
KINGDOM CULTURE CHRISTIAN SCHOOL

CHILD PROTECTION POLICY



PART A CHILD PROTECTION (WORKING WITH CHILDREN) ACT 2012

Relating to working with children check clearances for all persons at the School engaged in child-related work (legislation.nsw.gov.au)

PART B THE CHILDREN & YOUNG PERSONS (CARE & PROTECTION) ACT 1998

Which sets out the responsibilities of Community Services with regard to child protection (legislation.nsw.gov.au)

PART C THE CHILDREN'S GUARDIAN ACT 2019 (NSW)

Which sets out the responsibilities of relevant entities to prevent, identify and respond to reportable conduct by employees (legislation.nsw.gov.au)

Kingdom Culture Christian School

CHILD PROTECTION POLICY

MISSION

Raising Tomorrow's Leaders

All children and young people are made in the image of God with intrinsic worth and dignity. Therefore, all students who are enrolled at Kingdom Culture Christian School (KCCS) are to be protected and kept safe from abuse, harm and mistreatment.

1. Introduction and Purpose

This Policy is intended to:

- (a) Meet the legislative obligations in relation to child protection. Child protection legislation has been enacted by every state and territory of Australia. This legislation sets out legal and regulatory requirements around the interaction with students, the care of students, and the reporting of conduct of concern.

There are three key pieces of child protection legislation in New South Wales:

- The *Child Protection (Working With Children) Act 2012* (NSW) (the WWC Act)
- The *Children and Young Persons (Care and Protection) Act 1998* (NSW) (legislation.nsw.gov.au)
- The *Children's Guardian Act 2019* (NSW)

- (b) Guide staff, volunteers and students on how to behave with students in the School.
- (c) Clarify the parameters of appropriate and inappropriate conduct for staff and volunteers of the School in order to create a safe and supportive environment for students in accordance with the School's mission and values and the Christian commitment we embrace.
- (d) Model a contemporary workplace at the School that is faith-filled, collaborative, consultative and lawfully compliant in relation to contemporary child protection practice.
- (e) Outline procedures for training staff to fulfil their responsibilities
 - Under the specifications of the legislation in terms of having a valid Working with Children Check and appropriate conduct
 - To report inappropriate community conduct directed towards children and young people
 - As Mandatory reporters of concerns for children and young people at risk of significant harm.

2. Scope

This Policy applies to all persons engaged in **child-related** work in, or providing services to, the School and to all students of the School. Child-related work refers to a worker who has direct contact with the child or the children and that contact is a usual part of their work. This would include School staff, School cleaners and outside tutors. An exemption would be volunteers (such as a parent working in the presence of a staff person). However, if they are part of a formal mentoring service, staying at an overnight camp or providing care services to children with disabilities volunteers must have a WWCC.

KCCS requires all volunteers to have a WWCC. See also Sections 2.4.2 "Employer responsibilities in relation to all KCCS volunteers" (except for those exempted from requiring WWCC) (See Section 3)

3. Related Codes and Policies

The policies and codes which are to be read in conjunction with this Policy are:

- Child Protection Code of Conduct
- Guidelines for Protecting Children and Young People
- Casual / Alternative Staff Policies
- Critical Incidents Policy
- Grievance Policy
- Safe and Supportive Environment Policy (ie Pastoral Care, Student Behaviour and Discipline policies), Maintaining School Enrolment and Attendance Registers Policy, Medication and First Aid Policy, Special Needs Policy.
- Risk Management policies: School WHS Policy, Premises, Buildings and Facilities Policy, Emergency Events Policy, Excursion Policy, Playground Supervision Policy

4. Mission and Values

The School seeks to create a caring environment where Christian values inspire and affirm the highest standards of ethical conduct in relation to the care, support, and wellbeing of the students entrusted to it.

5. Duty of Care

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

This duty of care owed to students by all School community members applies during all activities and functions conducted or arranged by the School where a student is in the care of a School community member. The risk associated with any activity needs to be assessed and managed by School community members before the activity is undertaken. A single serious failure to exercise appropriate duty of care, or persistent repeated failures, may constitute neglect or negligence according to the law if actual harm is caused, or if there is the potential to cause significant harm to a student.

6. Professional relations with students

The School expects all School community members to be caring, compassionate adults who take an interest in the well-being of students, and who set appropriate boundaries for worker-student relations.

School 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 School, and that those relationships are open to scrutiny.

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

School Community members should act professionally at all times. "*The KCCS Guidelines for Teaching and Protecting Children and Young People*" (see Appendix 6). This outlines ways to assist teachers in maintaining correct professional relationships and boundaries with children.

7. Child-Focused Management

All School Community members will ensure that they use child-focused risk management practices in all their activities in accordance with the School's policies and procedures. In this regard, all School Community members must ensure that they comply with all legislative and policy obligations.

8. Staff obligations to report

While we set out below circumstances in which the legislation requires reporting of particular child protection issues, the School requires staff to report any concern they may have about the safety, welfare or wellbeing of a child or young person to the Principal, or in the absence of the Principal the delegate. If the allegation involves the Principal, staff and then community members are required to report to the Chairman of the School Board or the appropriate authority.

This obligation is part of the School's overall commitment to the safety and wellbeing of children.

9. Failure to Report an Offence

Any adult will commit an offence, including members of the clergy and minister of religion, if they fail to report a child abuse offence that has been believed to have been committed or known to be committed or reasonably ought to have been known, unless there is a reasonable excuse not to do so. Any adult employee, contractor or volunteer of the School must report incidents of child abuse with the School's Protection Policy which should include a direct report to police in appropriate circumstances. This is in addition to mandatory reporting obligations. (see Appendix 1a and 1b for further information). This will also be included in the mandatory Child Protection training.

10. Obligations of Adults Working in a School

An adult working in a School will commit an offence if they know another adult working there poses a serious risk of committing a child abuse offence and they have the power to reduce or remove that risk, and they negligently fail to do so by either acts and/or omissions. This is directed at School Board members, Principals and Senior Executive Members. This will be included in mandatory Child Protection Training (see Appendix 1a and 1 b for further information).

1. General

The NSW Government Office of the Children's Guardian (OCG) is responsible for employment screening for child related employment. A Working with Children Check (WWCC) is a prerequisite for anyone in child-related work in NSW.

A WWCC includes a national police check and review of findings of misconduct involving children. The result is either a clearance or a bar. The result of a WWCC is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring by the OCG, and any relevant new records which appear against a cleared applicant's name may lead to the Check being revoked.

It is the responsibility of the child-related worker to ensure that when they are eligible to apply for a WWCC or when their WWCC is up for renewal that they do so. They must also notify the OCG if their personal details change.

It is an offence for the School to commence employing or continue to employ a worker in child-related work if the School knows or has reasonable cause to believe that:

- a) The worker is not the holder of a WWC Check Clearance that authorises that work and that there is no current application by the worker to the Office of the Children's Guardian for a clearance of a class application to that work, or
- b) The worker is subject to an interim bar

2. Responsibilities

Kingdom Culture Christian School staff, volunteers and others have a number of responsibilities and obligations under the Act and the Regulation which are outlined in this policy.

2.1 The object of the WWCC Act is to protect children:

- a) By not permitting certain persons to engage in child-related work
- b) By requiring persons engaged in child-related work to have a WWCC clearance.

2.2 Schools are required to:

- a) Verify online and record the status of each child-related worker's WWCC
- b) Only employ or engage child-related workers or eligible volunteers who have a valid WWCC; and
- c) Report findings of misconduct involving children made against child-related workers or volunteers.

Before engaging a new, paid, child-related worker, an employer must ensure the worker has a clearance to work with children and this has been verified by the Office of the Children's Guardian.

The only way to accurately determine a person's clearance status is by verifying their WWCC online; paper evidence of a clearance should not be accepted. The worker must provide this number to their employer, along with their surname and date of birth for online verification. KCCS will not accept the worker's notification letter or email as proof of their clearance.

2.3 Responsibilities of Child-related workers and eligible volunteer

Child-related workers and eligible volunteers are required to:

- a) Hold and maintain a valid WWCC
- b) Not engage in child-related work at any time that they are subjected to an interim bar
- c) Report to the Principal if they are no longer eligible for a WWCC, the status of their WWCC changes or are notified by the OCG that they are to have a risk assessment.

2.4 Employer Responsibilities and Procedures

2.4.1 Employer responsibilities in relation to paid workers

Employers must:

- a) Register online as a child-related employer and verify every child-related worker's details through the online verification system. Using the NSW Government Office of the Guardian Working with Children Check employer log in, the Office Manager will do the verification.
- b) Ensure an applicant for child-related work has a current, verified WWCC to commence working at the School. Cleared applicants may use their WWCC for any child-related work in NSW for five years.
- c) Not accept paper evidence of a clearance as they may have been barred.
- d) Ensure current paid workers and volunteers apply for the check
- e) Ensure their own WWCC is verified online by an appropriate person in the organisation (employers cannot self-verify). The KCCS Chairperson of the Board will acknowledge the verification of the WWCC of the Principal.
- f) Report findings of misconduct by paid workers involving children to the OCG. The Principal will report to the OCG when a finding has been made that the person (an employee of the School) subject to the finding engaged in:
 - Sexual misconduct committed against, with or in the presence of a child, including grooming of a child
 - Any serious physical assault of a child

The School will advise the person that the OCG has been notified of a finding of misconduct involving children.

- g) If requested, the Principal will provide access to records of the person who has a finding of misconduct involving children referred to the OCG under the Act.
- h) Immediate removal of any barred or unauthorised person from child-related work if the School receives a letter advising that a current employee or volunteer has become barred (or has an interim bar). It does not matter whether they are paid or unpaid; supervised or unsupervised. The following are options the Principal may follow:
 - Dismiss the worker
 - Suspend them from child-related work pending the outcome of an appeal

- Transfer them to a non-child related role within the School (although the School is under no legal obligation to find an alternative position for a barred worker).
- i) Maintain all records of verifications and other WWCC documentation in accord with this policy. The Principal will be responsible to ensure each of these responsibilities are carried out. The Office Manager is responsible for monitoring WWCC's of all staff members and keeping details up-to-date. Reminders are sent out by email to staff and volunteers when their WWCC's are nearing due date.

2.4.2 Employer responsibilities in relation to all KCCS volunteers (except for those exempted from requiring WWCCs (See Section 3))

- a) All KCCS volunteers are required to:
- Provide a current WWCC number and their date of birth (so that the WWCC clearance can be verified)
 - Sign the KCCS employees and volunteers Child Protection Code of Conduct
 - Return the above documents in a sealed envelope to the KCCS office.
- a) The Office Manager confirms the WWCC clearance and informs the Principal and volunteer.
- b) The volunteer is then able to commence volunteering in the School.
- c) The volunteer works under the direction of school staff and must sign in and out of the Office. On the first occasion the volunteer should arrive early for orientation with the Office Manager of days, times and the location of their visit. The Office Manager will maintain a list of volunteers.
- d) Copies of volunteer documents are kept by the Office Manager.
- e) A volunteer at the School assists under the direction of School staff and must sign in and out of the School Office. The volunteer is then able to commence volunteering in the School.
- f) The School is required to immediately remove any barred or unauthorised volunteer from child-related work if the School receives a letter advising that a current employee or volunteer has become barred (or has an interim bar), and will no longer allow any barred or unauthorised volunteers to assist onsite until such time as a reinstated WWCC clearance is provided. The following are options the Principal may follow:
- Dismiss the worker
 - Suspend them from child-related work pending the outcome of an appeal
 - Transfer them to a non-child related role within the School (although the School is under no legal obligation to find an alternative position for a barred worker).

3. Exemptions relevant to KCCS

There are specified exemptions from the WWCC under Part 4, Clause 20 of the *Child Protection (Working with Children) Regulation 2013*. KCCS related personnel covered by these exemptions are not required to have a WWCC:

- Persons who work for a period of no more than five days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present.
- Visiting speaker, adjudicator, performer, assessor or other similar visitor at the School or other place where child-related work is carried out if the work of the person at that place is for a one off occasion and is carried out in the presence of one or more other adults
- If the work does not normally involve cost
- Interstate visitor:
 - In a one-off event such as a sporting or religious event or tour, if the event is the only child-related work carried out by the worker in NSW in that calendar year and the period of work does not exceed 30 days

- Who holds an interstate WWCC, or is exempt from the requirement to have such a check in his or her home jurisdiction, whose child related work in NSW is for no more than 30 days in any calendar year.
- NSW Police, Police Officers from other States and Territories or Australian Federal Police officers in their capacity as police officers.
- People under the age of 18.

Whilst acknowledging that these exemptions exist, KCCS policy is that all persons over the age of 18 who will have any contact with any of our students will have a current WWCC clearance, unless it is a one-off event during which they are supervised at all times by a KCCS staff member. This policy seeks to build on the legal obligations under the WWC regulations, and to ensure the safety and wellbeing of every child under KCCS's care. All persons who come on-site will have signed in agreeing to our Child Protection, Code of Conduct & WHS policies on the sign-on sheets in the School Office.

4. Relevant Definitions

4.1 In Relation to Verification

4.1.1 Application in progress

A child-related worker (whether paid or volunteer) must have a verified WWCC before commencing work with children at KCCS. A child-related worker may not continue working at KCCS if their WWCC expires. However, if the worker has completed the application process they may begin working with children. If he or she becomes barred, the school will receive notification.

4.1.2 Cleared

This applicant has a WWCC clearance that is valid until the listed expiry date and can be used in NSW for child-related work (either paid or voluntary). Where the outcome is a clearance, the applicant receives a WWC Check number that must be provided to KCCS and is valid for 5 years. Cleared applicants will be subjected to ongoing monitoring for relevant new records which could lead to a bar and the clearance being revoked before the expiry date.

However, due to the COVID-19 Legislation Amendment(Emergency Measures) Act 2020(NSW) the five year clearance period can be extended at the discretion of the NSW Children's Guardian.

4.1.3 Barred

The applicant has been barred from working with children and it is an offence to engage this person in child-related work or child-related roles. This bar is applied based on a decision made by the OCG, following a risk assessment.

4.1.4 Interim bar

The applicant has been barred from working with children during the course of a risk assessment. It is an offence to engage this person in child-related work.

The Children's Guardian may issue a Notice of Intent to Bar (if certain offences are found that automatically disqualify someone from a WWC Check) or it may conduct a risk assessment.

Risk assessment is an evaluation of an individual's suitability for child related work. The OCG will conduct a risk assessment on a person's suitability to work with children when a new record is received which triggers a risk assessment. This may include an offence under Schedule 1 of the Act. A risk assessment will also occur if a Reportable Conduct finding of a sexual offence, sexual misconduct(including grooming) or any serious physical assault of a child is made or the NSW Children's Guardian considers there are

other circumstances relevant to the safety of children. In assessing applicants and holders, the following factors set out in section 15 of the *Child Protection (Working with Children) Act 2012* must be considered:

Factors relating to the conduct:

- seriousness (as demonstrated by details of the conduct, court outcome and penalty)
- length of time since it occurred
- age and vulnerability of the victims
- relationship between offender and victim(s)
- age difference between offender and victim
- whether the offender knew or could have known the victim was under 18

Factors relating to the applicant:

- conduct since the offence
- age at the time
- current age
- seriousness of total criminal and misconduct records

Factors relating to recurrence:

- likelihood of the offences being repeated
- impact on children of the offences being repeated.

4.1.5 Not found

The database cannot find a matching WWCC for any one of these reasons:

- The data entered for verification (name, date of birth and WWCC number or application number) has errors.
- The person's application has been withdrawn or terminated without an outcome.
- The person has not completed an application for a WWCC (filled in the online form, presented proof of identity and paid any applicable fee).
- It is an offence to engage this person in child-related work or child-related roles.

4.2 Child Related Work and Workers

4.2.1 Child-related work

Child-related work includes, but not limited to work in the following Sectors

- a) Early education and child care including education and care service, child care centres and other child care
- b) Schools and other educational institutions and private coaching or tuition of children
- c) Religious services
- d) Residential services including boarding Schools, home stays more than three weeks, residential services and overnight camps
- e) Transport services for children including School bus services, taxi services for children with disability and supervision of School road crossings.

4.2.2 Child-related worker

A person who has physical contact or face-to-face contact with children in work outlined above in 4.2.1 including Schools. This may include volunteer work. An application is completed when the online application form is complete and the worker's identity has been proven at Services NSW and the fee has been paid (if in paid work). If staff are unclear if their role is child-related they should speak with the Principal.

4.3 Disqualified person

A disqualified person is a person who has been convicted, or against whom proceedings have been commenced for a disqualifying offence outlined in Schedule 2 of WWC Act.

A disqualified person is a person who has a bar preventing them from working with children in child-related work. It is an offence for an employer to knowingly engage a child-related worker when they do not hold a WWCC or who has a bar or an interim bar. It is an offence for an employee to engage in child-related work when they do not hold a WWCC or have a bar or an interim bar.

5. Reporting

Section 35 of the WWC Act requires KCCS to notify the Office of the Children's' Guardian findings of misconduct involving children made against a child-related worker. The School may also be obliged to report, amend or provide additional information to the OCG **Crimes Act 1900 (NSW) Offences**.

The following two offences impose duties on persons at the School to act in relation to a risk of child abuse occurring or in the event that they have information that a **child abuse offence** has been committed. A person's failure to:

- Make a report using the Child Protection Helpline or to DCJ, or
- Notify the Office of the Children's Guardian of reportable conduct,

may result in the commission of offences under these provisions.

The Care and Protection Act provides for mandatory reporting of children at risk of significant harm.

NOTE: any concern regarding the safety, welfare and wellbeing of a student must be reported to **the Principal or their delegate if the Principal is not available**.

KINGDOM CULTURE CHRISTIAN SCHOOL

CHILD PROTECTION POLICY

PART B: The Children & Young Persons (Care & Protection) Act 1998 which sets out the responsibilities of Community Services with regard to child protection

1. Who is a mandatory reporter?

Under the Care and Protection Act persons who:

- a) In the course of their employment, deliver services including health care, welfare, education, children's services and residential services, to children.
- b) Hold 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, are mandatory reporters.

At KCCS, a mandatory reporter refers to a person who delivers education wholly or partly to children and/or who holds a management position, which includes direct responsibility for children. (For example: School Board members)

All teachers are mandatory reporters. Other School employees may also be mandatory reporters. If staff members are not sure whether they are a mandatory reporter, they should speak to the Principal.

2. When is a Report to be made to Community Services?

If a staff person suspects that a child is at risk of harm or has been the victim of abuse or suspected abuse and those grounds arise during the course of or from their work, it is **mandatory** for the person to report, as soon as practicable to the Principal (or their delegate) if the Principal is not available.

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 to Community Services as soon as practicable, the name, or a description of the child and the grounds for suspecting that the child is at risk of significant harm.

Suspecting on **reasonable grounds** that a child is **at risk of significant harm** is the standard that reporters must use in deciding whether or not to report abuse to the Department of Communities and Justice (DCJ). **Significant** means that which is sufficiently serious to warrant a response by a statutory authority irrespective of family consent. It 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 wellbeing. This can result from a single act or omission or an accumulation of these. It does not mean that reporters must know for certain but should ensure their concerns are well grounded and/or come from a reliable source.

'Reasonable grounds' 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:

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

The Principal is responsible for the administration and conduct of the School and in this role is to report to DCJ.

An online Mandatory Reporter Guide has been developed to assist mandatory reporters. The online Mandatory Reporter Guide is a series of decision trees (Y/N) which ask a number of questions to determine if the risk of significant harm threshold is met. The Mandatory Reporter Guide focuses on whether a concern is significant or not, and not whether abuse or neglect is present according to a specific definition. Mandatory reporters in a non-government School are strongly encouraged to use the Mandatory Reporter Guide before making a report to the Helpline.

Reporting is mandatory even if it is against the wishes of the organisation, student and parents. If the Principal has evidence of a crime, the matter is to be reported directly to the police.

2.1 Mandatory Reporting of Child Abuse and Harm to the Department of Communities and Justice (DCJ)

Where a Mandatory Reporter has concerns that a child or young person is at risk of being abused or harmed, or has been, the Mandatory Reporter Guide (MRG) must be used to determine if these concerns meet the threshold for the Risk of Significant Harm (ROSH). If they do, the concerns must be reported to the DCJ on the Child Protection Helpline (132 111) by the Principal.

Mandatory reporters are also able to submit eReports to the Child Protection 'ChildStory' website. If the MRG outcome is "Report to DCJ" or "Refer to Child Welfare Unit", mandatory reporters can create and submit eReports as an alternative to calling the Helpline (if calling is not possible at the time). They will be notified by email if there is a change of status for a report and can log into the ChildStory Reporter Community website to see the status of any previous reports that have been submitted.

At KCCS, if the allegation involves the Principal, the report is made to the Chair of the School Board.

However, any person who believes on reasonable grounds that a child is suffering abuse or harm should call the Child Protection Helpline (132 111) or Police (000).

2.1.2 Threshold Not Met

If the threshold is not met, but there are still concerns, schools need to consider:

- **Referring** – can the needs of the child, young person or the family be met by the School or an outside agency?
 - If the perpetrator is not family, the family is contacted by close of day - or no later than twenty- four hours after concerns have been raised and require the child to see a Health Professional through their GP Services.
 - If the perpetrator is from the family unit, the child (if older than 14) is assisted to contact their GP. If younger than 14 a DCJ Report is made regardless.
- **Continuing Support** – what support can be provided within School resources to assist the child, young person or family? KCCS practice is to offer:
 - regular appointments for the student with the School Counsellor
 - advocacy for them with their parents
 - sessions (if desired) with parents/caregivers to help process the concerns raised
 - relevant Health Professional sources
- **Monitoring** – what specific indicators would prompt reconsideration to report?
 - no response/poor response/inappropriate response from parents/caregivers
 - deterioration in perceived well-being of the student
 - failure to see the GP
- **Documenting** – all information provided, information relied upon and decisions are to be documented and kept in a secure location at the School.

Where the School is able to assist the child and family it should do so. If the family would benefit from additional services, this should be discussed with the family and assisted in referral to services in their local area for support. Suitable services can be identified through:

http://www.community.nsw.gov.au/docs_menu/about_us/contact_us/support_and_counselling_numbers.html

Where there are concerns that don't meet the threshold and the School has spoken with other agencies who may be working with the child and family, it may be appropriate for one mandatory reporter to coordinate service delivery. Generally this would be the person working most closely with the child and family, but this may change depending on what the family's needs are and what they want to do. The Principal will liaise with external agencies for the students at the school.

If the School perceives that an inappropriate, but non-reportable behaviour/incident has occurred, and has the potential to escalate into a reportable incident, the School reports to DCJ because we are committed to building a complete picture of the child's world over time.

It is important to remember that, where the risk of significant harm threshold has not been met, families can choose to engage with services or to refuse the offer of support. Such situations are documented because if a family does not want to engage in services, this may increase the risk. The Mandatory Reporter Guide includes questions about whether the family has refused assistance in the past. Future concerns may arise which may then meet the reporting threshold.

3. What should staff do if they consider that a mandatory report is required?

Reporting by the School about these matters to DCJ and, where necessary, the Police, is generally undertaken by **the Principal** or person delegated by the Principal. This is in accordance with best practice principles and is the expectation of the School. If staff have a concern that a child or young person is at risk of significant harm they should 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. However, if there is an immediate danger to the child or young person and **the Principal** is not contactable, staff should speak to the Police and/or the Child Protection Helpline directly and then advise **the Principal** of the School as soon as possible.

Staff are not required to, and must not, undertake any investigation of the matter themselves.

Staff are not to inform the parents or carers that a report to DCJ has been made.

Staff are required to deal with the matter confidentially and only disclose it to the persons referred to above or as required to comply with mandatory reporting obligations. Failure to maintain confidentiality will not only be a breach of this policy, but could expose staff to potential civil proceedings for defamation and the student to further abuse/harm by the perpetrator.

4. What should staff do if they have a concern that is below the mandatory reporting threshold?

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

Staff are required to deal with all reports regarding the safety, welfare or well-being of a student with confidence.

5. Procedures for Student Disclosures

If a child discloses any of the indicators of risk of harm to a staff member it is important that he/she is clear about their responsibilities and be calm and supportive of the student. Staff need to:

- Actively listen to the student. Talk gently, reassuringly; point out that there is help and support for them.
- NEVER probe for details or ask leading questions but ALLOW the student to disclose as much as they feel comfortable disclosing. Students may be asked to simply write the details or draw a diagram.
- Where the harm is taking place outside the School's control, NEVER assure the student that the harm will stop, as this cannot be guaranteed.
- DO NOT give the student any assurance of confidentiality, in fact, state that there is a responsibility to tell the Principal.
- Disclosures must be reported to the Principal either orally or in writing. Where a report is made to a staff member other than the Principal, that other staff member should immediately report the matter to the Principal.
- If a student begins to make a disclosure in a group situation (for example, in a lesson time or special seminar by Counsellors/Police Safety Personnel)
 - Wisely prevent the sharing from continuing. Indicate support by explaining that what the student has said sounds important but it would be better to talk about it later.
 - Acknowledge that the student has been heard
 - Arrange an appropriate time to for the student to speak to the Counsellor/ Principal

6. Indicators of Risk of Significant Harm and Other Reasons to Notify the Child Protection Helpline

Please refer to **Appendix 2** for indicators of significant harm and other reasons to notify the Child Protection Helpline.

7. Record Keeping

Staff members are to keep records of their concerns and reports made to the Principal (or DCJ). Cumulative harm can constitute a significant risk of harm. Cumulative harm refers to a series of acts or omissions that, when viewed separately may not indicate significant risk, but when viewed together suggest a pattern of significant harm.

Mandatory reporters are to record concerns they have about a child as these concerns may continue, and the pattern may constitute a report to the Child Protection Helpline.

The documentation relating to the making of a mandatory report is maintained by the Principal and kept in a secure location in the Principal's office.

Kingdom Culture Christian School

CHILD PROTECTION POLICY

PART C THE CHILDREN'S GUARDIAN ACT 2019 (NSW)

1. Responsibilities

- 1.1 **Under the Children's Guardian Act (NSW)**, Kingdom Culture Christian School is required to notify the NSW Office of the Children's Guardian (OCG) all allegations of reportable conduct, the outcome of the school's investigation of these allegations and any conviction of an employee for an offence involving reportable conduct as defined by the Children's Guardian Act.

In some cases reportable conduct reported internally/OCG would meet the threshold for reporting to the DCJ (Mandatory Reporting of Child Abuse or Harm) and/or to the Police. If a child safety incident/concern involved conduct by an employee requires mandatory reporting to the DCJ or the Police it must be reported to the OCG under this school policy. An 'employee' includes employees teaching and non-teaching staff, direct contact volunteers, direct contact contractors and external education.

1.2 Head of Entity (HoE)

The Head of Entity is the Principal of the School. Under the Office of the Children's Guardian Act, the Head of Entity must:

- a) set up systems within their organisation to ensure that they are advised of any allegations of reportable conduct against employees;
- b) upon receiving a reportable allegation from any person, including a staff member, notify the Children's Guardian of a reportable conduct/conviction against school employees;
- c) ensure that an appropriate internal investigation of the reported allegation/conviction is conducted and completed in a reasonable time;
- d) notify the Children's Guardian regarding the findings of the internal investigation;
- e) inform the parent/caregiver of the affected child about the investigation into the reportable conduct unless it is 'not in the public interest' to inform them.

NB. Under the Children's Guardian Act (2019), it is a criminal offence to fail to report a reportable allegation/conviction to the Children's Guardian.

For more information see the **Office of the Children's Guardian Fact Sheet: Heads of entities and reportable conduct** www.kidsguardian.nsw.gov.au

1.3 Staff obligations to report

Staff must report any concerns they may have about any other employee engaging in reportable conduct or any allegation of 'reportable conduct' that has been made to them to the **Principal**. If staff are not sure whether the conduct is reportable conduct but consider that it is inappropriate behaviour they must still report it.

Staff must also report to the Principal if they become aware that an employee 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 includes information relating to yourself.

If the allegation involves the Principal, staff are required to report to the Chairperson of the School Board.

For more information see the **Office of the Children's Guardian Fact Sheet:FAQ for employees**

1.4 Mandatory Reporting of Child Abuse Offences to Police

Legislative Requirement

Under section 316A of the Crimes Act 1900 (NSW), any adult who:

- 1. knows, believes or reasonably ought to know** that a **child abuse offence** has been committed against another person; and
- 2. knows, believes or reasonably ought to know** that he or she has information that might be of material assistance in securing the apprehension of the offender of the prosecution or conviction of the offender for that offence

must bring that information to the attention of a member of the NSW Police Force as soon as it is practicable to do so.

Definitions

Child Abuse Offence

The list of child abuse offences require Mandatory Reporting to Police includes sexual offences such as rape, sexual abuse, sexual touching, production of child abuse material, voyeurism and grooming offences or attempts to commit those offences.

It also includes assaults and physical harm, such as wounding and assault causing actual bodily harm, assault at a school (whether or not causing actual bodily harm), causing the ingestion of an intoxicating substance, and female genital mutilation.

Knows, believes or reasonably ought to know

It would likely be considered that you know, believe or reasonably ought to know that a child abuse offence has been committed if:

- a student tells you that they have been sexually abused or physically assaulted
- a student tells you that they know someone who has been sexually abused or physically assaulted
- someone who knows the student tells you that the student has been sexually abused or physically assaulted
- signs of sexual abuse or physical assault should or do lead to a belief that the student has been sexually abused or physically assaulted.

A Report to the Police

Information that might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for a child abuse offence.

Mandatory Reporting to Police under section 316A by a person in good faith does not constitute unprofessional conduct or a breach of professional ethics and does not make the person subject to any civil liability (including liability for defamation).

The information must be brought to the attention of a member of the NSW Police as soon as it is practicable to do so.

In emergencies, or if the child abuse offence is happening now or has just happened and the suspected offender may still be in the area, call 000.

Otherwise, call the Police Assistance Line on 131 444

When is a Report to Police Not Required?

A person will not need to report to Police if they have a reasonable excuse for not doing so. Under the Crimes Act, a reasonable excuse includes if:

- they believe, on reasonable grounds, that the Police already know the information
- they have made a mandatory report to DCJ under Mandatory Reporting laws or believe another person has made one.
- they have reported the information to the NSW Children's Guardian under Reportable Conduct laws or believes another person has made one
- they have reasonable grounds to fear for their own safety or another person's (not offender) if information is reported to Police
- the alleged victim was an adult at the time that the information was obtained by the person and the person believes on reasonable grounds that the alleged victim does not wish the information to be reported to Police

Unacceptable reasons for not reporting include concern for:

- the person who may have committed a child abuse offence
- the school's reputation, legal liability or financial status

Record Keeping

The documentation relating to the making of a mandatory report to Police is maintained by the Principal located

1.5 Contact 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, it is reported to the Chairperson of the Board.

2. What is reportable conduct?

2.1 Definition of reportable conduct (according to the Children's Guardian Act for the Reportable Conduct framework only)

A reportable allegation of Reportable Conduct is against an employee, whether or not the alleged conduct occurred whilst an employee of the school.

A reportable conviction is a conviction of an employee for an offence which involves Reportable Conduct, regardless of which location the offence occurred. It includes a finding of guilt even if a record of conviction is not recorded.

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
- c) Conduct that is exempted from notification by a Class or Kind Agreement. (See Section 8 about the Class or Kind Agreement)

2.2 Other relevant definitions

Set out below are definitions of the various terms referred to above in relation to reportable conduct.

For more information see the Office of the Guardian Fact Sheet: Identifying Reportable Allegations

www.kidsguardian.nsw.edu.au

Behaviour that causes Emotional or Psychological Harm to a Child (not defined in the Children's Guardian Act)

- 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

- Circumstances where a person treats a child in an obviously or very clearly improper and/or inhumane 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 (inappropriate forms of behaviour management)

Neglect

- 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.
 - 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
 - An intentional or reckless failure to adequately supervise 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 to a child.
 - 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 obviously or very clearly unreasonable failure to respond to information strongly indicating actual or potential serious abuse of a child.
 - Reckless act (or failure to act)
 - A reckless act, or failure to act, that:
 - ❖ Involves a gross breach of professional standards, and
 - ❖ Has the potential to result in the death of, or significant harm to a child.

Assaults

- Any act by which a person intentionally inflicts unjustified or unlawful use of physical force against another. An assault can also occur if a person causes another person to reasonably conclude 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'. This involves circumstances when the person ought to have known that their actions would cause a person physical harm or cause them to fear injury. Assaults can include hitting, pushing, shoving, throwing objects or making threats to physically harm a child.

Sexual Offence

A sexual offence is of a sexual nature (as set out in NSW, other state or Federal Law) that is committed against, with or in the presence of a child. Examples of this include sexual touching of a child, a child grooming offence (refer to pages ...) and the production, distribution or possession of child abuse material.

Sexual Misconduct

This refers to conduct that is sexual in nature towards or in the presence of a child, but is not a sexual offence.

This can include:-

- describing sexual acts to a child, without a legitimate reason to do so
- sexual comments (explicit or implicit) with or in the presence of a child
- comments that express a desire to act in a sexual manner to a child or another child
- sexualised exhibitionism
- exposing children to pornography
- observing children undress where supervision is not needed or inappropriate.

Exempted from Reporting

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

3. What happens when an allegation of reportable conduct is made?

3.1 Initial steps

Once an allegation of reportable conduct/conviction against an employee is received, the Head of Entity (Principal) is required to:

- a) Clarify the allegation, the identity of the person making the allegation, the name of the employee and the actions involved in the allegation.
- b) Conduct a risk assessment and assess risks to all children/young people in the school's care and take any immediate measures to ensure their well-being and safety.
- c) Consider whether the child/young person is 'at risk of significant harm' (reportable to DCJ) or whether the allegation constitutes a criminal act (reportable to the Police)
- d) fulfil other requirements that may be needed for communicating the details of the allegation/conviction both internally and externally.
- e) Seek to meet the support needs of both the child/young person affected and the employee who is the subject of the allegation/conviction.

Prior to making a report to the Children's Guardian, KCCS may contact the Children's Guardian on (02) 8219 3800 or at reportableconduct@kidsguardian.nsw.gov.au for guidance on how to manage the reporting process.

3.2 Notification of the Children's Guardian

When the Principal receives a reportable allegation or becomes aware of a reportable conviction for a staff member (or any person), they must:

- a) Provide written notice of the allegation/conviction within seven working days (unless there is a reasonable reason not to) **(use the 7-day notification form)**
- b) Provide within 30 days an interim report of actions taken since the initial notification, any further actions proposed and an estimated timeframe for the final report **(use the 30-day**

Interim report form)

OR

- c) Provide a final report stating the outcome of the investigation or determination (use the **Entity Report Form**).

all forms linked to www.kidsguardian.nsw.gov.au

Note the following

Where an internal investigation of an allegation has led to a finding of an offence under the Crimes Act 1900 (NSW), the Principal must notify the Police as a priority. The Police, for example, may advise that the internal investigation be suspended. In this case, the Children's Guardian must be notified that the internal investigation is suspended and what actions are to be taken to manage the risks.

The Children's Guardian may also require the Principal not to commence, or to postpone or to cease an internal investigation if for example the matter has been reported to and being investigated by the DCJ.

4. Risk management

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.

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.

4.1 Initial risk assessment

For more information see the **Office of the Children's Guardian Fact Sheet: Risk management following an allegation**

One of the first steps following an allegation of reportable conduct/conviction against an employee is for the Principal to conduct a risk assessment. The flowchart entitled, "Child Protection Risk Assessment and Initial Decision Making" in Appendix 4 will be consulted at the start of the process.

If the matter/circumstances may be of a criminal nature the Police will be notified.

The following is a guide to those circumstances:

- When there are emergency situations relating to risk to children and young people and the possibility of immediate harm occurring
- Where the alleged conduct may be a criminal offence
- When you are not sure if police should be notified, the Child Protection Helpline ([132 111](tel:132111)) may also be called for advice in serious situations

Discounting the need to consult the police, the continuation of the risk assessment is to identify and minimise risk to:

- The child(ren) who are the subject of the allegation;
- Other children with whom the employee may have contact;
- The PSOA;
- The School, and
- The proper investigation of the allegation.

The factors which will be considered during the risk assessment include:

- The nature and seriousness of the allegations;
- The vulnerability of the child(ren) the PSOA has contact with at work;
- The nature of the position occupied by the PSOA;

- The level of supervision of the PSOA; and
- The disciplinary history or safety of the PSOA and possible risks to the investigation.

The Principal will take appropriate action to minimise risks. This may include the PSOA being temporarily relieved of some duties, being required not to have contact with certain students, or being suspended from duty. When taking action to address any risks identified, the School will take into consideration both the needs of the child(children) and the PSOA.

NB: A decision to take action on the basis of a risk assessment is not indicative of the findings of the matter. Until the investigation is completed and a finding is made, any action, such as an employee being suspended, is not to be considered to be an indication that the alleged conduct by the employee did occur.

In assisting the Principal in determining whether an allegation is reportable, the flowchart in Appendix 5A will be of use.

4.2 Ongoing Risk Management during the Investigation

The Principal will continually monitor risk during the investigation including in the light of any new relevant information that emerges. Support needs to be given to the children and PSOA who are subjects of the allegation and relevant parties such as families.

4.3 Risk Management at the Conclusion of the Investigation

At the completion of the investigation, a finding will be made in relation to the allegation and a decision made by the Principal regarding what action, if any, is required in relation to the PSOA, the child(children) involved and any other parties.

4.4 What information will be provided to the PSOA?

The PSOA will be advised:

- That an allegation has been made against them (at the appropriate time in the investigation); and
- About the substance of the allegation, or of any preliminary finding and the final finding.

The PSOA does not automatically have the right to:

- Know or have confirmed the identity of the person who made the allegation; or
- Be shown the content of the Office of the Children's Guardian notification or other investigation material that reveals all information provided by other employees or witnesses.

5. Investigation principles

For more information see the **Office of the Children's Guardian Fact Sheet: Planning and Conducting an Investigation**

The Principal (or another person on behalf of the Principal) will:

- provide appropriate support for all parties including the child/children, witnesses and the PSOA.
- be mindful of the principles of procedural fairness;
- inform the person subject of the allegation (PSOA) of the substance of any allegations made against them and provide them with a reasonable opportunity to respond to the allegations;
- consider the codes of conduct, professional, ethical and community standards;

- make reasonable enquiries or investigations before making a decision;
- avoid conflicts of interest;
- conduct the investigation without unjustifiable delay;
- handle the matter as confidentially as possible.

6. Internal Investigation steps

In an investigation the Principal or an appointed investigator will generally:

- Interview relevant witnesses, the children and the employee and gather relevant documentation;
- The child/young person and/or parent/caregiver will be advised of the steps and progress of the investigation, unless it is not in the public interest to do this
- Collect physical evidence (eg from emails, mobile phones)
- If the police/DCJ are involved, a request can be made for the provision of information from these agencies (Chapter 16A CYP Act)
- If the Police/DCJ request to interview the employee, the Principal must consult with these agencies about what should be disclosed to the employee during the internal investigation.
- When all the relevant information is collected, the allegation will be formally put to the employee and given the opportunity to respond (either in an interview or writing)
- Interview the PSOA - A PSOA may have an appropriate support person with them during the interview process. Such a person is present for support only and as a witness to the proceedings and not as an advocate or to take an active role;
- Consider relevant evidence and make a preliminary finding in accordance with the NSW Office of the Children's Guardian;
- Inform the PSOA of the preliminary finding and provide them with an opportunity to respond;
- Make a final finding in accordance with the Office of the Children's Guardian Guidelines;
- Decide on the disciplinary action, if any, to be taken against the PSOA;
- Apply the NSW Commission for Children and Young People (CCYP) Guidelines and decide if the matter is reportable to CCYP; and
- Send the final report and results of the investigation to the Office of the Children's Guardian and report to the CCYP (where required).

The steps followed in the investigation process will be guided by the "Recommended Protocols for Internal Investigative and Disciplinary Proceedings, 2001" (IEU/AIS) as updated from time to time. See <http://www2.aisnsw.edu.au/Services/ChildProtection/Documents/CPProtocols.pdf>

7. The Process of Making a Finding

Regardless of whether the investigation has been made by the Head of Entity or an outside investigator the finding should follow the guide outlined in Flowchart 2 – The Process of Making a Finding – (Appendix 5B). KCCS will engage an investigator through the Association of Independent Schools where deemed necessary. If the Principal is satisfied that the reportable allegation is proved on the balance of probabilities, the Principal must make a finding of Reportable Conduct.

For more information see the **Office of the Children's Guardian Fact Sheet: Making a Finding of Reportable Conduct**

8. Class or Kind Determination

If the finding is that the allegation was not sustained but is categorised within the Class or Kind Determination, then the results of the investigation will be held in the School records. The KCCS Principal will engage AIS as a member school in relation to a class/kind determination.

9. Disciplinary Action

As a result, of the allegations, investigation or final findings, the Principal may take disciplinary action against the PSOA (including 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.

Note: If the allegation was shown to be false or vexatious, decide what action should be taken against the person who made it. However, it is a criminal offence to threaten or take action against that person who made the allegation in good faith.

10. Disclosure and Confidentiality

- It is important when dealing with allegations of reportable conduct that the matter be 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.
- The Principal must inform the affected child and their parents/carers about the Reportable Conduct Investigation (unless 'not in the public interest' to do so). Refer to the Children's Guardian guidelines about what the Principal must have regard to when deciding to disclose or not to disclose information.
- The Principal MUST NOT disclose reportable information to anyone else except where
 - the disclosure is made for the safety and wellbeing of the child/children/young person and is made to:-
 - (a) the Children's Guardian
 - (b) to an investigator appointed by the Principal
 - (c) an external company that employs the person (for example, a contractor)
 - (d) the Minister (if the affected child is under their care)
 - (e) a person who has daily care and control of the affected child
- No employee may comment to the media about an allegation of reportable conduct unless expressly authorised by the Principal to do so. If staff become aware of a breach of confidentiality in relation to a reportable conduct/conviction allegation they must advise the Principal.

Note: The employee may be given a copy of the final report that is provided to the Children's Guardian (section 36 of the Children's Guardian Act)

For more information see the **Office of the Children's Guardian Fact Sheet: Disclosing Information to children, parents and carers.**

11. Record Keeping of Allegations of Reportable Conduct

All interviews should be recorded verbatim where possible, signed and dated by all involved. All decisions and discussions related to the investigation must be documented.

Records about allegations of reportable conduct against employees will be kept in a secure area and will be accessible by the Head of Entity or with the Head of Entity's express authority (Board Chair). All documents pertaining to the allegation, investigation process and determination will be retained on file even if the allegation is found to be unsustainable. They will not be placed in to the staff member's personal staff file (only accessed by the Principal and where appropriate the Board Chairperson). The final report to the DCJ is maintained by the Principal and located ????

12. Principal Handover Procedure

When a change of Head of Entity occurs, it is the obligation of the current Head of Entity and the and to ensure that the new Head of Entity is notified of the location of the secure file containing records of allegations of reportable conduct.

13. Failure to Report (Under Section 43B of the Act): A Failure to reduce or remove risk of child becoming victim of child abuse is an offence

A person commits an offence if:

- The person is an adult (person who is of or above the age of 18 years) who carries out work for an organisation, whether as an employee, contractor, volunteer or otherwise (**a position holder**), and
- The organisation is the employer of an adult worker, who engages in **child-related work**, and
- There is a serious risk that the adult worker will commit a child abuse offence against a child (a person under the age of 18 years) who is, or may come, under the care, supervision or authority of the organisation, and
- The position holder knows that the risk exists, and
- The position holder, by reason of their position, has the power or responsibility to reduce or remove that risk, and
- The position holder negligently fails to reduce or remove that risk.

STAFF TRAINING

It is the obligation of the School to ensure that staff members have a clear understanding of their obligations in relation to the Child Protection legislation. The following staff training procedures will occur for new staff:

1. Orientation of staff members new to the School – to be completed within four weeks of commencing at KCCS

a) Part-time and permanent staff

This process will be the responsibility of the Principal and will include new part-time and permanent staff:

- i) Receiving, reading and being inducted by the Principal regarding the Child Protection Policy.
- ii) Receiving, reading, have opportunities to discuss with the Principal and signing the Child Protection Code of Conduct within 7 days of receiving it.
- iii) Receiving, reading and having opportunities to discuss 'The KCCS Guidelines for Teaching and Protecting Children and Young People' (see Appendix 6).
- iv) Being informed about the compulsory attendance at the annual Child Protection Training session (and follow up sessions) led by the Principal(or delegate) and signing the KCCS Child Protection Code of Conduct (see Appendix 1a and 1b).

b) Casual teachers

This process will be the responsibility of the Principal and will include new casual staff:

- i) Receiving, reading and having the opportunity to be inducted by the Principal regarding the Child Protection Policy.
- ii) Receiving, reading, having opportunities to discuss with the Principal and sign the Child Protection Code of Conduct (see Appendix 1a) within 7 days of receiving it.
- v) Receiving, reading and having opportunities to discuss with the Principal 'The KCCS Guidelines for Teaching and Protecting Children and Young People' (see Appendix 6).

- vi) Being informed about, and invited to attend, the compulsory annual Child Protection Training session and signing the Child Protection Code of Conduct (see Appendix 1b).

c) Volunteers

This process will be the responsibility of the Principal and will include all volunteers:

- i) Receiving, reading and having the opportunity to discuss with the Principal the Child Protection Policy.
- ii) Receiving, reading, having opportunity to discuss with the Principal and signing the Child Protection Code of Conduct.

2. Annual Child Protection Training in Term 1

Within the first five weeks of Term 1 Annual Child Protection Staff training will occur. This will involve:

- Review of staff obligations and responsibilities to notify the School if their Working with Children Check status changes from "Cleared". This will be verified by the Office Manager.
- Reinforcing their obligations and responsibility as mandatory reporters of concerns about children or young people being at risk of significant harm.
- Reinforcing their obligations and responsibility to inform the Principal of suspicion of reportable conduct of another community member.
- reviewing safety policy and procedures especially with regards to duty of care and emergency situations.

A record of staff attendance will be taken by the Office Manager. This record will be retained in an electronic file "Child Protection Training Records."

3. Ongoing Training

a) Part-time and permanent staff

One staff session, usually within the first three weeks of the term in Term 3 will be devoted to aspects of Child Protection.

- i. The KCCS Child Protection Policy and The KCCS Guidelines to Teaching and Protecting Children and Young People documents will be used as a basis of training.
- ii. The sessions will be taken by the Principal.

A record of staff attendance will be taken by the Office Manager. This record will be retained in an electronic file entitled "Child Protection Training Records" in the Office.

b) Casual teachers

- i) Casual teachers will be invited to attend the above staff training sessions.
- ii) A record of staff attendance will be taken by the Office Manager. This record will be retained in an electronic file entitled "Child Protection Training Records" in the Office.

CONSEQUENCES OF FAILURE TO COMPLY WITH THIS POLICY

All School Community Members are required to be aware of and comply with this Policy. There may be consequences for a breach thereof.

An alleged breach of this Policy may require:

- a) An internal report to be made - A referral to external authorities under relevant legislation
- b) An investigation to be conducted - If a breach of this Policy is established this may result in disciplinary action being taken against any School Community member.

In relation to a School Community member who is an employee, such disciplinary action may result in termination of their employment.

In relation to a School Community member who is a person holding a church ministry license or church-appointed position, or any consultant, student on tertiary practicum placement, or volunteer; conduct that is assessed as being a breach of this policy may lead to the termination of their engagement with the School.

PROCEDURES FOR STAKEHOLDERS TO REPORT ALLEGATIONS OF STAFF MISCONDUCT OR REPORTABLE CONDUCT

KCCS will inform stakeholders of their complaint handling procedures and the nature of what is deemed reportable conduct in the Parents/Carers Information Booklet. All Volunteers are informed of their obligation under the Child Protection Policy and the procedures to follow in relation to Staff misconduct.

All the stakeholders will be directed to report any allegation of Staff misconduct or reportable conduct in writing directly to the Principal. If the allegation is related to an allegation of Principal misconduct the

stakeholder is to report the allegation in writing to the KCCS Board Chairperson. Confidentiality is maintained as in accord with the Child Protection Policy. KCCS will acknowledge in writing the receipt of an allegation/complaint. The school will periodically update to the complainant the status of the investigation and inform the complainant of the findings (within the limitations of what can be disclosed according to legislation). The school will seek to investigate the allegation within a reasonable timeframe (as allowed by the formal processes).

PUBLICATION OF COMPLAINT HANDLING PROCEDURES

KCCS publishes the School's complaint handling procedures regarding allegations of staff misconduct or reportable conduct in the Annual Report published on the School website annually.

DISCIPLINE FOR BREACH OF POLICY

Where a staff person breaches the Child Protection Policy, Kingdom Culture Christian School may take disciplinary action. In the case of serious breaches this may result in summary dismissal.

POLICY IMPLEMENTATION RESPONSIBILITIES

Implementation and Practice

The Principal is responsible for the implementation of the policy, and any changes, and for ensuring that the formation of staff who nurture a safe and supportive relational community is embedded in the KCCS School culture. The Principal is responsible to monitor legislation and evaluate and review the guidelines as necessary. The policy is accessed on Google-Drive.

Prepared by Pavina Lee

Principal

Reviewed February 2021

Kingdom Culture Christian School

CHILD PROTECTION POLICY

APPENDIX 1a: The Child Protection Code of Conduct

CHILD PROTECTION CODE OF CONDUCT

1. INTRODUCTION & PURPOSE

This Child Protection Code of Conduct outlines the School's values, commitments and expectations in relation to child protection matters, and reflects its commitments to:

- Provide** An open, welcoming and safe environment for everyone participating in the School's education programs, pastoral services and related programs.
- Provide** High quality education, pastoral services and related programs for students and their families that are safe and welcoming for them and set in a Christian context.
- Seek** Input and guidance from students, parents, employees and others who make up the School Community, so these standards are maintained.
- Require** All School Community members are to demonstrate a commitment to the highest standards of ethics, professional behaviour and Christian standards in dealings with children and young people.
- Require** All School Community members share a common responsibility to maintain the School's reputation for integrity in relation to child protection matters.

2. SCOPE

This Child Protection Code of Conduct applies to all School Community members. Definitions in this Code of Conduct:

- (a) **Student** or **Students** refers to:
- A **Child** or **Children** which is defined in this Code as being a person under the age of 16 years
 - A **Young Person** or **Persons** which is defined in this Code as a person between the ages of 16 and 18 and
 - Any other student of the School over the age of 18 years.
- (b) **School Community members** refers to:
- All paid employees whether employed on a permanent, temporary or casual basis.
 - All persons who have been engaged to work within the School or who have face to face contact with students of the School in any place and on any basis, including persons holding a church ministry license or church-appointed position, consultants, students on tertiary practicum placements, or volunteers working with students in any capacity.
 - Students enrolled at the School.

3. MISSION & VALUES IN RELATION TO STUDENTS

'Raising Tomorrow's Leaders'

In fulfilling this mission, the School seeks to create a caring environment where Christian values inspire and affirm the highest standard of ethical conduct in relation to the care, support and welfare of students entrusted to it.

4. CODE OF CONDUCT

All School community members, and all students, parents and visitors connected with the School, must keep to the Child Protection Code of conduct. The Child Protection Code of Conduct should be enacted with reference to "The KCCS Guidelines of Teaching and Protecting Children".

5. EXPECTATIONS OF SCHOOL COMMUNITY MEMBERS

All School community members:

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

Will 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	<p>In the absence of the prior approval from the School community member's immediate supervisor, or without the active participation of another adult, engage in one-to-one contact with a student such as:</p> <ul style="list-style-type: none"> • Doing things of a personal nature that students can do for themselves, such as entering a toilet when a student is present or a student changing clothes • Accompanying a student alone in a vehicle • Visiting a student's home in circumstances where the student is alone • Individual tutoring or mentoring a single student alone, one-on-one • Disciplining or counselling a single student alone, one-on-one
Will Not	Engage in 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	Behave in a manner which may cause psychological harm to the student.
Will Not	Correct or discipline a student in excess of what is reasonable or appropriate for the situation.
Will Not	Engage in crossing professional boundaries through behaviour that can reasonably be construed as involving an inappropriate and/or overly personal intimate relationship with, conduct towards, or focus on a student or a group of students.

6. FURTHER INFORMATION

Further reference should be made to the School's Child Protection Policy.

With acknowledgement to KCCS's Code of Conduct.

Kingdom Culture Christian School

THE CHILD PROTECTION CODE OF CONDUCT ACKNOWLEDGEMENT

APPENDIX 1b

ACKNOWLEDGEMENT BY SCHOOL COMMUNITY MEMBER

I [insert full name] _____

being employed or engaged by the School in the following role [insert position] _____

hereby acknowledge that I:

- Have received the above Child Protection Code of Conduct, and the KCCS Guidelines for Teaching & Protecting Children and Young People
- Have read the Child Protection Code of Conduct and Child Protection Policy and am obliged to comply with the Code and Policy, including any amendments made by the School from time to time
- Am obliged to notify the School if my Working With Children Check status changes from "Cleared"
- Am a Mandatory Reporter of concerns about children or young people being at risk of significant harm
- Am obliged to inform the Principal of suspicion of reportable conduct of another community member
- Have received training in aspects of the Child Protection Policy
- Am aware that a current copy of the Child Protection Code of Conduct and Child Protection Policy is available on Google drive

Signature _____ Date _____

NB: This signed and completed form must be returned within 7 days of commencement of employment or engagement with the School to the Principal. Failure to do so will not affect the applicability of this Child Protection Code of Conduct or any of its provisions.

INDICATORS OF RISK OF SIGNIFICANT HARM

Risk of Significant Harm Definition

A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare or wellbeing are:

- Present to a significant extent
- Sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent
- Not minor or trivial
- May reasonably be expected to produce a substantial and demonstrable adverse impact on their safety, welfare or wellbeing, (or in the case of an unborn child, after the child's birth)
- May be a single act or omission or an accumulation of these.

Forms of Child Abuse

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

Neglect

Child neglect is the failure or significant risk of failure by a parent or carer 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, adequate supervision to such an extent that it can reasonably be expected to produce a substantial and demonstrably adverse impact on the child/young person's safety, welfare or wellbeing. This includes lack of enrolment in and attendance at School. This lack of care can be by a single act or an ongoing series of acts or omissions.

Sexual Abuse

Sexual abuse is when someone involves a child or young person in sexual activity by using their power over them or taking advantage of their trust. Often children or young people are groomed, bribed, coerced or threatened physically and psychologically to make them participate in the activity. Sexual abuse also includes exposing the child/young person to situations or circumstances which place them at risk of sexually abused and/or exploited.

Sexual abuse is a crime.

Physical Abuse

Physical abuse is a non-accidental injury or pattern of injuries to a child or young person caused by a parent, carer or any other person.

It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.

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

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

Emotional Abuse or Psychological Harm

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

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

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

Possible Signs of Abuse

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Other things need to be considered, such as the circumstances of the child, young person or family.

When considering if a child or young person has been abused or neglected, or is at risk of this, it is important to keep in mind the life circumstances of the child, young person and their family.

The following risk factors (either singularly or in combination) are associated with increased risk of harm for children and young people:

- social or geographic isolation of the child, young person or family, including lack of access to extended family
- previous abuse or neglect of a brother or sister
- family history of violence including domestic violence
- physical or mental health issues for the parent or carer which affects their ability to care for the child or young person in their care
- the parent or carers' abuse of alcohol or other drugs which affects their ability to care for the child or young person in their care.

The signs below are only possible signs of abuse and neglect. The presence of these signs does not necessarily mean abuse and neglect has been or is, occurring. The child or young person's circumstances and their age or other vulnerabilities, for example disability or chronic illness, also need to be taken into consideration. If you have concerns then you should report them to the Office of Children's Guardian.

Neglect

Signs in children or young people:

- low weight for age and/or failure to thrive and develop
- untreated physical problems eg sores, serious nappy rash and urine scalds, significant dental decay
- poor standards of hygiene ie child or young person consistently unwashed
- poor complexion and hair texture
- child not adequately supervised for their age
- scavenging or stealing food and focus on basic survival
- extended stays at School, public places, other homes
- longs for or indiscriminately seeks adult affection

- rocking, sucking, head-banging
- poor school attendance

Signs in parents or carers:

- unable or unwilling to provide adequate food, shelter, clothing, medical attention, safe home conditions
- leaving the child without appropriate supervision
- abandons the child or young person
- withholding physical contact or stimulation for prolonged periods
- unable or unwilling to provide psychological nurturing
- has limited understanding of the child or young person's needs
- has unrealistic expectations of the child or young person

Physical abuse

Possible signs in children or young people:

- bruising to face, head or neck, other bruising and marks which may show the shape of the object that caused it, for example, belt buckle, hand print
- lacerations and welts
- drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest head injury
- adult bite marks and scratches
- fractures of bones, especially in children under three years old
- dislocations, sprains, twisting
- burns and scalds (including cigarette burns)
- multiple injuries or bruises
- explanation of injury offered by the child or young person is not consistent with their injury
- abdominal pain caused by ruptured internal organs, without a history of major trauma
- swallowing of poisonous substances, alcohol or other harmful drugs
- general indicators of female genital mutilation, for example, having a 'special operation'

Possible signs in parents and carers:

- frequent visits with the child or young person in their care to health or other services with unexplained or suspicious injuries, swallowing of non-food substances or with internal complaints
- explanation of injury offered by the parent is not consistent with the injury
- family history of violence
- history of their own maltreatment as a child
- fears injuring the child or young person in their care
- uses excessive discipline

Sexual abuse

Possible signs in children or young people:

- bruising or bleeding in the genital area
- sexually transmitted diseases
- bruising to breasts, buttocks, lower abdomen or thighs
- child or young person or their friend telling you about it, directly or indirectly
- describing sexual acts
- sexual knowledge or behaviour inappropriate for the child's age
- going to bed fully clothed
- regressive behaviour eg sudden return to bed-wetting or soiling

- self-destructive behaviour eg drug dependency, suicide attempts, self-mutilation
- child being in contact with a known or suspected paedophile
- anorexia or over-eating
- adolescent pregnancy
- unexplained accumulation of money and gifts
- persistent running away from home
- risk taking behaviours - self harm, suicide attempts

Possible signs in parents or carers:

- exposing a child or young person to prostitution or pornography or using a child for pornographic purposes
- intentional exposure of a child to sexual behaviour of others
- previous conviction or suspicion of child sexual abuse
- coercing a child or young person to engage in sexual behaviour with other children
- verbal threats of sexual abuse
- denial of adolescent's pregnancy by family

Emotional abuse

All types of abuse and neglect harm children psychologically, but the term 'psychological harm' or 'emotional abuse' applies to behaviour which damages the confidence and self-esteem of a child or young person, resulting in serious emotional deprivation or trauma.

Possible signs in children or young people:

- constant feelings of worthlessness about life and themselves
- unable to value others
- lack of trust in people
- lack of people skills necessary for daily functioning
- extreme attention-seeking behaviour
- is obsessively eager to please or obey adults
- takes extreme risks, is markedly disruptive, bullying or aggressive
- is highly self-critical, depressed or anxious
- suicide threats or attempts
- persistent running away from home.

Possible signs in parents or carers:

- constant criticism, belittling, teasing of a child or young person, or ignoring or withholding praise and attention
- excessive or unreasonable demands
- persistent hostility and severe verbal abuse, rejection and scapegoating
- belief that a particular child or young person in their care is bad or 'evil'
- using inappropriate physical or social isolation as punishment
- domestic violence.

Remember, the above are only possible signs of abuse and neglect. The presence of these signs does not necessarily mean abuse and neglect has been or is occurring.

Grooming Behaviours

Identifying, Reporting and Addressing Grooming Behaviours

Grooming behaviours can be the pre-cursor (in some cases) to abuse.

Legal Obligation: The grooming of a child with the intention of engaging in sexual conduct is a criminal offence in all jurisdiction in Australia. In NSW, the following laws apply to a child under 16:

- section 66EB Crimes Act(NSW) 'Procuring or grooming a child under 16 for unlawful sexual activity
- section 66EC Crimes Act 1900(NSW) "Grooming a person for unlawful sexual activity with a child under a person's authority
- under criminal Code Act (1995)' Using a carriage service to procure persons under 16 years of age, and ' Using a carriage service to "groom" persons under 16 years of age are prohibited.

Where these criminal offences do not apply to a young person, they must still be reported to the Principal as the student is under the authority and supervision of the School.

Grooming behaviour refers to the manipulative cultivation of relationships by an adult in order to develop or maintain a sexual relationship with a child (or children) or young person (or persons). Typically, the cultivation of relationships will be extended to gain the confidence of the child or young person who is the intended target of the behaviour, his or her family, and others around them including teachers and persons in support relationships such as church workers and volunteers, sports coaches and fellow students. It is not a single act of unprofessional or inappropriate behaviour, but a pattern of behaviour that seeks to gain the trust of the child as well as other people in the child's life such as parents and other teachers.

Grooming behaviour is indicated by any or all of the following elements:

- Persuading a child that they have a 'special' relationship, for example, by spending inappropriate special time alone with the child, inappropriately giving gifts, showing special favours to them but not other children, allowing the child to overstep rules.
- Testing of boundaries, for example, by undressing in front of the child, encouraging inappropriate physical contact (that is not overtly sexual), talking about sex, 'accidental' touching of genitals
- Extending a relationship outside the employment situation. This should not be assumed to constitute grooming where an existing relationship pre- dates the employment or where the extended relationship arises through a reasonable level of social engagement in the relevant community (for example, sports coaching, family level social contact within a small community)
- Inappropriate personal correspondence, including electronic communication, that explores sexual feelings or intimate personal feelings.
- taking photographs, audio recording, or filming students via any medium without School authorisation based on parental consent.
- Inviting, allowing or encouraging students to attend a staff members house
- making inappropriate comments about a student's appearance or excessive flattery.

Where the above actions do not constitute grooming behaviour, they may be a violation of the School's Code of Conduct or constitute professional misconduct and need to be reported to the Principal.

Physical contact with students that does not constitute grooming behaviour is:

- Assisting students who hurt themselves
- Assisting students when they pose a physical threat to themselves or others
- Delivery of first-aid
- Non-intrusive gestures when a child is experiencing distress (such as a pat on the upper back)
- Non-intrusive touching such as a handshake

NB: Refer to KCCS 'Guidelines for Teaching and Protecting Children and Young People', and KCCS Code of Conduct

Reporting Grooming

A school culture should be a safe and conducive place for a staff member to make a report about another staff member where the report is made honestly and without recklessness

- If a staff member (or stakeholder) has a reasonable suspicion or belief that grooming behaviour is occurring a report is to be made to the Principal (or delegate)
- It can also place a child at risk of significant harm and needs to be reported as reportable conduct. (see Mandatory Reporting)
- Incidents of substantiated sexual misconduct (which also includes grooming behaviour) and involving staff must be reported to the Office of the Children's Guardian
- Allegations of sexual misconduct against a staff member or any person engaged in the School such as volunteers must be made to the Office of the Children's Guardian.

Note: where evidence of grooming is through electronic communications, the staff member reporting the grooming behaviour should take steps to preserve the electronic evidence.

- The School will ensure the safety of a student where they are the alleged victim of grooming behaviour.
- The Principal (or delegate) will contact the staff member who is the subject of the reported allegation in accordance with procedural fairness
- The School will conduct an internal investigation. If it is a serious nature, then the principal will refer the matter to the Police and relevant Child Protection agencies.
- The School may suspend the staff member while an investigation is underway.

Record Keeping

- All forms of communication (including verbal, written and digital) related to the child protection matters must be properly documented with dates, times, details of the communication and a student's disclosure.
- The School maintains records of all evidence or documentation related to allegations made.
- All records are stored securely in the Principal's office.

Confidentiality

Staff who have access to information related to grooming behaviour must keep the information confidential and only disclose it as part of an investigation. Staff, however, must report to the Principal when a student makes a disclosure of alleged grooming behaviour. Inappropriate breach of confidentiality may result in the School implementing disciplinary action which, in serious cases, can include summary dismissal.

Other Reasons to Notify the Child Protection Helpline

The Child Protection Helpline should be notified if a child/young person is under the parental responsibility of the Minister, and there is no concern that reaches the threshold of risk of significant harm **but** the child/young person is:

- pregnant
- runaway
- missing
- homeless (in the case of homelessness review the Neglect: Physical Shelter/Environment tree first).

If that leads to a report to Community Services, report as neglect. If it does not lead to a report to the Office of Children's Guardian, advise the Child Protection Helpline 132 111 that the information is being provided solely because the child/young person is in care, not due to neglect.

It is recommended that mandatory reporters complete the Mandatory Reporter Guide (MRG) on each occasion they have risk concerns, regardless of their level of experience or expertise. Each circumstance is different and every child and young person is unique.

eReporting

Mandatory reporters can register to submit a child protection report (eReport) directly through this website. Once registered, mandatory reporters:

- [can create eReports after running the MRG](#)
- will be notified by email when there is a change of status for one of their reports
- can log in to the ChildStory Reporter Community website to see the status of any previous reports they have submitted.

Mandatory reporters should register for the Reporter Community. You can register by [following this link](#) or [learn more about it here](#).

How to signup to be an eReporter

- Click the login button at the top right of this page
- Click on the 'Not a member?' button and fill in the required fields
- If you have technical issues when signing up, please email childstory.support@facs.nsw.gov.au or call 1300 356 696 with any technical queries. Please note, this team is a technical support team only and you will not be able to make a report to them.
- You can also learn more about how to [register your organisation for eReporting](#).

Kingdom Culture Christian School

CHILD PROTECTION POLICY

APPENDIX 3: Definition of Reportable Conduct of a Staff Member

DEFINITION OF 'REPORTABLE CONDUCT' (SEE FLOW CHARTS 1 & 2)

See page 16 of the policy for definition of reportable conduct.

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
- 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
- c) conduct of a class or kind exempted from being reportable conduct

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

Conduct Exempted from Reporting

- Finding made that allegation related to physical assault:
 - Assault did not occur,
 - Inappropriate professional behaviour occurred, or
 - There is some evidence that inappropriate professional behaviour occurred but the allegation is not sustained because of insufficient evidence.

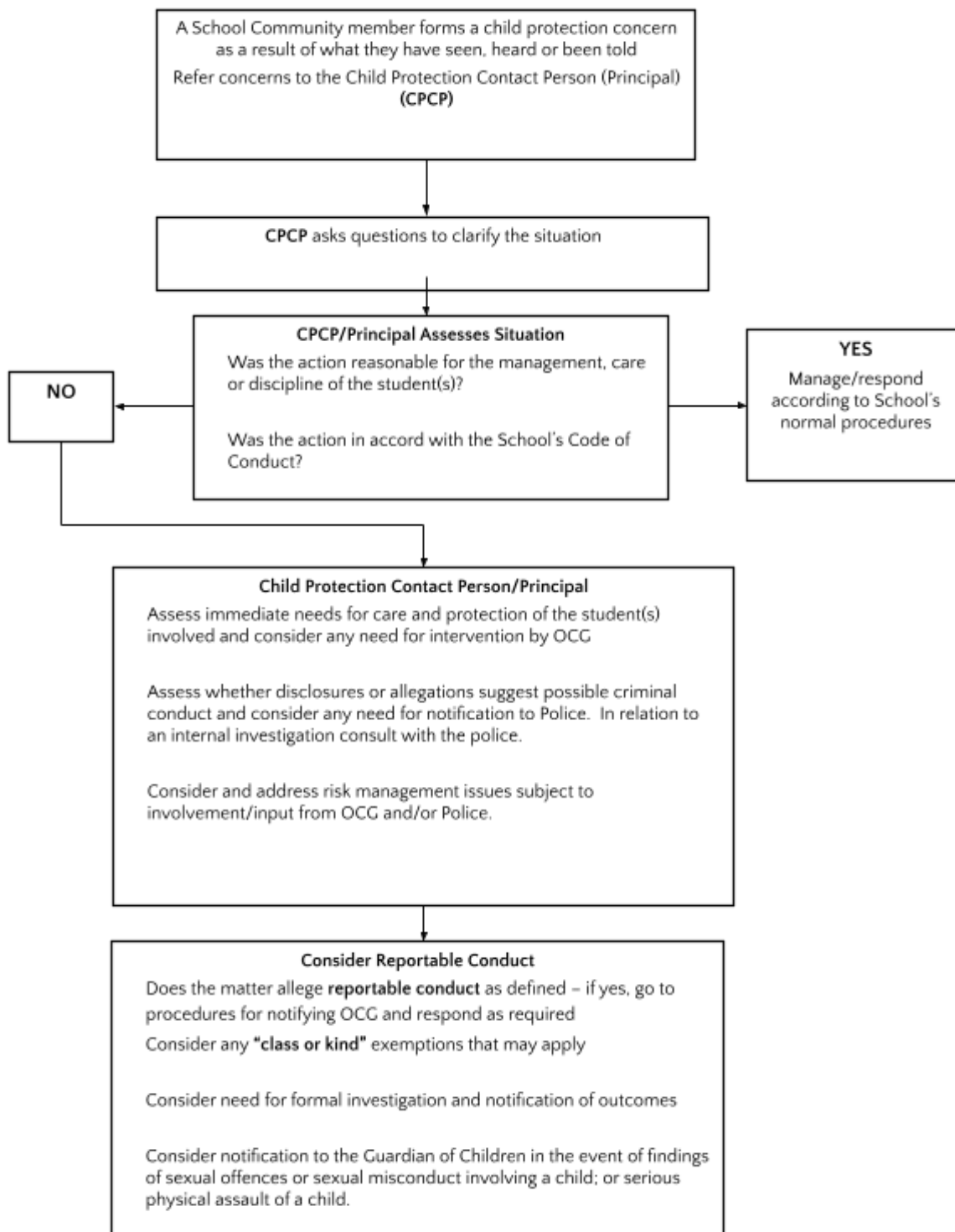
Inappropriate Professional Behaviour

'Teachers are required to manage students' behaviour and sometimes they use inappropriate professional behaviour. This may involve inappropriate physical contact with a child or the throwing of a light object at a child. Some force may have been used but it is not excessive given the age or size of the child relative to the teacher, nor has it caused physical harm. Such behaviour management does not meet professional standards but it is not reportable to the Commission. These matters are categorised as "inappropriate professional behaviour". *Class or Kind Agreement (Education) – April 2004.*

Kingdom Culture Christian School

CHILD PROTECTION POLICY - APPENDIX 4:

Risk Assessment & Initial Decision Making Flowchart in Determining if an Allegation is Reportable

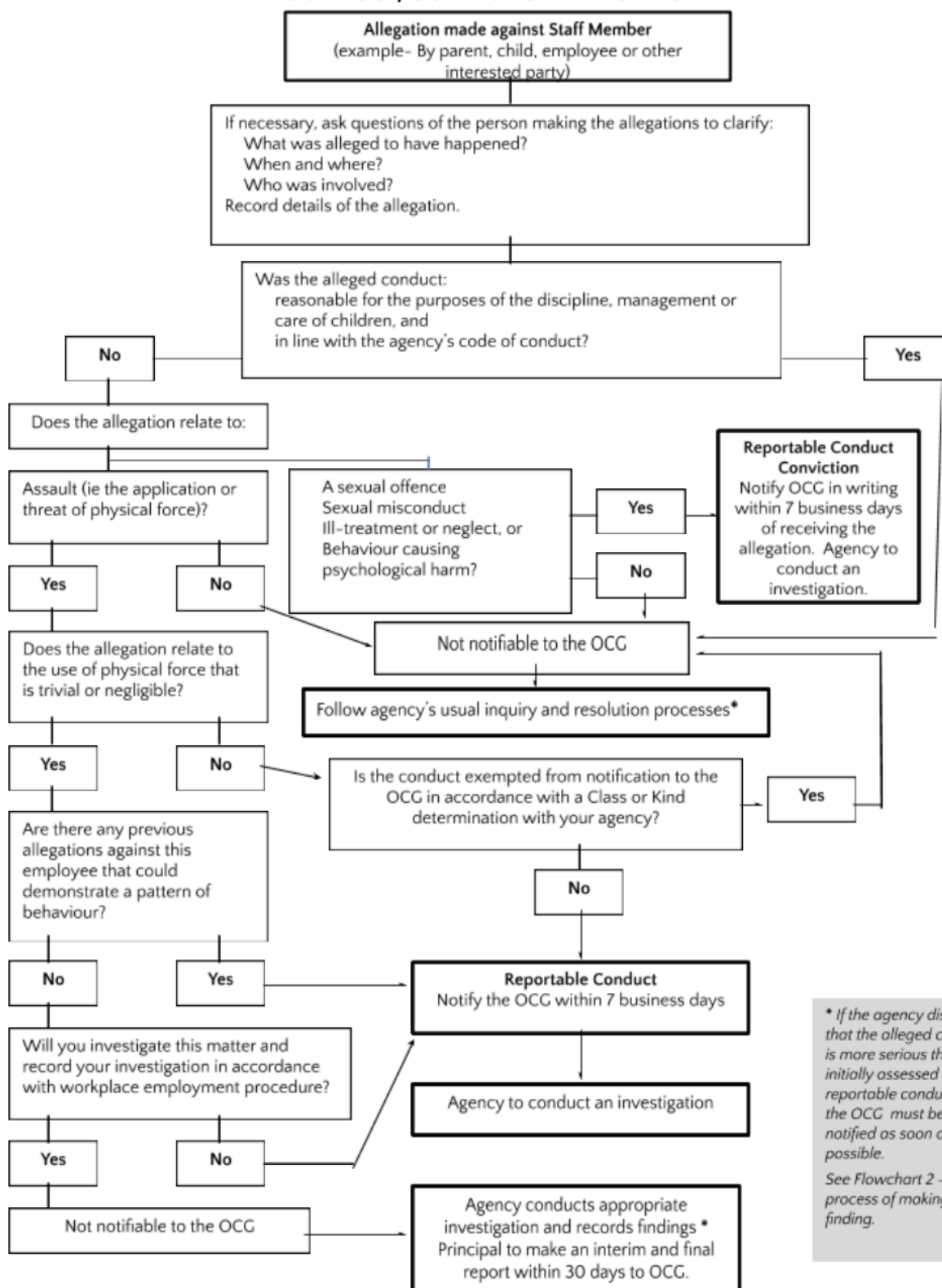


Kingdom Culture Christian School

CHILD PROTECTION POLICY

APPENDIX 5A: Determining if an Allegation is Reportable

■ FLOW CHART 1: DETERMINING IF AN ALLEGATION IS A REPORTABLE CONDUCT/CONVICTION ALLEGATION



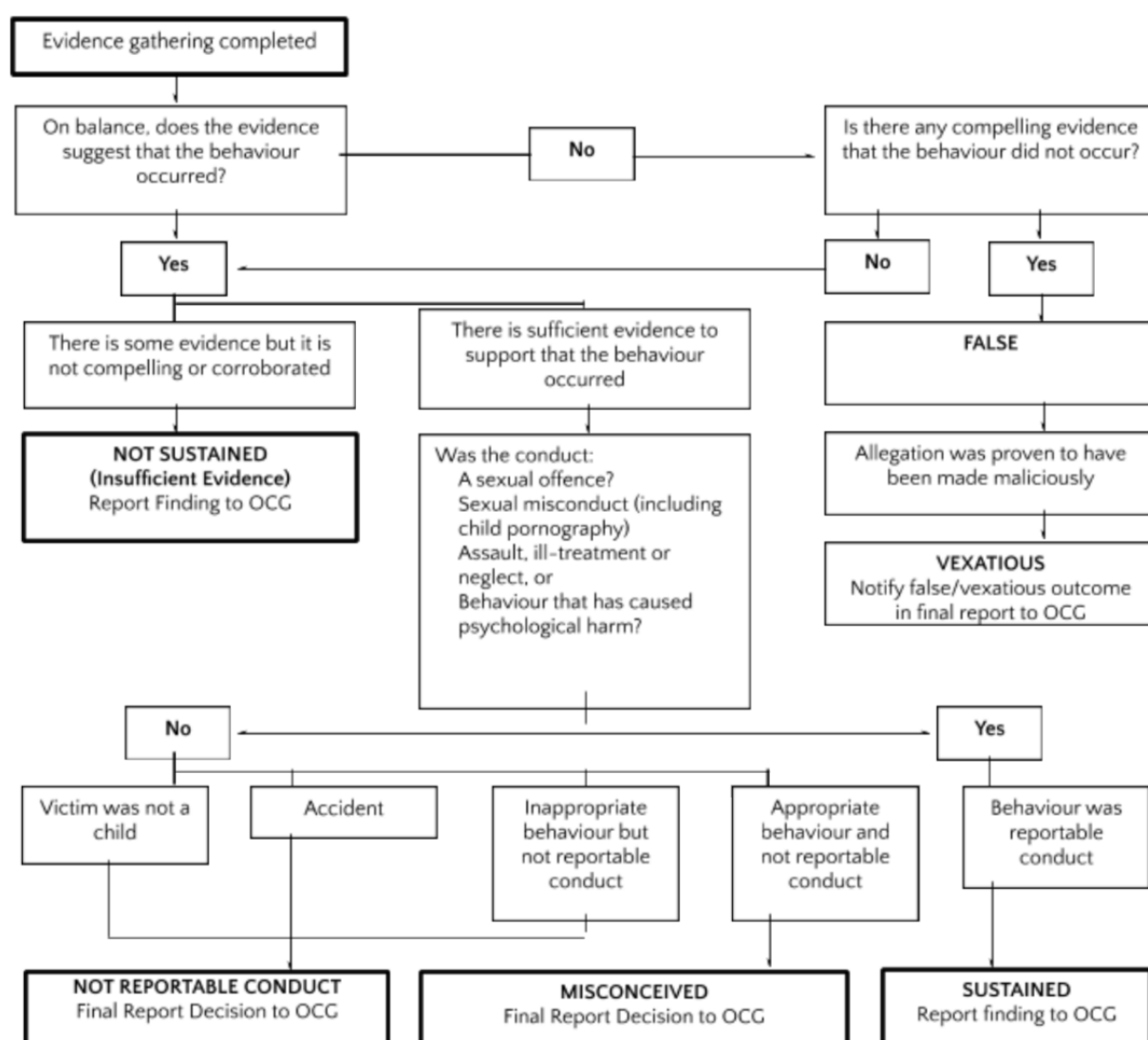
* If the agency discovers that the alleged conduct is more serious than initially assessed and is reportable conduct, then the OCG must be notified as soon as possible.
See Flowchart 2 – The process of making a finding.

Kingdom Culture Christian School

CHILD PROTECTION POLICY

APPENDIX 5B: The Process of Making a Finding

■ FLOW CHART 2: THE PROCESS OF MAKING A FINDING



Kingdom Culture Christian School

CHILD PROTECTION POLICY – APPENDIX 6

The KCCS Guidelines for Teaching and Protecting Children and Young People

The School expects all School community members to be caring, compassionate adults who take an interest in the wellbeing of students, and who set appropriate boundaries for worker-student relations.

School 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 School, and that those relationships are open to scrutiny.

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

The following guide will help teachers (and community members) to identify appropriate and unacceptable professional practice in their conduct with students. The material below is not exhaustive but is provided as a guide to common situations. It works in tandem with the KCCS Child Protection Policy.

Good or Acceptable Practice

School and classroom culture

1. Develop School and classroom routines or structures that have clear boundaries of acceptable and professional student/teacher interaction.
2. Implement School guidelines that help prepare and plan such educational activities as excursions. Professional behaviour and supervision levels need to take into account the age of students and the educational context.
3. Know the School's Child Protection, Emergency Events, Safe and Supportive Environment Policy (Student Welfare, Behaviour and Discipline policies) and use behaviour management strategies that follow these policies.
4. Respond to provocative behaviour by students, parents or members of the School community in a non-confrontational, calm manner to help defuse difficult situations. Seek support from colleagues or supervisors where needed. In extreme situations the Principal can call Police to protect staff and students.

Care and management of students

1. Report and document incidents involving physical restraint of students or violence involving students. This provides important information if an allegation is made about the related conduct of a staff member.
2. Actively supervise students when on playground duty.
3. Provide feedback on student work in a constructive way.
4. When confiscating personal items, such as mobile phones or hats, ask students to hand them to you. Only take items directly from students in circumstances where concern exists for the safety of the student or others, and your own safety is not jeopardised by this action.

5. When playing physical sport with children, consider the physiques of students, along with the relative ages and stages of development of all participants.
6. When conducting any one-to-one activity with a student:
 - Ensure that another adult is present or within sight at all times during one-to-one activity
 - Ensure that this adult is actively engaged and aware of the action of the School Community member at all times during the one-to-one activity
7. If the active engagement and awareness of another adult is not possible or practicable, ensure that prior approval for the one-to-one activity has been obtained from the School community member's immediate supervisor.

Teacher-student relationships

1. Participating in social contact with a student only after obtaining informed consent of the student, the parent and the Principal; such contact includes meetings, sporting events, phone calls or electronic communications, such as text messages. Teachers are not to have contact with students via their personal social networking pages/sites unless they are family members. (See also KCCS Staff Handbook and KCCS Code of Conduct)
2. If a student crosses emotional boundaries, inform supervisors so independent, sensitive advice and support are available.
3. Praise and recognise all students when appropriate, so they all feel they are being treated fairly.
4. Make physical contact with students in a way that makes them comfortable, such as shaking hands, a congratulatory pat on the back, or with very young students, by gently guiding them or holding their hand for reassurance or encouragement.
5. When students, particularly very young children, are hurt and seek comfort it is appropriate to provide reassurance by putting an arm around them.
6. Be alert to cues from students about how comfortable they are in your proximity and respect individual needs for personal space. If you make physical contact with students in class demonstrations, such as PE or drama lessons, explain the activity involved, what you will do and gain consent.
7. Be aware of cultural norms that may influence the interpretation of your behaviour towards students.

Interaction with students with identified needs

Be especially sensitive when interacting with students who may have poor 'boundaries' for appropriate behaviour after being traumatised by physical, emotional or sexual abuse, because they may misinterpret your action.

Poor or Unacceptable Practice

The following under each heading are considered poor or unacceptable practice:

School and classroom culture

1. Failure to develop School and classroom routines or structures that have clear boundaries of acceptable and professional student/teacher interaction.
2. Leaving a class unattended or dismissing students early from a lesson so that they are unsupervised.
3. Not reporting concerns about risk of harm to a child or misconduct of a staff member towards a student.

4. Attempting to physically prevent a student from entering or leaving a classroom, unless there is a concern for the safety of the student, other students or staff.
5. Engaging in inappropriate physical contact/force with a student including physical punishment of a child in the course of their role at the School.
6. Closing doors or windows to rooms without checking students are safely out of the way.
7. Correcting or disciplining a student in excess of what is reasonable or appropriate for the situation.
8. Shouting angrily at students to intimidate them.
9. Commenting to or about students on the basis of disability, gender, sexuality, cultural or racial stereotypes.

Care and management of students

1. Public disciplining or humiliating a student as punishment or as an example to other students.
2. Throwing an object such as a ball or book at a student to get their attention.
3. Threatening students with physical punishment.
4. Use of physical discipline such as smacking.
5. Providing inadequate supervision for students while on duty during excursions and camps.
6. Not appropriately responding to or referring to clear requests from students for medical attention or first aid.
7. Arranging activities or meetings alone with a student that are not within School guidelines or that are without the informed approval of a supervisor and, if appropriate, the parent or carer.
8. Targeting students unfairly for criticism or prejudging complaints from other staff or students about their behaviour based on past conduct.

Teacher-student relationships

A School Community member must not act recklessly in this regard. A single serious 'crossing of the boundaries' by a School Community member, or persistent less serious breaches of professional conduct in this area, may constitute serious misconduct, particularly if a School community member either knows, or ought to have known, that such behaviour was unacceptable.

1. 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.
2. All School members, including teachers, must not engage in grooming behaviour in relation to a student, their family or friends.
3. Acting 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.
4. Teasing students or unfairly withholding praise from them.
5. Putting your arms around students while instructing them on the computer or a desk.
6. Disregarding personal space practices.
7. Developing a practice of cheek kissing as a greeting or for congratulating students.
8. Repeatedly and unnecessarily touching students on the back, shoulders, arms or legs, or allowing a student to sit on your lap.
9. Disregarding policies relating to ICT and social media. School community members are prohibited from photographing or filming a student other than for purposes approved by the School. Secretly taking photographs or other images of students is strictly prohibited.
10. Connecting with a student on your PERSONAL social media platform (eg Facebook, Twitter, Snapchat, Instagram, etc...).

11. Giving gifts of money to students as a reward or incentive for good behaviour or as a gesture of friendship.
12. Conversing about sexual matters unrelated to a syllabus.
13. Telling jokes of a sexual nature.
14. Making sexually explicit or suggestive remarks or engaging in other sexually overt behaviours towards, or in the presence, of, a student.
15. Showing inappropriate videos.
16. Deliberately exposing a student to the sexual behaviour of others, including access to pornography.
17. School Community members must not consume illegal drugs, restricted substances, alcohol or tobacco (inclusive of e-cigarettes) on School premises or at any School-related activity where a student is present.

Practices in the following bullet points are prohibited (and may also be criminal acts):

1. Having sexual relationships with students – whether the relationship is homosexual or heterosexual, consensual or non-consensual, or condoned by parents or carers. (The ages of the students or staff members involved are irrelevant).
2. Purchase for, offer, supply, give or administer to a student, including those over the age of 18, illegal drugs, restricted substances, prescribed or non-prescribed medication (unless dealing with or administering medication in accordance with relevant policy), alcohol, and/or tobacco.
3. Encouraging or condoning the use of alcohol or other drugs by students.
4. Possessing, downloading or distributing child pornography.
5. Commit a criminal offence involving a sexual activity that is committed against, with or in the presence of a student or any child or children in any other circumstances.

Interaction with students with identified needs

1. Using unnecessary force to make physical contact with a student as a prompt for a verbal instruction, or to force compliance.
2. Failing to implement strategies negotiated and outlined in individual student management programs.
3. Using physical contact to contain confrontational behaviour of students of all ages (particularly those with identified behaviour or conduct disorders), unless there is a concern for the safety of the student, other students or staff.

Applying the Guidelines to Certain Situations

In the day-to-day activities of the School, a full range of situations arise during which individuals and groups of students interact with staff members.

These guidelines provide staff with examples of general directions that should be applied in most situations. It is recognised, however, that unusual circumstances, or concerns regarding student welfare and safety, may require a staff member to exercise their own professional judgement when interpreting the guidelines in particular situations.

Environment	General Principles	Alternatives & Suggestions
Class /Office	A staff member and one student, only, should not remain in a room together where they cannot be observed.	<ul style="list-style-type: none"> • Ensure lunchtime discipline involves more than one student. Where this is not possible be highly visible & have an open door/blinds/windows. • Combine lunchtime detentions with those of another teacher. • Provide additional help and assistance to a student in a small group. • Interview/counsel an individual student in full view of others (such as on playground seating, in a quiet corner of the class area with other students in the room). • Interview/counsel a child in a room with door wide open & blinds up to allow observation, by others, from outside the room. • Ask another member of staff to observe/participate in an interview with a student. • Use more than one student helper when working in the classroom before and after school, or during breaks • The Principal should keep their office door open. • In case of a sensitive issue, if possible another person could be included in the interview with a student.
Playground / Toilets	A staff member and one student, only, should not remain together in a situation where they cannot be observed.	<ul style="list-style-type: none"> • Except in the case of a situation involving student safety and welfare, staff must always respect a student's privacy when using toilet/change-room facilities by not entering. • Staff must not use student toilets. They are to use the staff toilets in the Administration building or Library building.
Touch for encouragement and comfort	In the context of a caring Christian community, there is a place for appropriate physical contact between a staff member and a student, especially a younger student. However, a staff member should not touch a student on the chest or below the waist.	<p>For encouragement and positive interaction, or to comfort a <i>K-6 student</i>, there is a place for:</p> <ul style="list-style-type: none"> • the hand of the child to be held • a gentle touch on the shoulder <p><i>For a Secondary student:</i></p> <ul style="list-style-type: none"> • generally no physical contact • only a pat on the back for congratulations, or shaking hands is recommended and always in a public space
Responding to student-initiated physical contact	<p>In the context of the caring Christian community of the School, it is fitting to respond to appropriate physical contact initiated by younger children (eg hand hold, hug).</p> <p>Staff should not initiate physical contact</p>	<ul style="list-style-type: none"> • Staff should not initiate physical contact. • Respond using one of the suggestions listed above (eg hug shoulder, shake hands or pat on the back for Secondary students). • Responses should be governed by the context of the situation.

Touch for discipline and management	<p>Excepting where physical intervention is necessary to ensure a student's safety, staff should not touch a student for the purposes of discipline or student management.</p> <p>Students should not be grasped, held, physically moved, tapped or restrained.</p> <p>No form of corporal punishment should be used.</p>	<ul style="list-style-type: none"> • Give verbal instructions along with relevant hand or body-language indications. • Maintain effective management routines and positive staff/student rapport. Reinforce positive behaviours. • Use discipline strategies outlined in Discipline Policy. • Move danger away from child/young person, if possible. • Provide physical barriers to protect children from danger. • Provide children with appropriate behavioural model (Either the staff member, themselves, or another student).
Camps and Excursions: Bathrooms, toilets, bedrooms, changing facilities.	<p>A staff member and one child/young person, only, should not remain together in a situation where they cannot be observed.</p> <p>It should be noted, however, that staff should maintain appropriate supervision of these areas to ensure student safety and well-being.</p>	<ul style="list-style-type: none"> • Staff should only supervise same-gender bathrooms, and only when more than one student is present in those facilities. Except in the case of a situation involving student safety and welfare, staff must always respect a student's privacy when using bathroom facilities. • When students use public toilets on an excursion, the boys also are to use a toilet in a closed cubicle. The staff member of the same sex is to wait for a child inside the toilet block at the wash basins, or if unable, immediately outside. • Staff should not use bathrooms and toilets that the students use. If there is no staff only facilities, a specified time needs to be arranged where staff can use the amenity block in private. The School will aim to use campsite facilities that ensure separate staff facilities. • Bedrooms should not be entered when it is known that students are dressing or changing. • Wherever possible staff of both genders should accompany excursion groups. If it is a relatively small group, then two staff members will not be required except if there is only one male or one female in the group. For overnight and extended excursions this is a necessity for staff of both genders to be in attendance.
Staff or Parent Vehicles-Transporting students	<p>A student should not be transported in a vehicle with only the driver, excepting in the case of an emergency.</p>	<ul style="list-style-type: none"> • Arrange for an ambulance or parent to transport students. • Transport student in the company of another adult or another student.
First Aid / Sick Bay	<p>When administering first aid, or assessing illness, physical contact with the student should be limited to only that which is necessary to comfort and reassure the child, if necessary.</p>	<ul style="list-style-type: none"> • Other than in a case of emergency, where treatment may cause embarrassment to the student, or where treatment is necessary on a part of the body usually covered by basic clothing: <ul style="list-style-type: none"> - a parent should be called to treat the injury, or - If a parent is not readily available, a staff member should treat the injury with the child's consent (if possible) and only after another adult is present and/or has been informed of the staff member's intentions. • Where a parent is not readily available, a second adult should observe treatment, if the child consents to the presence of the second adult.

Procedures for Visitors to the School

- Parents/Caregivers who wish to see the teacher of their own child during the day (whether by appointment or otherwise) must first report to the Front Office. When teaching staff organise interviews they need to inform parents to report to the Front Office when they arrive, so that staff can be notified of their arrival.
- Visitors who have been invited to the School for an event, activity or an incursion need to be informed by staff to report to the Front Office on their arrival and sign in. Staff members are encouraged to give the Front Office prior notice of when their visitors are expected.
- Within School hours, students are not allowed to go home with other people (such as their friend's parents) without written permission from their parents or direct verbal contact of parents with Office Staff, or if a Primary School aged student, their Primary teacher or Secondary student with their roll call teacher (See also Maintaining School Enrolment and Attendance Registers Policy).
- During School hours, students cannot be given into the care of a non-custodial parent without the permission of the custodial parent. (See also Maintaining School Enrolment and Attendance Registers Policy). All staff should be informed about these circumstances.
- Adult visitors to the School are not to use the children's toilets. They are to use the staff toilets in the Administration building or Library building.

Kingdom Culture Christian School

CHILD PROTECTION: COMPLAINTS REGISTER (Appendix 7)

Date	Staff Member (complaint made against)	Complainant (Title & Name)	Advice to Principal received from	Allegation	Action / Advice sought & received	Outcome of Investigation	Reportable Conduct	Class or Kind