

## PORT MACQUARIE STEINER SCHOOL

### 4.2 CHILD PROTECTION POLICY

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<b>Reviewed date:</b> 3 <sup>rd</sup> June 2020	<b>By:</b> K. Barry	<b>Next review due date:</b> June 2021
<b>Associated Policies:</b>	2.2 Student Code of Conduct 6.1 Parents, Guardians and School Community Code of Conduct 9.4 Work Health and Safety Policy 2.5 Student Welfare and Security Policy 2.3 Student Wellbeing and Pastoral Care Policy 8.9 Risk Management Policy <i>Keep Them Safe</i> Mandatory Reporter Guide Recommended Protocols for Internal Investigative Disciplinary Proceedings	
<b>Associated Laws:</b>	<i>Education Act 1990</i> <i>Child Protection (Working With Children) Act 2012 (NSW)</i> <i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i> <i>Children's Guardian Act 2019</i> <i>Privacy and Personal Information Protection Act 1998</i> <i>Health Records and Information Privacy Act 2002</i>	

#### INTENTION

To summarise the obligations of the school under child protection legislation. This policy applies to the whole school - employees, contractors and volunteers at the school and is intended to provide guidelines as to how the school will deal with certain matters, should they arise.

This policy outlines the key concepts and definitions including mandatory reporters, reportable conduct and risk management. It also covers the expected standard of behaviour in relation to employees, contractors and volunteers and their relationships with students of the school.

#### INTRODUCTION

The safety, protection and well-being of all students are of fundamental importance to the school. The school is committed to providing a learning and teaching environment where children are safe from harm. This safe and supportive environment applies to the whole being - social, academic, physical and emotional aspects of a person. All care is taken to minimise risks in relation to child protection.

Child protection is a community responsibility and as such, all staff employed by the school including contractors and volunteers are expected to abide by the guidelines outlined in this policy.

A number of Acts relate to child protection in NSW. These are as follows:

Children and Young Persons (Care and Protection) Act 1998 which sets out the responsibilities of Community Services with regard to child protection including **mandatory reporting** obligations (Covered in section 2 of this policy)

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Children's Guardian Act 2019 which sets out the responsibilities of relevant entities to prevent, identify and respond to **reportable conduct** by employees (covered in section 3 of this policy)

Child Protection (Working with Children) Act 2012 which relates to **working with children check clearances** for all persons at the school engaged in child-related work (covered in section 4 of this policy)

#### CONCEPTS AND DEFINITIONS

**Safe environment** - A safe environment at the school involves mitigating risk of harm so that the students feel safe and secure. Harm can involve the personal aspects including violence, physical threats, verbal abuse, threatening gestures, sexual harassment and racial vilification. It can also include the built structures of the environment as well. Such as, construction, lighting, space, facilities and safety plans.

**Supportive environment** – A supportive environment is one in which the spirit of each child is nurtured in order for effective teaching and learning to take place. A supportive environment is one in which students are treated with respect and fairness by teachers, other staff and fellow students.

**Significant harm** - What is meant by 'significant' in the phrase 'to a significant extent' is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well-being.

The significance can result from a single act or omission or an accumulation of these.

Child is a person under the age of 16 years for the purposes of the Care and Protection Act. A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare or well-being of the child or young person are present to a significant extent.

**Child abuse and neglect** - There are different forms of child abuse. These include neglect, sexual, physical and emotional abuse.

Neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.

Physical abuse is a non-accidental injury or pattern of injuries to a child 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.

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Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints.

Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punish a child (in a non-trivial way) is a crime.

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

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 are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.

**Concern for Child Wellbeing** - Child wellbeing concerns are those involving safety, welfare or wellbeing for a child or young person that do not meet the mandatory reporting threshold risk of significant harm. See the Policy details below for more information on this threshold.

**Child** – A person who is under 16 years of age for the purposes of the Care and Protection Act.

**Young person** - A person who is aged 16 years or above but who is under the age of 18 years for the purposes of the Care and Protection Act.

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

- a. first hand observations of the child, young person or family;
- b. what the child, young person, parent or another person has disclosed; or
- c. what can reasonably be inferred based on professional training and/or experience.

A reasonable ground does not mean that you are required to confirm your suspicions or have clear proof before making a report.

**Significant harm** - A child or young person is 'at risk of significant harm' if current concerns exist for the safety, welfare or wellbeing of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:

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- a. the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met;
- b. the parent/s or other caregiver/s have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care;
- c. in the case of a child or young person who is required to attend School in accordance with *the Education Act 1990* - the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act;
- d. the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated;
- e. the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm;
- f. a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm; or
- g. under section 25 of the Care and Protection Act, a person who has reasonable grounds to suspect, before the birth of a child, that the child may be at risk of significant harm after his or her birth may make a report. If the child was the subject of a pre-natal report, and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

#### **Reportable conduct** - is defined as:

- 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);
- b. any assault, ill-treatment or neglect of a child; and
- c. any behaviour that causes psychological harm to a child whether or not, in any case, with the consent of the child.

#### **Reportable conduct does not extend to:**

- 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; or
- 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

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- c. conduct that is exempted from notification by a Class or Kind Agreement.

The Children's Guardian may exempt a class or kind of conduct of employees of a relevant entity from being reportable conduct. The Children's Guardian has procedures to follow for an exemption under section 30 of the *Children's Guardian Act 2019*

Any alleged conduct which involves the reasonable use of physical force in an act of self-defence does not constitute reportable conduct.

**Psychological harm** - Behaviour that causes psychological harm to a child is behaviour that is obviously or very clearly unreasonable and results in significant harm or trauma to a child. There needs to be a proven causal link between the inappropriate behaviour and the harm, and the harm must be more than transient.

**Ill-treatment** - Captures those circumstances where a person treats a child in an obviously or very clearly improper manner. The focus is on the alleged conduct rather than the actual effect of the conduct on the child. Ill-treatment can include disciplining or correcting a child in an obviously unreasonable or inappropriate manner; making excessive and obviously unreasonable demands on a child; malevolent acts towards children; and inappropriate and hostile use of force against a child.

**Neglect** - Includes either an action or inaction by a person who has care responsibility towards a child. The nature of the employee's responsibilities provides the context against which the conduct needs to be assessed.

- a. **Supervisory neglect** - An intentional or reckless failure to adequately supervise a child that results in the death of, or significant harm to, a child, or a significantly careless act or failure to act that involves a gross breach of professional standards and has the potential to result in the death or significant harm of a child.
- b. **Carer neglect** - Grossly inadequate care that involves depriving a child of the basic necessities of life, such as the provision of food and drink, clothing, critical medical care or treatment, or shelter.

**Failure to protect from abuse** - An obvious or very clear unreasonable failure to respond to information strongly indicating actual or potential serious abuse of a child.

**Reckless act (or failure to act)** - Involves a gross breach of professional standards, and has the potential to result in the death of, or significant harm to a child.

**Physical Assault** - Any act by which a person intentionally inflicts unjustified use of physical force against another. An assault can also occur if a person causes another person to reasonably apprehend that unjustified force is going to be used against them. Even if a person who inflicts physical harm or causes another person to reasonably apprehend physical harm does not actually intend to inflict the harm or cause fear, they may still have committed an assault if they acted 'recklessly'.

'Recklessness' in this context relates to circumstances when the person ought to have known that their actions would cause a person physical harm or cause them to fear injury.

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Assaults can include hitting, pushing, shoving, throwing objects or making threats to physically harm a child.

**Sexual Misconduct** - Has two categories which include:

- a. crossing professional boundaries, and
- b. sexually explicit comments and other overtly sexual behaviour
- c. The alleged sexual misconduct must have been committed against, with or in the presence of a child.

**Crossing professional boundaries** - Sexual misconduct includes behaviour that can reasonably be construed as involving an inappropriate and overly personal or intimate relationship with, conduct towards or focus on a child or young person, or a group of children or young persons.

**Sexually explicit comments and other overtly sexual behaviour** - Behaviour involving sexually explicit comments and other overtly sexual behaviour which can constitute sexual misconduct. Some forms of this behaviour also involve crossing professional boundaries.

This conduct may include:

- a. inappropriate conversations of a sexual nature;
- b. comments that express a desire to act in a sexual manner;
- c. unwarranted and inappropriate touching;
- d. sexual exhibitionism;
- e. personal correspondence (including electronic communications such as e-mails and text messages) with a child or young person in relation to the adult's sexual feelings for a child or young person;
- f. exposure of children and young people to sexual behaviour of others including display of pornography;
- g. watching children undress. For example, in change rooms or toilets when supervision is not required or justified.

**Sexual Offences** - Encompasses all criminal offences involving a sexual element that are 'committed against, with or in the presence of a child'. These offences include (but are not limited to) the following:

- i. indecent assault;
- ii. sexual assault;
- iii. aggravated sexual assault;
- iv. sexual intercourse and attempted sexual intercourse;
- v. possession/ dissemination/ production of child pornography or child abuse material;
- vi. using children to produce pornography;

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- vii. grooming or procuring children under the age of 16 years for unlawful sexual activity;
- viii. deemed non-consensual sexual activity on the basis of special care relationships;

PSOA Person subject of the allegation

These concepts and definitions are to be referred to when reading the following policy.

#### POLICY

All staff and volunteers including employees and contractors at the commencement of their employment or engagement with the school are to have a clear understanding of these duties and obligations under the key items of child protection legislation in NSW. These are to be covered also at the first staff meeting of every year with the school.

#### 1. Staff Training and Responsibility

All staff, the Principal, all volunteers and the school board have a range of different obligations relating to the safety, protection and welfare of students including:

- a duty of care to ensure that appropriate steps are taken to prevent harm to students;
- obligations under child protection legislation; and
- obligations under work health and safety legislation.

The Principal is responsible for ensuring all staff who have direct contact with students are informed annually of their legal responsibilities related to:

- child protection
- mandatory reporting and other relevant school expectations in regards to the *Children and Young Persons (Care and Protection) Act 1998*
- the prevention, identification and reporting and investigating allegations of reportable conduct in compliance with the *Children's Guardian Act 2019*

#### 2. Mandatory Reporting Under the *Care and Protection Act 1998*

The *Children and Young Persons (Care and Protection) Act 1998 (NSW)* provides for mandatory reporting of **children at risk of significant harm**.

Any concern regarding the safety, welfare or wellbeing of a student must be reported to the Principal. If the allegation involves the Principal, the incident is to be reported to the President of the school board who is then to manage the matter further.

**A mandatory reporter is a person who, under the Care and Protection Act:**

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- a. in the course of their employment, delivers services including health care, welfare, education, children's services and residential services, to children; or
- b. holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, education, children's services and residential services to children.

**All teachers are mandatory reporters.** All school staff and volunteers have a responsibility to recognise and respond to safety, welfare or wellbeing concerns for children and young people and inform the Principal. It is the responsibility of the Principal to report suspected risk of significant harm concerns to the Department of Communities and Justice (DCJ) Child Protection Helpline on 132 111.

#### Staff Obligations

The school board and Principal require staff members to report any concern they may have about the safety, welfare or wellbeing of a child or young person to the Principal. Any concerns involving the Principal are to be reported to the President of the school board.

In each case reported, the Principal (or President of the school board) will refer to the Mandatory Reporter Guide in order to ascertain the requirement to report the case further. The Mandatory Reporter Guide supports mandatory reporters in NSW to:

- determine whether a report to the Department of Communities and Justice (DCJ) Child Protection Helpline is needed for concerns about possible abuse or neglect of a child or young person; and
- identify alternative support for vulnerable children, young people and their families.

The Principal or President of the Board will provide the person who came to them with the information with the Engagement Number from the Department of Communities and Justice. If you are not satisfied that a report has been made, you should report directly, record the Engagement Number and inform the school board. If you have raised concerns that were referred to the department's Child Wellbeing Unit by the Principal, there will still be an Engagement Number. Some contacts with the Child Wellbeing Unit will be categorised as 'information only.'

The **Mandatory Reporter Guide** provides access to 'Decision Trees' which enable an appropriate decision to be made in each specific circumstance.

If at any time a staff member is dissatisfied with the Principal's (or President of the school board's) decision, they are encouraged to report their concerns to the Child Protection Helpline directly on 132 111 and record the Engagement Number.

If the allegation involves the Principal, the staff member is required to report to the President of the school board who is then to manage the matter further and refer to the Mandatory Reporter Guide as above.



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This obligation is part of the school's overall commitment to the safety, welfare and well-being of children. All staff of the school will be informed annually of their obligations in relation to child protection at the first staff meeting of every year with the school. Please refer to Staff Training and Responsibilities section of the Procedure for more information.

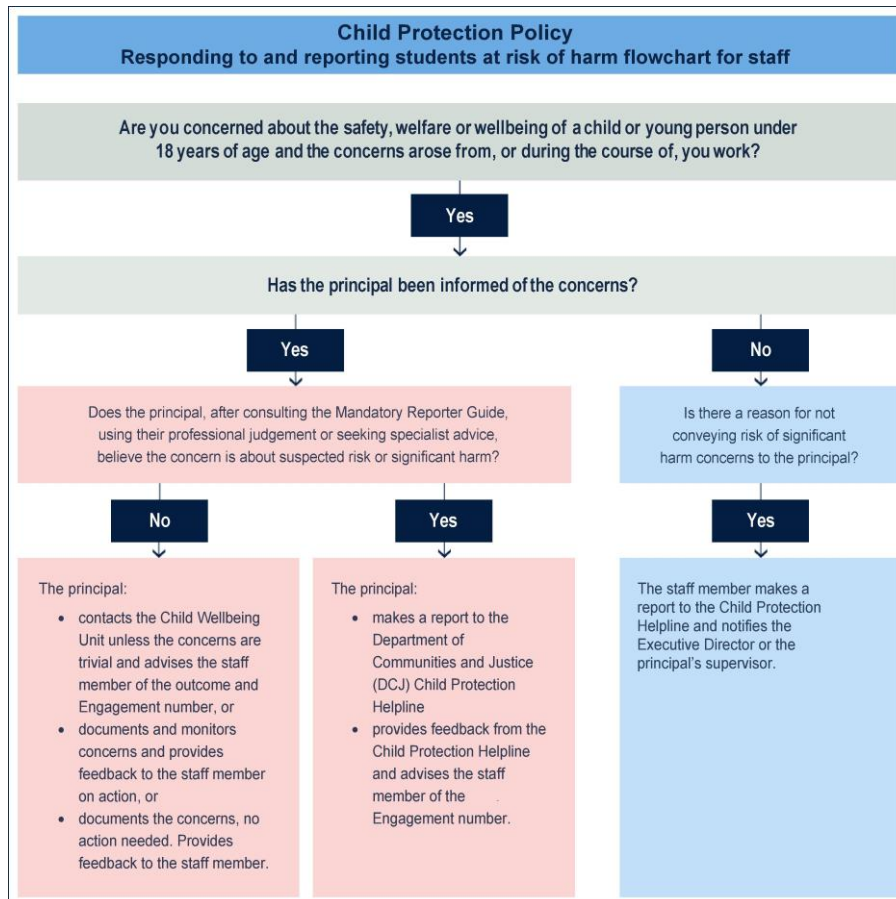
### When must a report be made to Community Services?

- A mandatory reporter must, where they have reasonable grounds to suspect that a child (under 16 years of age) is at risk of significant harm, report this to the Principal who will consult the Mandatory Reporter Guide as per this policy.
- in addition, while not mandatory, the School considers that a report should also be made to Community Services where there are reasonable grounds to suspect a young person (16 or 17 years of age) is at risk of significant harm and there are current concerns about the safety, welfare or wellbeing of the young person.

See section above on Concepts and Definitions for more information on **significant harm** and **reasonable grounds**.

### What should you do if you consider that a mandatory report is required?

Please refer to the flowchart below from the Department of Education which in our school relates to employees, volunteers and parents.



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Mandatory Reporter Guide ( <https://reporter.childstory.nsw.gov.au/s/> ). The Mandatory Reporter Guide supports mandatory reporters in NSW to:

- determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child or young person; and
- identify alternative support for vulnerable children, young people and their families.

The Mandatory Reporter Guide Provides access to 'Decision Trees' which enable an appropriate decision to be made in each specific circumstance.

Reporting by the School about these matters to the Children's Guardian, Community Services and, where necessary, the Police, is generally undertaken by the Principal. Where the concern involves the Principal, the President of the School Board should be notified to manage the report further.

- If you have a concern that a child or young person is at risk of significant harm, you are required to contact the Principal as soon as possible to discuss whether the case reaches the threshold of 'risk of significant harm' and the steps required to report the matter;
- if there is an immediate danger to a child or young person and the Principal or next most senior member of staff is not contactable, you should speak to the Police and/or the Child Protection Helpline on 132 111 directly, and then advise the Principal or next most senior member of staff at the School as soon as possible;
- **you are not required to, and must not undertake any investigation of the matter yourself;**
- you are **not** to inform the Parents or Guardians that a report to Community Services has been made; and
- you are required to deal with the matter confidentially and only disclose it to the persons referred to above or as required, to comply with your mandatory reporting obligations. Failure to maintain confidentiality will not only be a breach of this policy, but could expose you to potential civil proceedings for defamation.

#### **What should you do if you have a concern that is below the mandatory reporting threshold?**

While the Care and Protection Act outlines the obligation of a mandatory reporter to report to Community Services, as an employee of this School, any concern regarding the safety, welfare and wellbeing of a student must be reported to the Principal and be recorded accordingly.

You are required to deal with all reports regarding the safety, welfare or wellbeing of a student with confidentiality and only disclose it to the Principal and any other person the Principal nominates. Failure to do so will be a breach of this policy.

### **3. Reportable Conduct under the *Children's Guardian Act 2019***

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The *Children's Guardian Act 2019* sets out the responsibilities of relevant entities, including non-government Schools in New South Wales, to prevent, identify and respond to reportable conduct by an employee.

An 'employee' includes employees, contractors, volunteers, work experience participants, clergy, ministers of religion and instructors of religion who provide pastoral or liturgical services. In this part where there is a reference to an employee it includes all of these persons.

See section above on Concepts and Definitions for more information on **reportable conduct**.

**Head of Relevant Entity** – This is the Principal. If a report is to be made about the Principal, the Head of Relevant Entity becomes the President of the school board and the matter is reported to the Children's Guardian.

#### **Employee, Volunteer and Board Member Obligations under the *Children's Guardian Act 2019***

You must report any concerns you may have about any other employee, volunteer or board member engaging in reportable conduct or any allegation of 'reportable conduct' that has been made to you, to the Principal. This includes information about yourself. **If you are not sure whether the conduct is reportable conduct but consider that it is inappropriate behaviour you must still report it to the Principal who will handle the matter accordingly.**

You must also report to the Principal if you become aware that an employee, volunteer or board member has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving reportable conduct. This also includes information relating to yourself.

If the allegation involves the Principal you are required to report these matters to the President of the School Board.

If you suspect that a report has not been made, then you are required to report the matter yourself to the Children's Guardian.

**Information for Parents** - The Principal is the contact point for parents if they wish to report an allegation of reportable conduct against an employee. If the allegation involves the Principal they are required to report these matters to the President of the School Board.

If the person giving the report (or another person who may be aware of the report but has not given it themselves) is dissatisfied with the response of the head of the relevant entity, the person may make a complaint to the Children's Guardian.

#### **Head of Relevant Entity (Principal's) Obligations**

Under the Children's Guardian Act, the head of the relevant entity must:

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#### Create awareness and system reliability

1. set up systems within the organisation including a code of conduct, policies and procedures for the following:
  - a. preventing and detecting reportable conduct by an employee;
  - b. ensuring that they are advised of any allegations of reportable conduct against employees as soon as possible;
  - c. handling or responding to a reportable allegation or conviction involving an employee with regard to the principles of procedural fairness; and
  - d. identifying and dealing with matters relating to the prevention of reportable conduct by employees.

#### Investigation or determination of an allegation

2. as soon as practicable after receiving a report, investigate, or arrange for an investigator to investigate the reportable allegation, or determine whether the conviction considered to be a reportable conviction is a reportable conviction.
3. The investigation or determination must be completed within a reasonable time.
4. After an investigation or determination is completed, the head of the relevant entity must prepare an **entity report** (report for the Children's Guardian) within 30 days after receiving the report of the allegation or conviction.

The entity report must include:

- a. In the case of a reportable allegation
  - i. Information about the facts and circumstances of the reportable allegation;
  - ii The findings the Principal has made about the reportable allegation after completing the investigation, including whether the Principal has made a finding of reportable conduct;
  - iii An analysis of the evidence and the rationale for the findings
- b. In the case of a conviction considered to be a reportable conviction
  - i. Information about the conviction considered to be a reportable conviction;
  - ii. The determination the Principal has made about the conviction, including whether the Principal has determined the conviction is a reportable conviction
- c. A copy of any written submission made by the employee under section 34(2) of the Children's Guardian Act 2019

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- d. Information about what action has been, or will be, taken in relation to the reportable allegation or conviction, including the following:
  - i. remedial or disciplinary action in relation to the employee;
  - ii. whether information about the matter has been referred to a different entity;
  - iii. changes to systems or policies;
  - iv. decision and information on whether no further action is to be taken
- e. The reasons for the action taken, including taking no further action; and
- f. Any other information prescribed by the regulations

The entity report must also be accompanied by any copies of documents in the relevant entity's possession that are relevant to the report.

#### Reporting to the Children's Guardian

5. provide a written **notification** to the Children's Guardian about a reportable allegation or conviction within 2 business days after becoming aware of the report

The report must state the following:

- a. that a report has been received in relation to an employee of the relevant entity;
- b. the type of reportable conduct by the subject of the report;
- c. the name of the employee
- d. the name and contact details of the relevant entity and the head of the relevant entity;
- e. for a reportable allegation – whether the Commissioner of Police has been notified of the allegation;
- f. if a report has been made under section 24 of the *Children and Young Persons (Care and Protection) Act 1998* that the report has been made
- g. the nature of the relevant entity's initial risk assessment and risk management action; and
- h. any other information prescribed by the regulations.

If known, the notice must also include:

- a. details of the reportable allegation or conviction considered to be a reportable conviction;
- b. the date of birth and WWC number, if any, of the employee who is the subject of the report;
- c. for a reportable allegation of which the Commission of Policy has been notified – the police report reference number;

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- d. if a report has been made under section 24 of the *Children and Young Persons (Care and Protection) Act 1998* the report reference; and
- e. the names of other relevant entities that employ or engage the employee, whether or not directly, to provide a service to children, including as a volunteer or contractor.

After receiving a notification, the Children's Guardian may require the relevant entity to provide further information.

#### **Outcome of Investigation or Determination by Children's Guardian**

After completing an investigation or determination the Children's Guardian will prepare a **Children's Guardian report** including:

- information about the facts and circumstances
- the findings the Children's Guardian has made
- analysis of the evidence and rationale for the findings
- recommendations for action to be taken in relation to the reportable allegation or conviction

The Principal may, and on request by the Children's Guardian must, notify the Children's Guardian of any action taken or proposed as a result of the recommendations provided under section 52 of the *Children's Guardian Act 2019*.

#### **Retribution by Employer**

An employer who dismisses an employee or prejudices any employee for or on account of the employee assisting the Children's Guardian is guilty of an indictable offence.

#### **4. Working With Children Checks**

All members of staff involved in child-related work at the school, regardless of paid or voluntary status, are required to apply for a Working with Children Check through the Office of the Children's Guardian prior to commencing employment or volunteer work. Once this has been completed the WWC check number is to be given to the Administration Officer for verification.

#### **5. Child Safe Practices at the School**

The Child Safe Practices at the school must always be implemented to ensure child safety. Friends and relatives of students attending a school festival, performance or working bee may not be required to hold a verified WWC check to visit the school for these special events if they are not involved in child related work. In these circumstances, the child safe practices of the school are imperative to ensure child safety.

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The Child Safe Practices at the school are:

- **Two Adult Rule** – under no circumstances should students be alone with one adult visitor to the school. There must always be at least two adults accompanying students. At least one of whom is to be a staff member or volunteer previously inducted to the school by the Principal;
- **Visitor Sign In** – All visitors must complete the Visitor Sign In Sign Out Register and receive a visitor tag on arrival; and
- **Notify** – Staff and volunteers of the school are obliged to notify the Administration Officer of anyone on school grounds without a visitor tag so they can be followed up and referred to the Administration Office to sign in.

Please refer to the Professional Relationships between Employees and Students section of the Staff Code of Conduct for more information on child safe practices at the school.

#### 6. Risk Management

The Principal is responsible for risk management throughout the investigation and will assess risk at the beginning of the investigation, during and at the end of the investigation.

Risk management means identifying the potential for an incident or accident to occur and taking steps to reduce the likelihood or severity of its occurrence. Please refer to 8.9 Risk Management Policy for more information on the process.

#### 7. Disciplinary Action

As a result of the allegations, investigation or final findings, the school may take disciplinary action against the PSOA which may include termination of employment.

In relation to any disciplinary action the school will:

- give the PSOA details of the proposed disciplinary action; and
- give the PSOA a reasonable opportunity to respond before a final decision is made.

#### 8. Confidentiality

It is important when dealing with allegations of reportable conduct that the matter is dealt with as confidentially as possible. The school requires that all parties maintain confidentiality during the investigation including in relation to the handling and storing of documents and records.

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Records about allegations of reportable conduct against employees will be kept in a secure filing cabinet and will be accessible by the Principal or by another member of staff with the Principal's express authority.

Under no circumstances can an employee make comment to the media about an allegation of reportable conduct unless expressly authorised by the school Board to do so.

If you become aware of a breach of confidentiality in relation to a reportable conduct allegation you must advise the Principal or President of the Board immediately.

This policy is available on the school's website, in the Dropbox PMQSS Current Policies Folder and in the Master Policies Folder in the School Administration Office.

#### **RESOURCES**

Register of Attendance for Child Protection Staff Training

Mandatory Reporter Guide

Register of Working with Children Checks

Responding to and Reporting Students at Risk of Significant Harm Flowchart for Staff

#### **REVIEW**

This Policy will be reviewed annually.



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**STAFF ACKNOWLEDGEMENT**

**Staff / Volunteer Acknowledgement:**

I ..... (full name), have read and understood this  
Child Protection Policy – version 1.8.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_