

Child Protection Policy & Mandatory Reporting

Policy

Everyone at Australian Christian College is responsible for the care and protection of the children and reporting information about child protection concerns such as neglect or physical, sexual and emotional abuse. The college will act in the best interests of the child and in accordance with NSW legislation in response to a suspicion or allegation of abuse.

Definition of Abuse & Maltreatment

A child protection concern may arise from any action or inaction which is inconsistent with the care and protection of a child. This may include physical, emotional or sexual abuse or neglect of a child. It may involve repeated or persistent maltreatment, or it may arise from a single incident. It may be observed evidence of risk or indicators, reports of maltreatment by a person without parental responsibility for the child and/or a disclosure of information provided directly by a child or parent/carer that describes or alleges maltreatment.¹ Maltreatment refers to when a child or young person has been subjected to physical, sexual, emotional or psychological abuse and/or neglect, the severity and/or persistence of which has resulted in or is likely to result in significant harm. It is possible for a child to be maltreated by a parent/carer, another adult person or another child who may or may not be older.

Definition of Reportable Conduct

Reportable Conduct is actions by an employee that include:

1. any sexual offence or sexual misconduct committed against, with or in the presence of a child - including a child pornography offence
2. any assault, ill-treatment or neglect of a child
3. any behaviour that causes psychological harm to a child – even if the child consented to the behaviour.

Reportable Conduct is not touching a child to attract their attention, guide them or comfort them, a school teacher raising their voice to attract attention or restore order in the classroom, or conduct that is established to be accidental.

A 'child' is a student at Australian Christian College.

An 'employee' is anyone who is employed on a full time, part time or casual basis by Australian Christian College.

¹ For further clarification please refer to:

[http://www.aisnsw.edu.au/Services/ChildProtection/Documents/NSWO%20Defining%20Reportable%20Conduct%20\(2011\).pdf](http://www.aisnsw.edu.au/Services/ChildProtection/Documents/NSWO%20Defining%20Reportable%20Conduct%20(2011).pdf)

Guidelines for Appropriate & Inappropriate Behaviour

Please refer to Appendix A.

Guidelines for classifying concerns

Please refer to Appendix A.

Procedure – Employment Screening

1. Refer to the [Working with Children Check Policy](#)

Procedure – Staff Training & Notification

1. The Principal will notify all staff annually of their requirements under the Children and Young Persons (Care and Protection) Act 1998, Ombudsman Act (1974), and Child Protection (Working with Children) Act 2012. In addition to the annual notification, new employees will be notified at the time of their employment.
2. The Principal is to maintain evidence that this annual notification has occurred in the form of a meeting agenda and a record of attendance.
3. The Principal will designate one member of staff to be the Head of Agency. The staff member delegated in this position will complete training in child protection & mandatory reporting. The Head of Agency is the person responsible for reporting to Family & Community Services, NSW Police, & the Ombudsman.
4. All staff are to have access to the Child Protection & Mandatory Reporting policy on the ACC Hub.

Procedure – Notification to Outside Tutors, Volunteers and External Providers

5. Refer to the Working with Children Check Policy

Procedure – Mandatory Reporting for suspected risk of significant harm

1. Everyone working in a college needs to be able to recognise the risk factors and indicators of child abuse maltreatment & reportable conduct.
2. The role of college staff is not investigative.
3. If a member of staff has general concerns that do not meet the criteria of immediate protection or a belief that a child is at significant risk of harm – they should consult Appendix A – Decision Making Trees to determine the appropriate response and report to the Head of Agency.
4. If a member of staff has concerns that relate to a child in need of immediate protection or a staff member has formed a belief that a child is at significant risk of harm – contact the [Family & Community Services – Child Protection Hotline at 132 111](#).
5. The following information is to be compiled by the staff member before submitting the report to Family & Community Services:

- a. name of family and children
- b. addresses, language spoken and student's date of birth
- c. factual and specific reason for concern
- d. the reporter's involvement with the family
- e. any other people or agencies involved
- f. concerns about a F&CS workers safety in visiting the family
- g. best time to find the parents/guardians at home
- h. if the family knows the report is being made

Procedure – Reportable Conduct

1. Staff are to be familiar with the definitions of reportable conduct as defined in the policy.
2. If a staff member suspects potential reportable conduct, they are to report it to the Head of Agency.
3. The Head of Agency must investigate the allegation and determine if the matter is to be referred to the NSW Ombudsman.
4. If there is a student at risk of significant harm, the Head of Agency is to contact the NSW Police & and the Ombudsman.

Procedure – Risk Management & Procedural Fairness

5. If an allegation of reportable conduct is made against a staff member, the Head of Agency is to notify the staff member that they are being investigated for reportable conduct.
6. The staff member who is under investigation by the Head of Agency is to be treated with procedural fairness. The Head of Agency will determine if the allegation requires a change to the duties that the staff member would perform. This includes but is not limited to:
 - a. A change of duties so that the staff member who is under investigation is not in contact with the child
 - b. A suspension of duties
 - c. Other action as determined by the Head of Agency

Version

2.5

Review

2016 or as required

Appendix A - Guidelines

Overview

The purpose of these guidelines is to provide information for staff who are concerned about possible abuse, maltreatment or reportable conduct.

Guidelines for Appropriate & Inappropriate Behaviour

What you determine to be appropriate and inappropriate based on your culture, your experience or your background is not the same as how you are required to act as an employee.

Appropriate behaviour is simply acting as a professional. Where possible, physical contact should be avoided. Please note the following type of contact that is not defined as reportable conduct:

Reportable Conduct is not touching a child to attract their attention, guide them or comfort them, a school teacher raising their voice to attract attention or restore order in the classroom, or conduct that is established to be accidental.

Remember that students carry multiple recording devices and that at any time you may be being recorded, edited, and published to a global audience.

Inappropriate behaviour includes but is not limited to:

1. Sexual relationships with students.
2. Touching sexual organs.
3. Communication that is sexual in nature.
4. Contact that could cause bodily harm.

When communicating with students, staff are encouraged to be within sight of other members of the school community and to not be alone where allegations could be made against your behaviour.

Staff are reminded that students can develop emotional attachments to staff that are inappropriate. If a staff member suspects that a student has developed an emotional attachment that could be misinterpreted then they are to report the matter to the Principal.

Guidelines for classifying concerns

Staff are encouraged to make use of the NSW Online Mandatory Reporter Guide when determining if their concern is classified as reportable to the Head of Agency and/or to Family & Community Services.

The Online Mandatory Reporter Guide uses decision trees that classify harm in the following categories:

1. Physical Abuse
2. Neglect
3. Sexual Abuse
4. Psychological Harm

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5. Child/Young Person is a Danger to Self and/or Others
6. Relinquishing Care
7. Carer Concerns
8. Unborn Child

Staff can access the decision trees at:

<http://sdm.community.nsw.gov.au/mrg/screen/DoCS/en-GB/summary?user=guest>