation, it must be reported to the OCG.

⁴ We are a Schedule 1 entity which dictates who the relevant “employees” are for the purpose of the Act

⁵ Office of Children’s Guardian – 02 8219 3800 or reportableconduct@kidsguardian.nsw.gov.au (Mon-Fri 9am-4pm)

- If we learn later of an allegation which took place during the course of employment/engagement, but which we did not know about until cessation of the employment/engagement, this need not be reported to the OCG.
 - The above only deals with reports to the OCG. Any concurrent obligations to report to the police OR as a mandatory reporter to JCPRP, still apply.
3. The Principal will conduct an investigation, acting on any recommendations/advice or directions of the OCG;
 4. The Principal will submit a final investigation report to the OCG within 30 days (using [OCG Forms](#)).

17.8. Further information about the Scheme

Further information resources from the Office of the Children’s Guardian about the Scheme and the School’s responsibilities are linked below:

- [Identifying Reportable Allegations](#)
- [Principal’s Responsibilities](#)
- [Risk management following an allegation](#)
- [Planning and conducting an investigation](#)
- [Recognising and managing conflicts of interest](#)
- [Disclosing information to children, parents and carers](#)
- [Making a Finding of reportable conduct](#)

As described in the Training section below, all staff are trained annually on their obligations to prevent, identify, report - and investigate (depending on their role) allegations of Reportable Conduct in compliance with the Children’s Guardian Act 2019.

18. Mandatory Reporting to the DCJ Child Protection Hotline

18.1. About Mandatory Reporting

Mandatory Reporting is a NSW Government scheme which requires a limited number of Professionals to report suspected child abuse and neglect to the Child Protection Hotline operated by the Department of Communities and Justice (“DCJ”) formerly “FACS” and previously “DOCS”). The

Scheme is underpinned by the [Children and Young Persons \(Care and Protection\) Act 1998](#) (the Care Act) and associated legislative framework.

As outlined in Section 13, unless reporting about the Principal, all reports are to be made in consultation with the Principal.

18.2. Conduct Covered by the Mandatory Reporting Scheme

Conduct covered by the Mandatory Reporting Scheme includes, but is not limited to, concerns that a child or young person is at risk of:

- being neglected
- being physically, sexually or emotionally abused

16.2.1 Definitions Relevant to Safeguarding Children and Young People⁶

Neglect

Neglect is when a parent or caregiver cannot regularly give a child the basic things needed for his or her growth and development, such as food, clothing, shelter, medical and dental care, adequate supervision, and enough parenting and care.

Neglect can be episodic and related to a particular event in a family's life, or it can be persistent where the parent repeatedly fails to meet their child's needs and protect them from harm. Neglect can have serious, detrimental effects on the child's social, psychological, educational and physical development.

Sexual abuse

Sexual abuse is any sexual act or threat impacting on a child, including unwanted sexual acts on a child over the age of consent (16 years old). Sexual abuse includes comments, physical contact, exposure to adult sexual activity and exposure to or involvement in sexual imagery.

Sexual abuse is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children or young people are bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse is a crime.

⁶ Further information relating to the definitions can be found at:
[Child at risk of harm and neglect | Family & Community Services \(nsw.gov.au\)](#)

Physical abuse

Physical abuse is a non-accidental injury or pattern of injuries to a child or young person caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.

Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints. The application of any unreasonable physical force to a child is a crime in NSW. For example, hitting a child or young person around the head or neck, or using a stick, belt or other object to discipline or punish a child or young person (in a manner that is not trivial or negligible) may be considered a crime.

Emotional abuse or psychological harm

Serious psychological harm can occur where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma.

Although it is possible for 'one off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child or young person.

This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.

Family violence

Family violence often includes multiple forms of abuse, such as physical, sexual and emotional. Emotional abuse is connected to family violence when a child has been, or is being exposed to the violence and that exposure has, is or would cause them significant harm. This exposure includes:

- seeing the violence,

- hearing the violence,
- seeing the consequences of family violence such as property damage, injuries to those involved including the emotional impact on the victim, or Police visiting the home.

Reasonable grounds

Reasonable grounds refer to the need to have an objective basis for suspecting that child or young person may be at risk of significant harm, based on:

- firsthand observations of the child, young person or family,
- what the child, young person, parent or another person has said or disclosed,
- what can reasonably be inferred based on professional training and/or experience.

It does not mean that there needs to be confirmation of suspicion or proof before making a report.

Current Concerns

Current concerns are when there is significant harm arising from abuse or neglect that:

- is recent,
- is likely in the foreseeable future should circumstances continue unchanged,
- is from a child or young person having contact with someone who is known to be responsible for causing harm to a child in the past,
- refers to situations where the abuse or neglect of the child or young person occurred sometime in the past but continues to have an impact on the child or young person's safety, welfare or wellbeing.

(See further below about whether the risk of harm needs to be Significant).

18.3. Who is a Mandatory Reporter?

Based on the provisions of the Care Act, the relevant roles at the School who are Mandatory Reporters are:

- Principal;
- Proficient Teachers, and any Highly Accomplished or Lead Teachers as may be employed from time to time;

- School Counsellors (if any); and
- Allied Health professionals eg Speech Therapists, Occupational Therapists etc (insofar as they deliver onsite services to our pupils);

NOTE: Provisional/Conditional/Prac Teachers should make enquiries with the Principal and/or DCJ if they are unsure whether they are a Mandatory Reporter under the Scheme.

The list of prescribed Mandatory Reporters was expanded in March 2020 (following the recommendations of the Royal Commission into Institutionalised Abuse) to include:

- People in religious ministry who, at the School, include:
 - The School Chaplain if also in religious ministry;
 - Any Board Member who is also a CCC Pastor insofar as their duties relate to religious activities provided to our pupils;
 - CCC Children's Ministry Leader insofar as their duties relate to Chapel etc and providing services for our pupils.

AND

- Registered Psychologists (if and when such a provider might attend the School to provide professional services to pupils)

It is part of the professional qualifications of Mandatory Reporters to be familiar with their own obligations, but we set them out in this policy for clarity – in addition to annual training (internal and external) which is also provided.

If a Mandatory Reporter has concerns about a child they do not have a professional relationship with (eg a 3-year old child of a colleague), they should report to the Child Protection Hotline as an Individual and not as a Mandatory Reporter.

18.4. Who is NOT a Mandatory Reporter?

- Office staff
- Aides
- Canteen Manager
- Bus Driver
- Maintenance officer
- Cleaner
- And all other roles who do not fit within the definition of Mandatory Reporter provider above

However, just because School Community Member may not be a prescribed Mandatory Reporter, does not mean their responsibility under this policy is diminished.

There remains an obligation owed by all School Community Members to report any child protection issues they observe to the Principal, as covered in this policy.

18.5. What is a Mandatory Reporter required to do?

In this section is a detailed explanation of the process. However, below is a summary of what to do if you suspect a child, or class of children, is at risk of significant harm from abuse or neglect:

QUICK GUIDE

- Make sure you have documented your concerns in writing
- Speak with the Principal about the issue (unless the Principal is the one suspected of being responsible for causing the harm or neglect, then consult the Board Chair);
- Provide the Principal with a copy of your documented notes;
- In consultation with the Principal, use the Mandatory Reporter Guide (MRG) on the Child Story website to help determine if a report is to be made (<https://www.facs.nsw.gov.au/families/childstory/childstory-reporter>);
- If prompted to report, do so by making an e-report through the Child Story Reporter website or by phoning the DCJ Child Protection Helpline on 132 111;
- Ensure you note the report number, keep a copy of the number for yourself and also give a copy of the number to the Principal.

A Mandatory Reporter is mandated under the Children and Young Persons (Care and Protection) Act 1998 (“the Care Act”) to:

- report to the [Child Protection Helpline \(DCJ\)](#);
- if they suspect a child, or a class of children, is at risk of Significant harm from abuse or neglect; and
- when their awareness arises because of their professional relationship with a child.

It is a criminal offence for a Mandatory Reporter not to report to DCJ when there is a risk of [Significant](#) harm.

It is a “must” (but not to the extent of a criminal offence for omission) for a Mandatory Reporter to report a risk of harm that is [not Significant](#).

Unless the concern relates to the Principal, a Mandatory Reporter is – also – required to report the concern in consultation with the Principal to DCJ.

If the concern relates to the Principal, the Mandatory Reporter is to report to DCJ and the Chair of the School Board via **boardchair@coastcs.nsw.edu.au**. Depending on the circumstances, the Mandatory Reporter must decide whether he or she involves the Board Chairman for support before or after a report about the Principal is made. In such a situation, the Mandatory Reporter may wish also to consider the process available through the Whistleblower Policy.

18.6. How does a Mandatory Reporter ensure their observation is reportable?

Use the Mandatory Reporter Guide (MRG) on the Child Story website (<https://reporter.childstory.nsw.gov.au/s/>). This is commonly known as using “the Decision Tree”.

The DCJ 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.

18.7. How to Make a Mandatory Report

There are two ways Mandatory Reporters can make a Child Protection Report:

1. By making an eReport through the ChildStory Reporter website
OR
2. By calling the DCJ Child Protection Helpline on **132 111**; open 24 hours per day, 7 days per week

18.8. Reports from Non-Mandatory-Reporters

The general public (including School Community Members) who are not Mandatory Reporters are at liberty (but not mandated) to make Reports to the DCJ Child Protection Helpline.

18.9. What might happen as a result of a Mandatory Report

In the event DCJ receives a Risk of Significant Harm report, it may take the following actions, which we will fully co-operate with:

STUDENT INTERVIEWS IN CASES REPORTED TO DCJ

In relation to reportable cases of risk of significant harm where DCJ has been notified, officers of the Joint Child Protection Response Program (JCPRP) may wish to carry out student interviews, sometimes 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 the right to choose a supportive adult to be present at the interview. JCPRP 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 DCJ/JCPRP OFFICERS

If the Principal is approached by officers from DCJ or JCPRP to remove a student from the School premises, the Principal must:

- Sight the identification of the officers;
- Take a copy of and retain in a secure location the Notice to Remove Student from School;
- Record details of the actions, names of officers and, where possible, new location of student; and
- Gain an assurance from officers that they will immediately inform the parent/carer that the student has been removed from 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.

We are a prescribed body and as such will respond to requests under Section 16A where appropriate. DCJ can also make requests under Section 248 of the Act, and we 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 to determine the validity of a request and co-ordinate a response. Similarly, should the School wish to use the provisions of Section 16A to seek information from another agency, this should be coordinated via the Principal.

Before any phone discussions take place between DCJ officers and the Principal, the Principal

will confirm the identity of the caller by phoning the known number of DCJ.

Any staff receiving a call from DCJ or JCPRP must refer the matter to the Principal.

Providing information in good faith to authorised external investigators under this scheme - including a response to requests for information - is not regarded by the School as a breach of professional ethics or standards of professional conduct and does not carry liability against the School for defamation or grounds for civil action.

As described in the Training section below, relevant staff are trained annually on their Mandatory Reporting obligations.

19. Reporting under the Crimes Act (NSW) 1900

From 31 August 2018, the Crimes Act (NSW) 1900 was amended to include new offences as follows:

- S316A – concealing of a child abuse offence (failure to report); and
- S43B – failing to remove the risk that a worker will commit a child abuse offence (failure to protect).

The above additions were part of the suite of reforms recommended following the Royal Commission into Institutional Responses to Child Sexual Abuse.

S316A - All adults in NSW are to report information to the Police if they:

- know, believe or reasonably ought to know that a child has been abused; or
- know, believe or reasonably ought to know of information that might materially assist in securing the apprehension, prosecution or conviction of the offender.

Abuse in this context includes sexual abuse, serious physical abuse and extreme neglect of a child.

S43B - All adults in NSW working in an organisation that engages workers in child-related work (ie at the School) commit an offence if:

- they know that an adult worker engaged by the organisation poses a serious risk of abusing a child, and
- they have the power or responsibility to reduce or remove the risk, and
- they negligently fail to reduce or remove that risk.

Abuse in this context includes sexual or serious physical abuse.

We expect that any offence reported to the police in accordance with the above, will also be reported to the Principal (unless the allegation relates to the Principal in which case the matter should be reported to the Board chair – via boardchair@coastcs.nsw.edu.au).

20. Reporting to the Principal – Other Child Safety Concerns

As part of our overall commitment to safeguarding children and young people, all employees, regardless of their mandatory reporting status, are required to report any child safety concern or any other information relating to the safety, welfare or wellbeing of a child or young person (or a group of children and young people) to the Principal (or the Principal's delegate).

These concerns should be reported regardless of how serious/significant or minor the employee perceives, assesses or interprets the information to be. That is, even if an employee considers a concern not to be risk of significant harm (ROSH), the statutory threshold for reporting to the Child Protection Helpline, the concern should still be reported to the Principal (or Principal's delegate) in line with this policy and the centralised reporting requirements outlined above in section 16. If an employee is unsure their information requires reporting, the employee should seek advice from the Principal (or Principal's delegate).

Information relating to the safety, welfare or wellbeing of children or young people may relate to settings other than at the School. Other settings may include the online environment or outside of the school context including the child or young person's home.

The Principal will be able to assist the employee in understanding their concerns and managing the next steps, as appropriate, and clarifying their role in the particular matter.

Responsible and early sharing of information relating to the safety, welfare and wellbeing of children and young people is fundamental to the School's approach to safeguarding.

The following exceptions apply in regards to reporting to the Principal:

- The Principal is the alleged offender (in which case the issue should be reported to the Board Chair via boardchair@coastcs.nsw.edu.au);
- The circumstances are such that a reasonable person would regard it as inappropriate to inform the Principal; or
- Any other reason at law.

21. Child Safe Investigations - Generally

All School Community Members must commit to co-operating fully with any investigation concerning child abuse or neglect.

It is acknowledged that in some circumstances, an investigation may be proceeding simultaneously by external authorities (eg DCJ/Police etc) and the Principal, or delegate. In this case, the Principal or delegate shall consult with the external authorities to ensure the investigation is proceeding appropriately and to adopt any recommendations in relation to the manner in which a simultaneous investigation should be conducted (for example, it may be the case that the Principal is requested to put an investigation on hold whilst the Police make their enquiries etc).

22. Consequences of Breach of Child Safe Policy

The consequences of breaching our Child Safe Policy vary according to the circumstances, but may include:

- a written warning/caution;
- summary dismissal (for serious misconduct);
- report to external authorities, including OCG, DCJ, police etc;
- other actions under the School's Staff Discipline Policy as may be relevant (eg the Principal has discretion to stand down a staff member (with pay where appropriate) while an investigation is being conducted.

The School's conduct of investigations is underpinned by principles of natural justice and procedural fairness.

23. Child-Focused Risk Management

We use child-focused risk management practices (see Risk Management Policy) to assess all activities to ensure they do not put children at risk of harm. Risk assessments are to be conducted for our activities, before the activity is undertaken, to ensure programs are safe and appropriate for children, and that risks are managed proactively. This includes assessing not only physical risks

inherent to the activity itself (eg using sporting equipment) but also any child-protection risks associated with the activity (eg considering whom the students might encounter during their activities and whether such persons are appropriate to have contact with children etc.)

24. How to Identify Abuse or Neglect

Although this [Fact Sheet](#) relates to the OCG Scheme, it is helpful in identifying abuse or neglect more widely.

Although this [Fact Sheet](#) relates to the Mandatory Reporting Scheme, it is helpful for recognising signs of abuse or neglect more widely.

25. How to Respond to Abuse or Neglect

Where there are urgent concerns for a child's safety or wellbeing, the **emergency service 000** should be contacted where required. In this instance, we undertake to cover the expense of the ambulance service, if required, as a gesture of good faith and not as any admission of liability. For all other instances of abuse or neglect, whether suspected or actual, immediate steps are to be taken to protect a child from further harm and the matter reported to the Principal so that an immediate holistic response can be activated.

Although this [Fact Sheet](#) relates to the Mandatory Reporting Scheme, it is helpful for informing School Community Members about how to respond if a child discloses abuse.

Although this [Fact Sheet](#) relates to the Mandatory Reporting Scheme, it is helpful for informing School Community Members about how to respond if a parent discloses abuse.

26. Documenting Observations and Response

Any School Community Member who observes or receives a disclosure of child abuse must document their observations and response (as far as is reasonably practicable in the circumstance, and in a confidential manner), and report the matter and provide a copy of their written observation to the Principal as soon as reasonably practicable – along with discharging any other obligations under this policy.

27. Ongoing Training

All School Community Members must participate in reasonable training opportunities as provided by the School and as appropriate to the context in which the Community Member participates in School activities. This ensures School Community Members maintain a relevant understanding of child protection laws and the School's policies and procedures in relation to the care and safety of students.

Education about Child Safety is an ongoing and regular discussion for all School Community Members as a vital preventative approach and for facilitating ongoing Child Safe awareness.

The Principal will ensure Policies and Procedures are regularly reviewed and updated – and approved by the Board where appropriate - and communicated to staff and other School Community Members.

All training records are to be retained for at least 7 years after the date of the last entry.

Specific training is provided as follows:

1. Staff

External training delivered by an approved provider will be provided annually to all staff who have direct contact with children, and others at the discretion of the Principal.

All staff will be made aware of this policy and the Child Safe Code of Conduct via annual compulsory Safe Protection training delivered internally during the January Staff Development week at a minimum but also regularly during other PD segments throughout the year, and which includes:

- Reminding staff of their legal responsibilities related to child safety;
- Reminding staff of the School's expectations under this and other policies;
- Ensuring all Staff have the School's Child Safe Policy and Code of Conduct front of mind daily;
- Reminding Staff of methodology for preventing, identifying, detecting and responding to abuse, harm and neglect under this policy;
- Reminding staff about their obligations for Mandatory Reporting a Risk of Significant Harm;
- Reminding Staff of their personal obligations, including appropriate responses to any allegation or complaint of improper conduct by another staff member including reportable conduct;
- Reminding Staff of their reporting obligations and processes;
- Ensuring Staff are cognisant of their own personal responsibility to have an up-to-date clear

WWCC, including notifying the School and OCG of any change of personal particulars or contact details; and

- Updating Staff of any changes or updates to Child Safe legislation or methodologies.

Staff are to sign an Attendance Sheet as evidence of having received all training under this policy.

Staff who are absent from training sessions or who are employed during a school year after the Child Safe training has been conducted will be required to read this policy and sign to acknowledge an understanding of their obligations.

Any staff member who has not participated in NSW Child Safe Training within the 12 months period prior to commencing employment with the School, will be required to participate in a relevant Child Safe Training Program and provide the Principal with evidence of course completion within one month of commencing their employment.

A Training Register is maintained by the Officer Manager which includes a list of training attended by whom, when, and including a copy of training signoffs. For teaching staff, it is the teacher's own responsibility to ensure confirmation of relevant training is uploaded to eTams.

Throughout the year relevant updated information about Child Safety will be forwarded to staff electronically to ensure they are up to date.

Staff will be reminded of the Policy and Code of Conduct through review at staff development meetings from time to time.

Training on this and related policies forms part of the staff induction program.

2. Other School Community Members

All persons who have direct contact with children are required to sign the Child Safe Code of Conduct before having contact with children (along with having a clear WWCC).

Information about Child Safety is provided regularly, and especially during Child Safe Week, informing parents/carers of the School's Child Safe teaching program as well as the School's Child Safe practices and rationale. Parents and carers are also made aware of their compulsory Reporting obligations via the Newsletter.

All visitors to the School are required to enter via the School Office (using sign-in register), which displays the Child Safe Policy and a Reminder Notice.

The Child Safe Policy, Child Safe Code of Conduct and Complaints Handling Procedure for allegations of Staff Misconduct or Reportable Conduct is available on the School's website.

3. Students

The Child Safe Policy is integrated in the PDHPE program during Child Safety lessons – in a child-friendly and appropriate manner.

Students are advised by the relevant teaching staff and at an age-appropriate level, about the School's Child Safe approach and procedures.

28. Pre-Engagement & Ongoing Screening

We conduct pre-screening of School Community Members who have direct contact with children, and also other groups (eg the Board - "Responsible Persons") who may - but may not have - contact with children, as a risk-based approach to ensuring all individuals are fit and proper persons to be engaging with children and/or to undertake their roles generally. We utilise this risk management strategy to identify those who are unsuitable; and exclude them from having contact with children.

The School's pre-screening processes include:

For Teaching Staff:

- Working with Children Checks (renewed every 5 years)
- Reference checks (character and professional)
- Copies of Qualifications certified by a Justice of the Peace or Solicitor

For Other Staff including Finance Manager:

- Working with Children Checks (renewed every 5 years)
- Police Checks (where appropriate, eg Principal, Finance Manager to check for fraud offences etc)
- Reference checks (character, and professional if relevant)
- Copies of Qualifications (where appropriate) certified by a Justice of the Peace or Solicitor

For Parent Helpers/Volunteers:

- Working with Children Checks (renewed every 5 years)

For Responsible Persons (Board & Principal):

- Working with Children Checks (renewed every 5 years)

- Fit & Proper Person Declarations
- Confirmation of Active Partnership with Coast Community Church
- Other appropriate pre-engagement governance-related documentation (eg reference checks by Chair as appropriate etc)

28.1. Working with Children Checks

The Working With Children Check (“WWCC”) is an important part of our screening processes to create a safe environment for children by preventing people who pose a risk to the safety, welfare and wellbeing of children from being employed or engaged in child-related work. This policy should be read in conjunction with the School’s [Working With Children Check – Verifying and Maintaining - Procedure](#).

WHO NEEDS A WORKING WITH CHILDREN CHECK?

1. All School Community Members who have direct contact with children and those whose roles provide them with access to sensitive information about children (eg Finance Manager etc) are required to have a WWCC. We ensure our Responsible Persons (ie board members and Principal) are Fit and Proper persons by requiring a WWCC even though some might not have direct contact with children.

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:

Our Registrar will verify each person’s WWCC Number online to ensure it is legitimate and of clear status at www.newcheck.kids.nsw.gov.au. [The Office of the Children’s Guardian is responsible for determining whether or not a person is granted a WWCC clearance.](#)

Our Registrar will maintain records of each cleared worker’s WWCC Number, its expiry date, and the date of the school’s verification – and will retain such records for at least 7 years after the date of the person’s last interaction with the school.

Persons whose role requires them to work with children may not commence employment until they provide a WWCC clearance.

2. Our Board has mandated that Parent Helpers, including carers, grandparents and relatives acting as volunteers are required to have a clear WWCC as a safeguarding strategy.

All WWCC recipients are required to notify us and the Office of the Children’s Guardian (OCG) of changes in their personal details within three months of any change.

UNCLEARED CHECKS

If it is ascertained during the above processes that an individual's WWCC is expired, or not clear, the individual cannot be employed or engaged with the School and the Principal will discuss this situation with them. The Principal is always to be advised if any person's WWCC is not verified as "cleared" and will put in place appropriate risk management strategies to ensure such a person does not have access to children at the School.

WHAT IF A PERSON BECOMES BARRED?

The NSW Office of the Children's Guardian (OCG) will notify the School in writing if a person's WWCC clearance is cancelled or becomes subject to an "interim bar".

In that event, the Principal will remove the person from child-related work immediately. The Principal will contact the OCG 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.

NOTE: *We are under no obligation to find an alternative position for a barred worker. 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.*

28.2. Police Checks

We conduct Police Checks before filling selected roles the School, including Principal and Business Manager/Finance Manager. In the event a criminal offence arising which indicates a person may not be suitable to work with children or in their relevant role, the Principal (or the Board Chair via boardchair@coastcs.nsw.edu.au via boardchair@coastcs.nsw.edu.au if the matter relates to the Principal) will seek professional advice about the appropriateness of the person's employment. In this instance, we are mindful of our obligations under anti-discrimination legislation and will be guided by professional advice as to available responses to the information ascertained under the Police Check. In all cases, principles of natural justice and procedural fairness will be afforded and the information ascertained will be kept as highly sensitive information in a secure location and shared with only those who need to be informed in order to deal with the matter appropriately.

28.3. Referee Checks

We conduct Referee checks for every staff member employed, prior to engagement.

A minimum of two favourable references are required. Referees will be asked their opinion of the applicant's 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.

The Referee Checks may be verbal or in writing, but in any case, shall cover off the above question regarding suitability for working with children.

28.4. Copies of Qualifications

Our Registrar maintains a Register of all qualifications and experience of all teaching staff (including part-time and casual staff) and any others who work directly with children. A copy of relevant qualifications certified by a Justice of the Peace or Solicitor is to be provided to the School.

29. Privacy & Confidentiality Obligations

We understand the need to protect the privacy of students, the privacy of those who raise concerns, and the privacy of those who are alleged to have contravened this policy. Privacy and confidentiality shall prevail unless a person remains at risk of harm, or as is reasonable in the circumstances or required by law.

School Community Members are regularly reminded of their obligation to keep sensitive matters confidential and to ensure privacy around issues of child safety, and other issues, at the School. (See our Privacy Policy for further details.)

30. Supporting Complainants

We understand that a safe and supportive environment is required in order to maximise the potential for those who speak up about concerns. We endeavour to foster discussions around child safety in a transparent and inclusive manner that ensures School Community Members can trust that they will be supported and not vilified for communicating concerns or complaints, and that any concerns raised will be taken seriously.

This policy should be read in conjunction with our:

- Complaints and Grievances Policy
- Complaints Handling Procedure for allegations of Staff Misconduct or Reportable Conduct
- Whistleblower Policy

where appropriate.

31. Child Safety Records

We recognise that the creation of accurate records and good record keeping practices play a critical role in preventing, identifying, and responding to child safety information.

29.1 The School

We will maintain records, including but not limited to, the following:

- records about reportable conduct allegations are retained for at least 7 years from the date of the last activity relating to the matter, in a secure location which is password-protected and accessible by the least number of persons as is efficacious at the discretion of the Principal.
- records relating to child safety and protection
- records of reports made to DCJ and/or NSW Police
- a register (Working with Children register) of relevant details for child-related workers and of the online verification of Working With Children Checks
- attendance records of compulsory professional development sessions regarding safeguarding
- confirmation that staff have read this policy.

29.2 Employees

It is a requirement of all employees that they will create and keep full and accurate records relating to child safety and wellbeing matters. These records should be captured on Sentral (the School's Central Management System).

Full and accurate records should be created about instances, responses and decisions affecting child safety and wellbeing.

Records relevant to child safety and wellbeing should only be disposed of in accordance with the relevant law or school policy.

32. Shared Site Use Policy

We have developed a Shared Site Use Policy which provides further guidance on the use of the site by adults involved at Coast Community Church which also has premises located on site.

33. Legal Context

This 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.

The main pieces of safeguarding legislation requirements in NSW are:

- Crimes Act 1900 (NSW)
- Children and Young Persons (Care and Protection) Act 1998
- Children's Guardian Act 2019 (NSW)
- Child Protection (Offenders Registration) Act 2000 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Child Protection (Working With Children) Regulations 2013

34. Feedback and Evaluation

We invite feedback from the School community or general community about our approach to Child Safety as we are committed to continuously improving our policies and procedures to ensure child safety and wellbeing.