



Green Point Christian College

ABN 61 003 829 767 – ACN 003 829 767

Equipped for life

SAFE AND SUPPORTIVE ENVIRONMENT

v1.3 Child Protection Policy and Procedures

Prepared by Principal

Date Prepared February 2013

Date ratified by the
Board:

Monitored by Principal

Review by Principal and Deputy Principal

Date for review 2022 or as required

Policy Pertains to: Compliance Table: NESA 3.6.1
Australian Professional Standards for
Teachers 4.4.2, 7.2.2 (Proficient Teacher)

Version History

Version	Date	Notes
1.1	February 2016	Reviewed and edited by Principal
1.2	May 2020	Reviewed and edited by Principal / Deputy Principal
1.3	August 2020	Reviewed and edited by Principal / Deputy Principal

► **TABLE OF RESPONSIBILITIES**

This policy is to be read in conjunction with related Green Point Christian College policies if stated in this policy.

<i>Responsibilities</i>	<i>Evidence of Compliance</i>
Principal, Deputy Principal, Heads of School	
Ensure the development of this policy within the College	
Ensure procedures are maintained that enable compliance with this policy	
Operate within his/her delegated authority	
Heads of Department	
Operate within his/her delegated authority	
All staff	
Operate within delegated authority	

► **PURPOSE**

The Policy and Procedures articulated describe the obligations and responsibilities of Green Point Christian College to meet all legislative requirements of Child Protection legislation and provide a safe environment at the College for all children. It also details information for its employees – teaching and non-teaching, for volunteers, visitors or any persons who have dealings with the College community including contractors. This document therefore articulates the procedures to be followed to meet its obligations to ensure the safety of all children.

Green Point Christian College has a duty of care to ensure that all students are provided with a high level of safety and protection during the hours of operation including all extra curricula activities which may be out of normal school hours. Green Point Christian College is dedicated to early intervention and prevention of child abuse in any form.

“The safety, welfare and wellbeing of children, including protecting children from abuse, is the paramount consideration in decision-making under this Act and the regulations and in the operation of the Act and the regulations generally”.

(The Paramouncy Principle, Section 7, Children’s Guardian Act 2019, NSW).

► **SCOPE**

This Policy and Procedural document applies to all persons engaged to support students; therefore all employees – teaching or non-teaching, casual staff, practicum students, volunteers, visitors, contractors or any persons who have dealings with the College community. This policy is to be read in conjunction with related Green Point Christian College policies. This Policy and Procedural document is to be emailed to all paid employees – teaching or non-teaching of the College and given to all casual staff and practicum students and uploaded to the College website with notification given to all parents of this process. A framed statement in the front office advises all persons coming to the College that – *“Child protection and wellbeing is always a priority.”*

All employees, teaching or non-teaching, casual staff, or practicum students will need to acknowledge to the Deputy Principal that they have read and understood the responsibilities and obligations of this Policy, annually.

► **RATIONALE**

- The College is committed to providing a caring, safe and accepting environment for all students knowing it is of fundamental importance.
- The College believes all children have the right to grow up free from abuse and neglect and as such, is committed to action where concerns are found.
- The College aims to act in the most supportive manner possible towards its families, but will always put the safety, welfare and wellbeing of children and young people first.
- Students' parents, volunteers and staff are encouraged to raise any child protection or wellbeing concerns with the Principal or the delegated representatives, recognising that Child Protection is a community responsibility.
- The College accepts its duty of care to ensure that all reasonable steps are taken to protect students.

► **DELEGATED "RESPONSIBLE PERSONS"**

1. Principal as Head of Relevant Entity (HRE);
2. Deputy Principal;
3. Counsellor Co-ordinator;
4. Heads of School

► **LEGISLATION**

The key legislative responsibilities in NSW to support Child Protection obligations:

1. *Children's Guardian Act, 2019 (NSW)*
2. *Children and Young Persons (Care and Protection) Act 1998 (NSW);*
3. *Child Protection (Working with Children) Act 2012 (NSW)*

This legislation sets out legal and regulatory requirements around interactions with students, including the wellbeing and care of students and reporting any conduct of concern. The College community must ensure that they comply with all legislative and policy obligations to maintain their training and screening procedures and to comply with Work, Health and Safety Legislation.

► **OBLIGATIONS TO REPORT**

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."
<http://www.sdm.community.nsw.gov.au/mrg/definition/def.html>

At the College, staff are required to report any concerns they have about the wellbeing, safety and welfare including neglect of students, to the Principal who acts as the Head of Relevant Entity. In the

event that the allegation involves the Principal, the staff member will bypass all other staff members, Executive or otherwise and report directly to the Chairman of the College Board.

However, Green Point Christian College recognises that all staff, including volunteers, are mandatory reporters and may 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).

At the College this Policy will extend to young people and the word “child” includes any student under the age of 18 years old. Therefore, it is expected that all staff and volunteers who work with this age group will adhere to this policy and follow its procedures.

If you are unsure whether you are a mandatory reporter, contact the Principal.

► **CHILD-FOCUSED RISK MANAGEMENT**

All College community members will ensure that they use child-focused risk management practices in all their activities in accordance with the College’s Risk Management Policy and Procedures.

In this regard, all College community members must ensure that they comply with all legislative and policy obligations to maintain and update their child protection (Working with Children Clearance check) screening.

► **INFORMING STAFF OF THEIR LEGAL RESPONSIBILITIES**

Child Protection training is provided to all Green Point Christian College staff annually and is facilitated by the Deputy Principal. This training usually occurs during Staff Professional Development sessions. It may be delivered online, face to face, or a combination of both. This training includes:

- ✓ Informing staff of their mandatory reporting obligations;
- ✓ Informing staff of the College’s Child Protection Code of Conduct;
- ✓ Advising staff of the College’s procedures regarding identifying and responding to a Risk of Significant harm;
- ✓ Advising staff of the College’s procedure 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;
- ✓ Advising staff that Section 64 of the Act protects whistleblowers who provide information about a reportable allegation in good faith. It is an offence for detrimental action to be taken against a person providing information because of the report, complaint or notification (refer to the College’s Whistleblower Policy);
- ✓ Staff will sign an attendance sheet as evidence of having received this training. These attendance sheets will be stored in the College office in a secure location with the Deputy 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 may need to complete a quiz to demonstrate their understanding. If the employee has not participated in any Child Protection training in NSW within 12 months of their employment at the College, they will also be required to participate in an online Child Protection training program and provide the Deputy Principal with evidence of the course completion within one month of commencing their employ at Green Point Christian College.

1. OBLIGATIONS CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) ACT 1998

1.1 Definitions

Risk of 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.

All Green Point Christian College staff are expected to be aware of the general indicators for child abuse and neglect (see 1.2), as well as the process for responding to disclosures. This will be covered in annual staff training.

1.2 Mandatory Reporting

All staff are required to report cases of suspected risk of significant harm to the Principal or the Principal's delegated representatives who are the Deputy Principal and Counselling Co-ordinator. A Keep Them Safe Mandatory Reporters Guide (MRG) will be completed as soon as practicable and Green Point Christian College will follow the process outlined to report to the relevant authorities. The MRG categorises abuse under seven headings which are as follows:

- i. Physical abuse includes the basic physical or psychological needs of the child or young person and includes the risk to the child if these needs are not met; it also includes non-accidental injury: it may include any excessive action or discipline, injuries may include bruising or burns; hitting a child around the neck or head and using any form of rod, belt or any other implement to discipline or to punish a child is a crime;
- ii. Neglect: Supervision, shelter/environment, food, dental or medical care, mental health care; under the *Education Act 1990* this includes parents or caregivers who have not arranged a child or young person to receive an education in accordance with this Act;
- iii. Sexual abuse: Child, young person, problematic sexual behaviour towards others;
- iv. Psychological harm: Reporters need to be aware that the protection of the child is also related to self-esteem, their confidence caused by emotional trauma or deprivation; and may be caused by withholding affection, consistent and excessive criticism;
- v. Relinquishing care: Child/young person's current parent/carer has stated that he/she will not provide shelter, food or supervision for the child/young person AND is stating that this is effective immediately. Parent/carer has already stopped providing shelter, food or supervision and has either stated, or it is apparent, that he/she does not intend to resume providing shelter, food or supervision.
- vi. Carer concern: Substance abuse, mental health, domestic violence, or where there is a risk of serious physical or psychological harm to the child;
- vii. Unborn child: Suicide risk, serious and persistent substance abuse, unmanaged mental health, domestic violence, unsupported intellectual disability, medical condition/physical disability, homelessness, inadequate preparations for the birth;

One-off incidents can also cause serious harm to a child and if a mandatory reporter is concerned about an injury to a child, report it to the Principal or the Principal's delegate. Child wellbeing relates to issues that do not reach the mandatory reporting threshold "risk of serious harm", but still need to be treated seriously by the College.

Therefore, report all concerns regarding the safety, wellbeing or welfare of a student.

1.3 Reasonable Grounds

"Reasonable grounds" works alongside the definition of the risk of significant harm. It represents an objective measure for suspecting a risk of harm to a child or young person. The following constitute the need to report:

- the reporter observes firsthand the child or young person and this raises concerns;
- the child or young person, parent, or other persons disclose information;
- and/or what can be inferred on the basis of professional training and or the experience of the parent or persons concerned.

Note: It is not the responsibility of the parent, staff member or other persons to confirm any of the information disclosed, or to investigate any of the information, but to make a report to the Principal or the Principal's delegate to determine whether the case reaches the threshold of "risk of significant harm".

1.4 Confidentiality

All mandatory reporters must treat all information disclosed under "Reasonable Grounds" as confidential and only disclose it to meet obligations under the Acts protecting Children. A failure to comply with this responsibility will breach this Policy and may lead the reporter to civil action for defamation.

The College is aware that Section 29 of the Act prohibits the disclosure of the identity of a reporter, or of any information which might reveal the identity of a reporter, unless:

- the reporter has given consent to the disclosure;
- a court or other body before which proceedings relating to the report are being conducted has granted leave for the disclosure; or
- NSW Police require reporter identity to be disclosed in connection with the investigation of a serious offence alleged to have been committed against a child or young person (see section *Disclosing reporter's identity under Section 248 and Chapter 16A*).

A report made on behalf of a person in a chain of reporting, is afforded protection. Note: If a Principal makes a mandatory report on behalf of a teacher and it is clearly specified in the report that the report is made on behalf of the teacher, the teacher is also protected. The protection applies regardless of whether Community Services assesses the report as meeting, or not meeting, the risk of significant harm threshold. If you make a Mandatory Report as required under the obligations of this Policy, do not inform the parents or caregivers.

The investigation will take place as is required under the Child Protection Legislation. 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, and 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 believes the child. However, please discuss the decision to report to the family with Head of School and Counselling Co-ordinator before action is taken.

If staff are unsure whether to raise their concerns with a family prior to making a mandatory report, they should discuss this with either the Principal or the Principal's delegate.

1.5 Documentation

All teaching or non-teaching, casual staff, or practicum students, volunteers, visitors, contractors or any persons who have dealings with the College community must document observations, consultations and actions involving potential child abuse or neglect. All persons reporting cases of concern must record all information and observations relating to child abuse. Email information: Student name, DOB, Grade, Teacher, Date, Time and Observations to the Principal or Principal's delegate and include 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 ...".

A copy will be stored with the Principal and Counselling Co-ordinator. An MRG will also be completed, signed, printed, and stored with Principal and Counselling Co-ordinator. All records must provide factual information, observable indicators and refrain from opinion or conclusions.

When a notification is made to the Department of Community and Justice (DCJ) the receipt/record number is kept on the Principal's and the College Counsellors' files as proof the report has been made. Written records will be made of all communication with Police and Community Services. All student confidential information is to be stored separately from the student's school records. Access to the information is made by the Principal or delegated representatives.

2. CHILD PROTECTION (WORKING WITH CHILDREN) ACT 2012 (NSW) 1998

2.1 A Working with Children Check

All teaching or non-teaching, casual staff, or practicum students, and volunteers at the College need to complete a Working with Children Check and therefore will be subject to the findings of the Office of the Children's Guardian.

The Office of the Children's Guardian (OCG) is the body responsible for screening any person or persons engaging in child related employment.

The result of the check is either:

1. A clearance to work with children for five years; or
2. A bar against working with children.

It remains the responsibility of the employee – teaching or non-teaching, to apply for a Working with Children Check and to advise the College of their WWCC number. It is also the responsibility of the employee – teaching or non-teaching to apply for future renewals when they fall due. The College will keep a record of all WWC checks – teaching or non-teaching or volunteers, visitors or any persons who have dealings with the College community including contractors (arrangements may be made with contractors about their WWCC responsibilities). These records are held by the Executive Assistant to the Principal and are updated as required.

It is important to remember that an applicant who is cleared for five years will still be the subject of ongoing monitoring by the Office of the Children's Guardian. This could lead to an applicant's Working with Children's Check being revoked.

2.2 Bars and Interim Bars

If an employee is barred from working with children by the Office of the Children’s Guardian, they will be dismissed by the College.

If an employee faces an interim bar or is not found when a search is undertaken, they will be stood down without pay until a risk assessment is completed and they have been approved to return to work with children by the Office of the Children’s Guardian.

For further information on a Working With Children Check and the Office of the Children’s Guardian go to: www.kidsguardian.nsw.edu.au- and see the facts sheets re: Relevant Definitions Regarding Bars – Final and Interim.

The College is bound by the legislative power of the Office of the Children’s Guardian:

Fact Sheet 12 “Once a bar is in place, it is an offence to work with children for five years and penalties apply. If you are already working with children, you must immediately remove yourself from this work. It does not matter whether the work is paid or voluntary”.

2.3 College Obligations

The Office of the Children’s Guardian is to protect children from harm. The College is required to ensure that all WWCC numbers are verified online and a record kept of the status of all persons who require a check. The College also has a responsibility to employ or utilise eligible persons and to always report findings that involve any misconduct thereby meeting all legislative responsibilities to protect children.

It is the expectation of the College that as there is no cost for a Working with Children’s Check for a volunteer, one will be provided.

2.4 Record Keeping for Working with Children Checks

A Green Point Christian College staff member must provide their WWC clearance number as part of their application for child related work. The Executive Assistant to the Principal will verify the WWCC clearance number with the NSW Office of the 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 Office of the Children’s Guardian, a person’s WWCC clearance is effective for five years (from the date it is granted), unless it is cancelled sooner by the NSW Office of the Children’s Guardian or surrendered sooner by the worker. The Executive Assistant to the Principal maintains the WWCC records. These records are kept in a secure location. These records include the child-related worker’s:

- 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.

WWC 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.

2.5 What if a Worker Becomes Barred?

The NSW Children's Guardian will notify the employer in writing if, at any time following the initial verification by the employee, the person's WWCC clearance is cancelled (ie 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 Office of the 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-children related role.

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

NOTE: *The College 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.*

3. REPORTABLE CONDUCT and the CHILDREN'S GUARDIAN ACT 2019 (NSW)

3.1 Staff obligations under the Children's Guardian Act

Under the Act, the Head of Relevant Entity (HRE) of the College is obligated to notify the Office of the Children's Guardian (OCG) of all allegations of reportable conduct by an employee and the outcome of the investigations. Allegations may be made by staff, students or community members.

3.2 Head of Relevant Entity (previously known as Head of Agency)

The Head of Relevant Entity (HRE) is the Principal of the College. Once the HRE has been advised of a reportable allegation or conviction against an employee, they must notify the Office of the Children's Guardian (OCG) **within 7 business days**. The HRE must provide an interim or final report to the OCG within 30 calendar days. The HRE can seek advice from the OCG and the College's legal representatives regarding the alleged allegation.

In the notification, the HRE must include:

- Details of the allegation or conviction;
- Advice as to whether or not they propose to take disciplinary or other action in relation to the employee, and the reasons for taking or not taking any action;
- Any written submission made to them by the employee about what action should be taken against them.

3.3 Definition Reportable Conduct

- a. 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
- b. Any assault, ill treatment or neglect of a child; or
- c. Any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child; or
- d. Inappropriate professional relations with students; or
- e. Sexual misconduct etc.

Reportable conduct does not extend to the following:

- a. 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;
- b. 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
- c. Conduct of a class or kind exempted from being reportable conduct.

3.4 What Happens When an Allegation of Reportable Conduct is Made

If the Principal receives an allegation of reportable conduct against an employee, as the Head of Relevant Entity they are required to undertake the following:

- a. Determine if the allegation is reportable conduct;
- b. Contact DCJ and the Police if the allegation is sexual misconduct; the investigation may need to be carried out by them; a College investigation must not proceed if this is the case;
- c. Notify the parents (refer to the NSW Reportable Conduct Scheme- Fact Sheet 7 - *Disclosing Information to Children, Parents and Carers*);
- d. Notify the OCG and seek their guidance as to how to proceed;
- e. Complete a Critical Incident form which includes a risk assessment and take appropriate action where necessary;
- f. Appoint an external investigator to investigate the allegation in the case of sexual misconduct, if directed to by the Police; or
- g. Appoint an internal investigator if appropriate, ie the Deputy Principal, Business Manager and Heads of School are all trained Workplace Investigators.

There are a number of investigative principles and these include procedural fairness for all parties to the allegation – the child/children, witnesses, the reporter of the conduct and of course the PSOA (person subject of the allegation).

The Head of Relevant Entity is to provide the OCG with all documentary and other information (including records of interviews) as the OCG may from time to time request with respect to the investigation.

Section 64 of the Act protects whistleblowers who provide information about a reportable allegation in good faith. It is an offence for detrimental action to be taken against a person providing information because of the report, complaint or notification (refer to the College's Whistleblower Policy).

3.5 Risk Management

The process will identify issues of risk related to the allegation of reportable conduct and will include processes to assess and minimise risk at the start, during and at the conclusion of the investigation.

The Principal as Head of Relevant Entity, is responsible for risk management and therefore must consider the risk to all parties involved: the child/ren subject of the allegation; other children with which the employee has contact; the PSOA; the College. It is also the responsibility of the Principal to ensure that a proper investigation is undertaken. The management of risk will consider a number of issues related to protecting children and the nature of the position held by the PSOA and possible risks to the investigation.

The OCG will require ongoing Risk Management, however a decision made to stand down an employee should not constitute that the alleged conduct did occur.

When the investigation is finalised, a decision will be made by the Head of Relevant Entity based on the outcome of the investigations.

3.6 Other Information – Reportable Conduct

3.6.1 Inappropriate Professional Relations with Students

The College expects all College community members - teaching and non-teaching, volunteers, or visitors, to be caring, compassionate adults who take an interest in the wellbeing of students, and who set appropriate boundaries for worker/student relations.

College community members must be aware that their interactions with students are based on a trusting relationship arising from the nature of their role in the College, and that those relationships are open to scrutiny.

At all times College community members must treat students with respect and behave in ways that promote their safety, welfare and wellbeing.

At all times, College community members must conduct themselves in a professional manner towards students, consistent with their appointed role.

College community members must not:

- a. Engage in inappropriate physical contact/force with a student including physical/corporal punishment of a child in the course of their role at the College;
- b. 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;
- c. Behave in a manner which may cause psychological harm to a student; and/or
- d. Correct or discipline a student in excess of what is reasonable or appropriate for the situation.

A College community member must not act recklessly in this regard.

3.6.2 Sexual Misconduct

College community members must not:

- a. Engage in any conduct with students that could be reasonably construed as crossing professional boundaries. Inappropriate and overly personal or intimate relationships with,

conduct towards, or focus on a student or group of students would be considered as such. A single serious “crossing of the boundaries” by a College community member, or persistent less serious breaches of professional conduct in this area, may constitute sexual misconduct, particularly if a College community member either knows, or ought to have known, that such behaviour was unacceptable.

- b. Engage in conduct that is reflective of grooming behaviour in relation to a student, their family or friends.
- c. Make sexually explicit comments or engage in other sexually overt behaviour towards, or in the presence of, a student.
- d. Have an intimate or romantic or sexual relationship with any student regardless of their age (it is irrelevant whether the relationship is consensual or non-consensual or condoned by parents).
And/or,
- e. Commit a criminal offence involving a sexual element that is committed against, with or in the presence of a student of any child or children in any other circumstances.

Where there are existing personal relationships between a College community member and a student such as a family relationship or a close friendship, the College community member must behave in a transparent and prudent fashion and be mindful of any perceived conflict of interest.

3.6.3 *Inappropriate contact through ICT and Social Media*

In relation to communicating with students, College community members must comply with all relevant policies and procedures of the College applicable to electronic information and communication technology (ICT) and social media.

College community members are prohibited from photographing or filming a student other than for purposes approved by the College. Secretly taking photographs or other images of students, retaining them for unjustifiable purposes, sending them to other persons or posting them online is strictly prohibited.

3.6.4 *Illegally supplying alcohol, drugs and tobacco*

College community members must not purchase for, offer, supply, give or administer to a student, including those over the age of 18, illegal drugs, restricted substances, alcohol or tobacco, prescribed or non-prescribed medication (unless dealing with or administering medication in accordance with relevant policy).

College community members must not encourage or condone the use by a student of illegal drugs, restricted substances, alcohol and/or tobacco.

College community members must not consume illegal drugs, restricted substances, alcohol or tobacco on College premises or at any school-related activity where a student is present.

3.7 Confidentiality

Allegations of reportable conduct must be dealt with as confidentially as possible. This ensures procedural fairness for all parties to the allegation. In the event of a breach of confidentiality, a report must be made directly to the Principal. All records pertaining to an allegation must be stored securely and only accessible to the Principal or their Delegated Representatives.

No employee of the College may comment to the media. If the media becomes aware of a situation of abuse or neglect, be it within the family, against a staff member, or any other circumstances, all

enquiries must be directed to the Principal. Staff members and volunteers are asked not to answer or make any comment to the media.

3.8 Record Keeping

The Head of Relevant Entity:

- a. Has a responsibility to create and maintain appropriate detailed records of their professional activities and decisions regarding the care and protection of students, including contemporaneous records of any disclosure, observations and discussions including any breach of this Policy. These records will be stored securely in the office of the Executive Assistant to the Principal;
- b. Must remain mindful of the need to retain such records securely and confidentially; and
- c. Must seek appropriate advice regarding the retention/destruction of such records.

3.9 Exchange of Information

Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* clearly prioritises the safety, welfare, and wellbeing of a child or young person over an individual's right to privacy. Chapter 16A 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 wellbeing, whether or not the child or young person is known to the Department of 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 co-ordinate decision making and the delivery of services regarding children and young people. Green Point Christian College is a relevant entity 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, Green Point Christian College 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 the Green Point Christian College response. Similarly, should Green Point Christian College wish to use the provisions of Section 16A to seek information from another agency, this should be co-ordinated via the Principal.

► GENERAL CHILD PROTECTION ISSUES - PREVENTATIVE, PROACTIVE TRAINING PRACTICES AND PROCEDURES

1.1 Staff Child Protection Training and Professional Learning

Green Point Christian College acknowledges that given the high abuse rates across the population, it is inevitable that some students will have experienced child abuse and that education of staff can play a significant role in early intervention or prevention. Prevention practices are vital and Green Point Christian College is committed to staff child protection awareness training and will provide this training annually. Training will be delivered either internally or facilitated through an external provider. A log of staff that have participated in child protection training will be kept. Throughout the year relevant information will be forwarded to staff electronically to ensure they are up to date.

1.2 College Counsellors

Green Point Christian College has qualified Counsellors available to assist students, staff and parents, as required. College Counsellors can assist staff in how to deal with the issues appropriately and

professionally as Green Point Christian College staff help to care for an affected child/children. College Counsellors keep documentation of students and store them in accordance with Counsellors' code of ethics and standards.

College Counsellors offer staff, students, parents and carers information and make them aware of the support services available to them. College Counsellors attend external clinical supervision on a regular basis where child protection matters can be discussed reflecting on counselling practices.

1.3 The Family Law Act 1975 (Cth)

If there is a Family Court Order or an Apprehended Domestic Violence Order operating at the time of a student's commencement, or taken out while they are enrolled, this is to be placed in the student's school file. Relevant key staff as determined by the Principal are to be advised of the details of the Order. Green Point Christian College acknowledges Division 11 of this Act which states that these orders are to ensure parents can "spend time with children, do not expose people to family violence, and are respecting a child's right to spend time with a parent or other person."

http://www.familycourt.gov.au/wps/wcm/connect/FCOA/home/about/Initiatives/FV/FCOA_fv_Orders

Green Point Christian College does not act as a mediator in legal matters of child access merely abiding by The Family Law Act 1975 (Cth); this may include denying access to students where a parent is not named as the residential carer. Parents and/or carers are encouraged to inform the school of any Family Court Order or Apprehended Domestic Violence Orders to ensure records are kept up to date.

1.4 Duty of Care Responsibilities

The College 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 College community member must take into consideration various factors, such as a student's maturity and ability.

This duty of care is owed to students by all College community members and applies during all activities and functions conducted or arranged by the College where a student is in the care of a College community member.

The risk associated with any activity needs to be assessed and managed by College 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 College community members also have a duty to not neglect the welfare of students. Neglect includes either an action or inaction by a person who has care responsibilities towards a student which may include:

- a. Supervisory neglect (failure to adequately supervise a student);
- b. Carer neglect (grossly inadequate care of a student);
- c. Failure to protect from abuse (unreasonable failure to respond to information that may result in harm to a student); and/or
- d. 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 College community members must participate in training opportunities as proposed to them by the College in order to maintain and update their understanding

of child protection law and practice, and the College's policies and procedures in relation to the care of students.

▶ **ABORIGINAL AND TORRES STRAIT ISLANDER PRINCIPLES**

Green Point Christian College recognises that the Act makes special provisions relating to Aboriginal and Torres Strait Islander children and families (Sections 11-14). The Aboriginal and Torres Strait Islander principles focus on self-determination and on participation in decision making. This includes the opportunity to participate in significant decisions that are to be made about an individual child who is Aboriginal in the context of child protection, including the decision to remove a child or young person from the care of their parent or caregiver. These principles will be upheld by Green Point Christian College with the advice of relevant authorities.

▶ **POLICY REVIEW**

This policy will be reviewed annually by the Senior Executive and/or College Board for currency, relevancy and compliance. Green Point Christian College seeks to implement the *Child Safe Standards* over time and adjustments to this policy will be made where appropriate.

▶ **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.

Domestic violence is violence, abuse and intimidatory behaviour perpetrated by one person against another in a personal, intimate relationship. It can be 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 Relevant Entity (HRE) is the Principal of Green Point Christian College.

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 need 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 judgment 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).

College Community Member/Members 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 College or who have face to face contact with students of the College in any place and on any basis including persons holding a Church ministry licence 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.

► RELATED GREEN POINT CHRISTIAN COLLEGE POLICIES

- Code of Conduct Policy
- Whistleblower Policy
- Anti-Bullying Policy
- Anti-Drug Policy
- Attendance Policy
- Internet Usage Policy
- Student Computer Usage Policy
- Social Media Policy
- Critical Incident Policy
- Behavioural Management Policy
- Employment Policy
- Privacy Policy
- Grievance Policy Staff/Students

► **FURTHER INFORMATION**

Further information about the processes required under this policy can be sought from the College Child Protection contact.

► **USEFUL RESOURCES**

NEW SOUTH WALES		
Children’s Guardian Act, 2019	Crimes Act 1900 (NSW)	Child Protection (Working with Children Act) 2012 (NSW)
COMMONWEALTH OF AUSTRALIA		
Family Law Act 1975 (Cth)	Australian Human Rights Commission Act 1986 (Cth)	
UNITED NATIONS		
Convention on the Rights of the Child	Declaration of the Rights of the Child	

► **USEFUL RESOURCES - WEBSITES**

NEW SOUTH WALES	
NSW Working with Children Check	https://www.kidsguardian.nsw.gov.au/
NSW Family and Community Services	www.community.nsw.gov.au/docs_menu/preventing_child_abuse_and_neglect/protecting_children.html
NSW Family and Community Services Guide to making a child protection report	www.community.nsw.gov.au/kts/guidelines/reporting/index.htm
NSW Mandatory Reporter Guide	www.community.nsw.gov.au/kts/guidelines/documents/mandatory_reporter_guide.pdf

APPENDIX 1

Child Protection Code of Conduct For Employees and Volunteers of Green Point Christian College

Expectations of College 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 Green Point Christian College Policy and Procedures for the safety of students as outlined in the College’s Child Protection and Wellbeing Policy and Procedures 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 the activity; • Ensure that this adult is actively engaged and aware of the action of the College 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 College 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 wellbeing 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 College 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 College any information or concerns about inappropriate behaviour by any College Community Member.
WILL	Report to the College any information or concerns about inappropriate behaviour by any College Community Member that involves a student.
WILL	Fulfil their legal obligation to report risk of significant harm, or to report possible criminal activity.
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 College’s procedures for providing students with or allowing students to have access to, prescribed or other medication. Do 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 College 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.

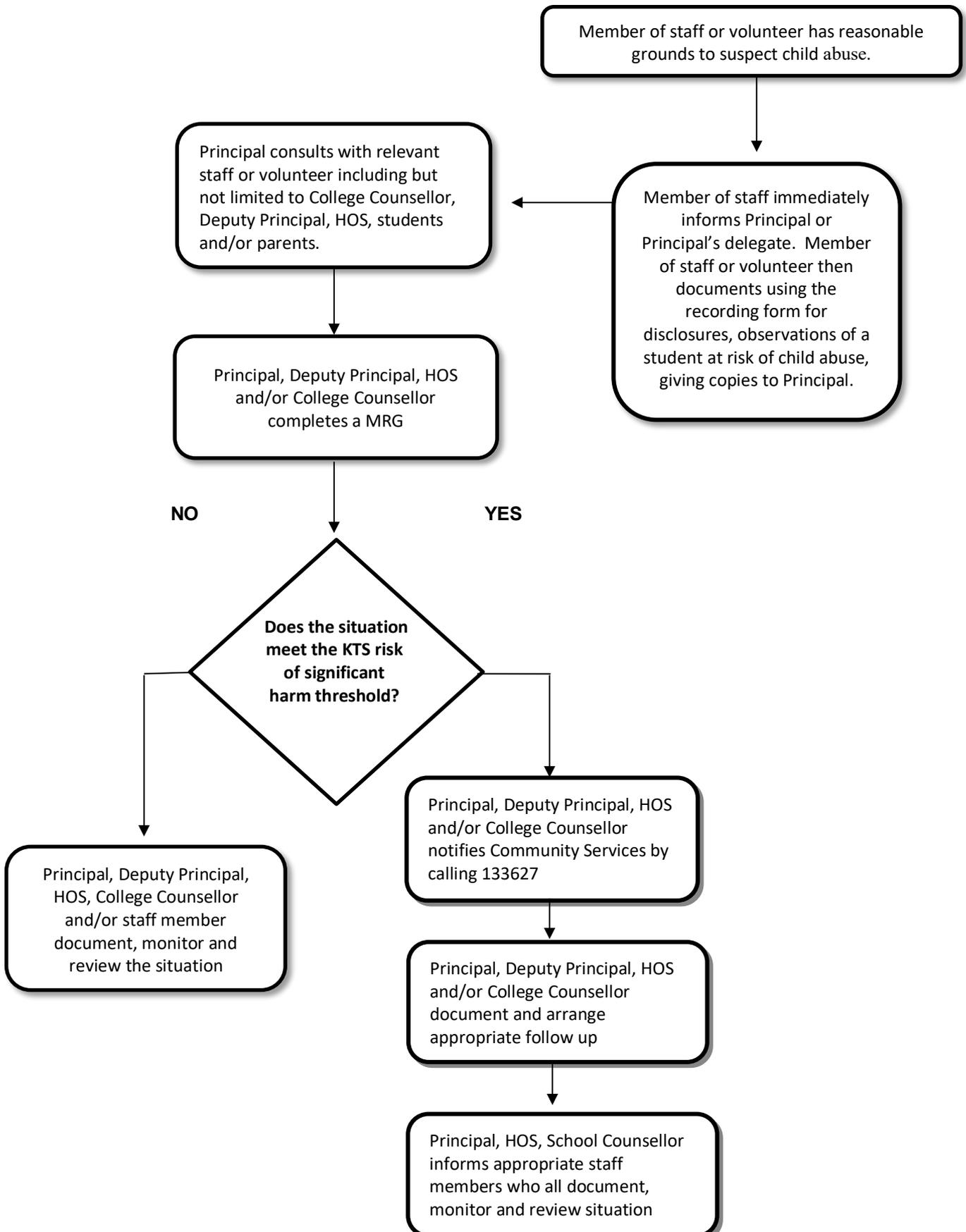
WILL NOT	Engage in inappropriate physical contact/force with a student including physical/corporal punishment of a student.
WILL NOT	Act in ways which may cause a student to reasonably fear that unjustified force will be used against them, even if this is not their intention.
WILL NOT	Swear, blaspheme, or use inappropriate or disparaging language in the presence of, towards or about any student or any College 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 College or at any place where activities of the College 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 College.
WILL NOT	Neglect any student or allow any students to place themselves at risk when in the care of the College 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 College'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 College's Code of Conduct for Staff.

APPENDIX 2

Green Point Christian College Child Protection and Wellbeing Procedural Flowchart for Identifying and Responding to Child Abuse



**Green Point Christian College
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:

Date and time of observation:

(Include details and/or observation, who you consulted with, and any action or follow up plans)

Reporter's signature:

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

APPENDIX 4

(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 wellbeing 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, eg 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 off or abandoned;
- Self comforting behaviour, eg 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, eg access to washing or food;
- Explores serious risks through non-attendance at school eg 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 eg 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 association 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, eg 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 wellbeing;
- Exposure to domestic violence.

Indicators of sexual abuse or ill treatment

Indicators in children and young people:

- Describe sexual acts eg 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 breasts, buttocks, lower abdomen or thighs.

Indicators in young people:

- Particularly negative reactions to adults of only one sex;
- Sexually provocative;
- Desexualisation, eg 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 eg 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 curtailing, 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.