Howayek Providence Limited trading as

MARONITE COLLEGE OF THE HOLY FAMILY

Maronite College of the Holy Family policies have a commitment to Maronite Catholic ethos and values and will be read in conjunction with other policies and procedures and with relevant legislation.

CHILD PROTECTION POLICY and PROCEDURES

This Policy and its procedures supersede all previous policies and procedures relating to matters contained herein.

CHILD PROTECTION POLICY and PROCEDURES

Mission: *"Inspired by the Maronite Sisters of the Holy Family, we accompany our students in the realisation of their potential."*

Vision: *"We challenge our community to grow in faith, strive for excellence and transform the future."*

Motto: *Know Love Serve*

Ethos: *"The College strives to instil in students the teachings of Jesus. Emphasis is firstly given to providing a Maronite Catholic foundation through regular prayer, celebration of the Sacraments, commitment to the Word of God, and openness to grace.*

Secondly, all are encouraged to see the best in themselves and in one another, as Paul writes, 'Whatever is true, whatever is honourable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable, if there is any excellence and if there is anything worthy of praise, think about these things' (Phil 4:8). Emphasises is on treating all with dignity, service, forgiveness, justice, and love.

Thirdly, the College is a community which promotes a sense of family among the Sisters, Board Members, staff, students, parents, and friends".

Values: *Resilience Collaboration Integrity Compassion Respect Faith*

1. INTRODUCTION

Maronite College of the Holy Family's organisational leadership, governance and culture is fully committed to protecting the safety, welfare and wellbeing of all students. The College has zero tolerance for child abuse. Everyone working at the College is responsible for the care and protection of students and reporting information about child abuse (Child Safe Standard 1).

If any person believes a child is in immediate risk of abuse, telephone 000 and ask to speak to the Police.

1.1 PURPOSE and SCOPE

This Policy is a comprehensive document to inform all staff members which includes employees, contractors and volunteers of the Child Protection laws, their mandatory and moral obligations to all students and the College's procedures expected to be followed by staff in all Child Protection matters.

Staff members who fail to adhere to this Policy and Procedures may be in breach of their terms of employment.

1.2 DEFINITION of CHILD and YOUNG PERSON

A person is considered a *child* if they are under the age of 16 years old.
A student is considered a *young person* if they are 16 years or above but under the age of 18 (Care and Protection Act).

1.3 KEY LEGISLATION

Maronite College of the Holy Family adheres to the New South Wales Child Protection legislations and mandatory standards.

1. Children and Young Persons (Care and Protection) Act 1998
2. Child Protection (Working with Children) Act 2012 ("WWC Act").
3. Children's Guardian Act 2019 ("Children's Guardian Act").
4. Crimes Act 1900 ("Crimes Act"). Failure to protect Section 43B; failure to report Section 316A; special care relationship Section 73.
5. Child Safe Standards (Child Safe Scheme, Office of the Children's Guardian) March 2022

1.4 RELATED COLLEGE POLICIES AND PROCEDURES

There are a number of College Policies and Procedures that relate to Child Protection which staff members must be familiar with, actively participate and practice at all times including, but not limited to:

- **Staff Code of Conduct Policy** - sets out the standards of behaviour expected of all staff members with particular emphasis on maintaining ethical and professional relationships when interacting with students, expected cultural practices from staff and day to day practices that prioritise student safety (Child Safe Standards 1, 2, 4, 5, 6, 7, 8, 9, 10)
- **Work Health and Safety Policy** - identifies the obligations imposed by Work Health and Safety legislation on the College and staff members (Child Safe Standards 1, 2, 4, 5, 6, 7, 8, 9, 10)
- **Complaint Handling Policy and Procedures for All Stakeholders** – provides information and steps taken by the College in addressing complaints and, the complaint procedures for staff, students, parents and the wider community wishing to address concerns including Child Protection (Child Safe Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)
- **Staff ICT Acceptable User Policy and, Student ICT Acceptable User Policy** – clearly define expectations in the use of technology such as cyber safety and security checks. (Child Safe Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)
- **Anti-Bullying Policy** - provides obligations in relation to unlawful discrimination, harassment and bullying and, steps taken to address Anti-Bullying matters (Child Safe Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)
- **Student Behaviour Management Policy and Procedures** - provides teachers, students and parents clearly defined College expectations, conduct and support (Child Safe Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)
- **Student Welfare Policy and Procedures** – provides stakeholder information on staff duty of care obligation, pastoral care as well as student safety, wellbeing and welfare (Child Safe Standards 1,2, 3, 4, 5, 6, 7, 8, 9, 10)
- **Employment Relations Policy and Procedures** – states the College's investigation processes (Child Safe Standards 1, 2, 4, 5, 7, 8, 9, 10)
- **Privacy Policy and Procedures** – articulates the importance of maintaining student, staff and parents' privacy including Child Protection concerns. Staff sign Privacy Declaration annually (Child Safe Standards 1, 2, 3, 4, 5, 7, 8, 9, 10)
- **Risk Management Policy and Plan** – has a focus on identifying, preventing and lowering risks to students (Child Safe Standards 1, 2, 4, 5, 6, 7, 8, 9, 10)
- **College Inductions** and the dissemination of Policies and Procedures conducted by Head of College to all Staff, Contractors and Volunteers before commencement and annually (Child Safe Standards 1, 4, 5, 6, 7, 8, 9, 10)
- **Performance and Development** for each staff member (teaching and non-teaching) conducted annually (Child Safe Standard 1, 4, 5, 6, 7, 8, 9, 10)

2. CHILD PROTECTION (Child Safe Standard 1, 5, 7, 8, 10)

The safety, protection and welfare of students at Maronite College of the Holy Family is of the highest priority and the responsibility of all staff members to prioritise daily evident through;

- Demonstrating attitudes and behaviours that prioritise the safety of all students through behaviours and practices that reward and challenge.
- A duty of care to ensure that all reasonable steps are taken to prevent harm to students which could reasonably have been foreseen.
- Fulfill all obligations under Child Protection legislations and, College's expectations and standards in all matters relating to the care and protection of every student.

2.1 CHILD PROTECTION CONCERNS

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

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

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

Physical abuse is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.
Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints.
Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.

Emotional abuse can result in serious psychological harm, where the behaviour of their parent or caregiver damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma.

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

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

2.2 CHILD WELLBEING CONCERNS

Child wellbeing concerns are that of safety, welfare or wellbeing for a child or young person that do not meet the mandatory reporting threshold, risk of significant harm in Section 5.1.2 of the Act.

2.3 STAFF MEMBER RESPONSIBILITIES

Key legislation requires reporting of particular Child Protection concerns. However, as part of the College's high priority and strong commitment to Child Protection, all staff are required to report any Child Protection or student wellbeing concerns about safety, welfare or wellbeing of a child or young person to the Principal.

If the allegation involves the Principal a report must be made to Howayek Providence Limited Chair of the Board trading as Maronite College of the Holy Family.

3. EDUCATION (Child Safe Standards 1, 2, 3, 5, 7, 8, 9, 10)

3.1 MARONITE COLLEGE OF THE HOLY FAMILY

At the commencement of each new College year, the College provides all staff members with a copy of this Policy and Procedures with the expectation it will be implemented by each staff member. In acknowledgement of each staff member's understanding of their legal obligations and College Child Protection expectations, staff annually sign the College's Child Protection Acknowledgement Form (Appendix 1).

The College also provides staff members with annual Child Protection training e.g. SALT (CER) conducted in the first few weeks of the new College year. Newly appointed staff members arriving during the year are provided with this Policy and Procedures and expected to complete the same training and Child Protection Acknowledgement.

Maronite College of the Holy Family maintains records of all staff members who have completed the Child Protection course, retaining a copy of their Child Protection Certificate of completion and signed Policy and Procedure Acknowledgement on the staff register and files.

3.2 STAFF MEMBERS

All staff members are expected to read this Policy and related Policies, sign the Child Protection Acknowledgement (included) accepting their legal obligations, roles and responsibilities in keeping all students safe.

Staff members participate in annual Child Protection training and additional training, as directed by the Principal. The training complements this Policy and provides information to staff about their legal responsibilities related to Child Protection, College expectations and standards, including:

- Mandatory reporting.
- Reportable conduct.
- Working With Children Checks.
- Professional boundaries. (refer to Staff Code of Conduct Policy)

3.3 PARENTS/CARERS AND STUDENTS

Parents are provided opportunities to attend educational sessions on how best to protect their child/ren's particular online safety.

This Child Protection Policy and Procedures is available to all parents/carers, located on the College website as well as the *Complaints Handling Policy and Procedures for All Stakeholders* which provides information on making a Child Protection complaint such as staff misconduct.

Students are educated to protect themselves through College organised Child Protection lessons e.g. Police Liaison Officer speaking to classes.

4. WORKING WITH CHILDREN (Child Safe Standards 1, 3, 5)

The Working With Children (WWC) Act protects children by requiring a worker to have a Work With Children Check (WWCC) clearance or current application to engage in child related work. Failure to do so may result in a fine or imprisonment.

The Office of the Children's Guardian (OCG) is responsible for determining applications for a WWCC. It involves a national criminal history check and review of reported workplace misconduct findings. The result is either to,

- grant a WWCC (generally valid for 5 years); or
- refuse a WWCC (further applications cannot be made for 5 years).

In addition, the OGC may impose an interim bar on engaging in child related work for both applicants and WWCC holders.

WWCC holders are subject to ongoing monitoring by the OCG.

4.1 RESPONSIBILITIES FOR WORKING WITH CHILDREN CHECKS.

4.1.1 Staff members

It is the responsibility of each staff member at the Maronite College of the Holy Family and eligible volunteers (including those volunteers working at overnight camps) to:

- Hold a valid WWCC (all staff).
- Supply the College with proof of their WWCC (on application only).
- Maintain WWCC by renewing *before* their WWCC clearance has expired.
- Provide the College with updated information such as, new WWCC number and expiry date.
- Not engage in child-related work at any time that they are subjected to an interim bar or a bar.
- 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 subjected to a risk assessment.
- Notify the OCG of any change to their personal details within 3 months of the change occurring. Failure to do so may result in a fine.

It is an offence for an employee to engage in child-related work when they do not hold a WWCC clearance or if they are subject to a bar.

All volunteers are required to:

- Be aware and follow the expectations of conduct expressed in the College Staff Code of Conduct Policy.
- Practice requirements expected of them from the Volunteer Induction process provided by the College. This includes providing their WWCC clearance number.
- Complete and sign the Acknowledgement of Induction.

4.1.2 The College

The Maronite College of the Holy Family only employs staff and eligible volunteers who have a valid WWCC clearance from the Office of the Children's Guardian.

Maronite College of the Holy Family has a responsibility to advise the OCG of findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault must be referred to the OCG's Working With Children Check Directorate (WWCC Directorate). It is an offence for an employer to knowingly engage a child-related worker who does not hold a WWC clearance or who has a bar.

4.2 WORKING WITH CHILDREN CLEARANCE

A WWCC authorisation is under the WWC Act for a person to engage in child-related work.

4.2.1 Child-Related Work

Child-related work (including voluntary work) involves direct contact by the worker with a child or children and that contact is a usual part of and more than incidental to the work. Child related work includes but is not limited to, work in the following sectors;

- Providing services for children and young people under 18.
- Where the work normally involves being face to face with children.
- Where contact with children is more than incidental to the work.

Any queries about whether roles/duties engage in child-related work will be directed to the Principal.

4.2.2 Application/Renewal

An application or renewal of WWCC is made through Service NSW or its replacement agency. The procedure for applying for and renewing a WWCC clearance with the OCG involves a national police check, and a review of findings of misconduct. If the OCG grants or renews a WWCC clearance, the holder will be issued with a number which is to be provided to the College to verify the status of a staff member's WWCC clearance.

4.2.2.1 WWCC College Procedure

It is the responsibility of each person in child related work to maintain their WWCC clearance. Staff members whose WWCC clearance has expired are not permitted by law to enter the College to work.

The following is the College procedure for attaining, validating, maintaining and updating each person's WWCC clearance.

1. On application to the College, the candidate provides their full name, date of birth and Working With Children Check clearance number.
2. The Executive Assistant enters this information into the Office of the Children's Guardian's Employer Portal. This action generates a verification of the candidate's NSW Working With Children Status.
3. The verified NSW WWCC Status is printed and placed at the front of each personnel file and a PDF version saved in the Executive file in SharePoint.
4. Each person's WWCC clearance number, expiry date and the date the College received verification from the Office of the Children's Guardian is recorded, maintained and updated by the Executive Assistant on the Staff Register and administration system (Sentral).
5. The Executive Assistant actively monitors staff WWCC renewal dates by creating a list of staff names and expiry dates for the current year.
    a) The Executive Assistant emails the staff member 3 months before their WWCC clearance expires requesting action of renewal (this is additional to the direct emails staff members receive from OCG to renew their WWCC). Then fortnightly if no action has been taken.

    Note: All staff members are expected to act on the Executive Assistance email immediately to ensure their WWCC clearance is renewed well **before** the expiry date.

    b) One month before the expiry date if the staff member still has not renewed their WWCC, an Executive member speaks to them.
6. Staff forward the email received from the Office of the Children's Guardian of their renewed WWCC clearance to the Executive Assistant.
7. The Executive Assistant verifies the WWCC clearance through the Office of the Children's Guardian Employer Portal.
8. Once authenticated, the Executive Assistant updates all College records with the new expiry date and Office of the Children's Guardian verification date.
9. Staff update their eTAMS account with the new WWCC expiry date.

4.2.3 Refusal/Cancellation

The OCG can refuse to grant a WWCC clearance or cancel a WWCC. The person is then restricted from engaging in child-related work and not able to apply for another clearance for five years. Employers are notified by the OGC and instructed to remove such persons from child-related work.

4.2.4 Interim Bar

The OCG may issue an interim bar, for up to 12 months, to high-risk individuals to prevent them from engaging in child-related work while a risk assessment is conducted. If an interim bar remains in place for six months or longer, it may be appealed to the Administrative Decisions Tribunal.

Not everyone who is subject to a risk assessment will receive an interim bar; only those representing a serious and immediate risk to children.

4.2.5 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 cannot be granted a WWCC clearance and is therefore restricted from engaging in child related work.

4.3 ONGOING MONITORING

The OCG will continue to monitor criminal records and professional conduct findings of all WWCC holders through a risk assessment procedure.

4.3.1 Risk Assessments

A 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, pattern of behaviour or offences involving violence or sexual misconduct representing a risk to children and findings of misconduct involving children.

4.4 PROCEDURE FOR REPORTING TO THE OFFICE OF THE CHILDRENS GUARDIAN (OCG)

4.4.1 The College

Maronite College of the Holy Family as an independent educational institution is defined as a reporting body by the WWC Act (2012).

Therefore, the College is required to advise the OCG of the findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault, must be referred to the OCG's WWCC Directorate. Information must also be referred internally to the OCG's WWCC Directorate if it meets the threshold for consideration of an interim WWCC bar, as per Section 17 of the WWC Act (2012), pending a formal risk assessment.

The College may also be obliged to report, amend or provide additional information to the OCG as outlined in the WWC Act (2012) and the Children's Guardian Act (2019).

4.4.2 Finding Of Misconduct Involving Children

The College will report any finding of reportable conduct to the OCG.
When informing an employee of a finding of reportable conduct against them, the College will alert them to the consequent report to the WWCC Directorate in relation to sustained findings of sexual misconduct, a sexual offence or a serious physical assault.

The WWC Act (2012) enables a person who has a sustained finding referred to the OCG to request access to the records held by the College in relation to the finding of misconduct involving children once final findings are made. The entitlements of a person to request access to information in terms of Section 46 of the WWC Act (2012) is enlivened when a finding of misconduct involving children has been made.

4.4.3 Other Information

The College may also be required to provide information to the OGC that is relevant to an assessment of whether a person poses a risk to the safety of children or the OCG's monitoring functions.

5. MANDATORY REPORTING (Child Safe Standards 1, 3, 5, 6, 7)

The Care and Protection Act (the Care Act 1998) provides for mandatory reporting of children at risk of significant harm. A child is defined as a person under the age of 16 years and a young person, is aged 16 years or above but who is **under** the age of 18.

Under the Care and Protection Act (1998), mandatory reporting applies to persons who, in the course of their employment,

a) deliver services including health care; welfare, education, children's services and residential services, to children; or
b) hold a management position in an organisation, the duties of which include direct responsibility for, or
c) direct supervision of the provision of services including health care, welfare, education, children's services and residential services, to children.

All teachers and Executive Members at the Maronite College of the Holy Family are mandatory reporters as are other staff members. Any queries about whether other staff members are mandatory reporters will be directed to the Principal.

5.1 DEPARTMENT OF COMMUNITIES AND JUSTICE

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 the Department of Communities and Justice (DCJ) as soon as practicable. The report must include the name or a description of the child and the grounds for suspecting that the child is at risk of significant harm.

In addition, the College may choose to make a report to the DCJ where there are reasonable grounds to suspect a young person (16 or 17 years of age) is at risk of significant harm and there are current concerns about the safety, welfare and wellbeing of the young person.

Staff at the Maronite College of the Holy Family will meet their mandatory obligation when they report a Child Protection matter to the Principal. This then centralises the reporting and ensures that one person in the College has all of the information that may be relevant to the circumstances of the child at risk of significant harm and addresses the risk of the College not being aware of individual incidences that amount to cumulative harm.

5.1.1 Reasonable Grounds

'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.
- Disclosure from the child, young person, parent or another person.
- What can reasonably be inferred based on professional training and /or experience.

'Reasonable grounds' does not mean a person is required to confirm their suspicions or have clear proof before making a report.

5.1.2 Significant Harm

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

- The child's or young person's basic physical or psychological needs are not being met or are at risk of not being met.
- The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care.
- In the case of a child or young person who is required to attend school in accordance with the Education Act 1990, the parents or other caregivers have not arranged and are unable

or unwilling to arrange for the child or young person to receive an education in accordance with that Act.

- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated.
- The child or young person is living in a household where there have been incidents of domestic violence and as a consequence, the child or young person is at risk of serious physical or psychological harm,
- A parent or other caregiver has behaved in such a way towards the child or young person, that the child or young person has suffered or is at risk of suffering serious psychological harm.
- The child was the subject of a pre-natal report under Section 25 of the Care and Protection Act (1998) and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

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

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

The 'significance' can be the result of a single act or omission or an accumulation of these.

5.2 PROCEDURE FOR MANDATORY REPORTING

5.2.1 Staff Members

Staff members must raise concerns about a child or young person who may be at risk of significant harm with the Principal as soon as possible to discuss whether the matter meets 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, the staff member contacts the Police and/or the Child Protection Helpline (13 21 11) directly and then advise the Principal as soon as possible.

Important:
Staff members are *not* required to and *must not*, undertake any investigation of the matter. Staff members are *not permitted to inform the parents or caregivers* that a report to the DCJ has been made.

Staff members are required to deal with the matter confidentially and only disclose to the persons referred to above or as required to comply with mandatory reporting obligations.

Note: Failure to maintain confidentiality will not only be a breach of this Policy and the College Privacy Policy but could incite potential civil proceedings for defamation.

5.2.2 The College

The Principal will report these matters to the DCJ and where necessary, the Police**.** This is supported by the DCJ in accordance with best practice principles.

4.3 PROCUDRE FOR REPORTING CONCERNS ABOUT A STUDENT

5.3.1 Staff Members

The Care and Protection Act (1998) outlines a mandatory reporter's obligation to report to the DCJ concerns about risk of significant harm. However, to ensure centralised reporting, all staff members are required to report any concern regarding the safety, welfare and wellbeing of a student to the Principal. Staff members who are unsure as to whether a matter meets the threshold of 'risk of significant harm,' should report their concern to the Principal regardless.

(Refer to Appendix 2: Child Protection Concern and Complaint Form)

Staff members are required to deal with all reports regarding the safety, welfare or wellbeing of a student confidentially and only disclose it to the Principal and any other person the Principal nominates.

6. REPORTABLE CONDUCT (Child Safe Standards 1, 3, 5, 6, 7)

Section 29 of the Children's Guardian Act (2019) requires the Head of Entity, the Principal to notify the OCG of all allegations of reportable conduct and convictions involving an 'employee' and the outcome of the College's investigation of these allegations. Under the Children's Guardian Act (2019), allegations of child abuse only fall within the reportable conduct jurisdiction if the involved individual is an employee of the relevant entity at the time when the allegation becomes known by the Head of Entity.

Reportable Conduct:

- Involves a child (a person under the age of 18 years) at the time of the alleged incident.
- Involves certain defined conduct as described in the Children's Guardian Act (2019).

The OCG:

- Must keep under scrutiny the systems for preventing reportable conduct by employees of non-government schools and the handling of, or response to, reportable allegations (including allegations which are exempt from notification) or convictions.
- Must receive and assess notifications from non-government schools concerning reportable conduct or reportable convictions.
- Is required to oversee or monitor the conduct of investigations by non-government schools into allegations of reportable conduct or reportable convictions.
- Must determine whether an investigation that has been monitored has been conducted properly and whether appropriate action has been taken as a result of the investigation.
- May directly investigate an allegation of reportable conduct or reportable conviction against an employee of a non-government school, or the handling of or response to such a matter (e.g. arising out of complaints by the person who is the subject of an allegation).
- May investigate the way in which a relevant entity has dealt with, or is dealing with, a report, complaint or notification, if the OCG considers it appropriate to do so.

6.1 REPORTABLE CONDUCT

Under the Children's Guardian Act 2019, *reportable conduct* is defined as:

- A sexual offence.
- Sexual misconduct.
- An assault against a child.
- Ill-treatment of a child.
- Neglect of a child.
- An offence under Section 43B (failure to protect) or Section 316A (failure to report) of the Crimes Act 1900; and
- Behaviour that causes significant emotional or psychological harm to a child.

Reportable conduct does not extend to:

- 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
- The use of physical force that, in all the circumstances, is trivial or negligible and the circumstances in which it was used have been investigated and the result of the investigation has been recorded in accordance with appropriate procedures; or
- Conduct of a class or kind exempted from being reportable conduct by the Children's Guardian Act under Section 30.

6.2 DEFINITIONS

The following are definitions in regard to Reportable Conduct.

Sexual Offence: an offence of a sexual nature under a law of the State, another State, a Territory, or the Commonwealth, committed against, with or in the presence of a child, such as:

- Sexual touching of a child.
- A child grooming offence.
- Production, dissemination or possession of child abuse material.

Definitions of ***'grooming,'*** within Child Protection legislation, are complex. Under the Crimes Act, grooming or procuring a child under the age of 16 years for unlawful sexual activity is classed as a sexual offence. The Crimes Act (s73) also extends the age of consent to 18 years when a child is in a 'special care' relationship. Under Schedule 1(2) of the WWC Act, grooming is recognised as a form of sexual misconduct. The Children's Guardian Act 2019 and this Child Protection Policy reflect these definitions within the context of the Reportable Conduct Scheme (Division 2).

An alleged sexual offence does not have to be the subject of criminal investigation or charges for it to be categorised as a reportable allegation of sexual offence.

Sexual Misconduct: conduct with, towards or in the presence of a child that is sexual in nature (but not a sexual offence). The Act provides the following (non-exhaustive) examples:

- Descriptions of sexual acts without a legitimate reason to provide the descriptions.
- Sexual comments, conversations or communications.
- Comments to a child that express a desire to act in a sexual manner towards the child, or another child.

Note: Crossing professional boundaries comes within the scope of the scheme to the extent that the alleged conduct meets the definition of sexual misconduct. That is, the conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence).

Assault: an assault can occur when a person intentionally or recklessly (i.e. knows the assault is possible but ignores the risk):

- Applies physical force against a child without lawful justification or excuse – such as hitting, striking, kicking, punching or dragging a child (actual physical force); or
- Causes a child to apprehend the immediate and unlawful use of physical force against them such as, threatening to physically harm a child through words and/or gestures regardless of whether the person actually intends to apply any force (apprehension of physical force)

Ill-Treatment: is defined as conduct towards a child that is:

- Unreasonable and
- seriously inappropriate, improper, inhumane or cruel.

Ill-treatment can include a range of conduct such as making excessive or degrading demands of a child; a pattern of hostile or degrading comments or behaviour towards a child; and using inappropriate forms of behaviour management towards a child.

Neglect: is defined as a significant failure to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for a child that causes or is likely to cause harm by a person who has care and/or has responsibility towards a child.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child's physical or psychological needs, or a single significant incident where a caregiver fails to fulfill a duty or obligation, resulting in actual harm to a child where there is the potential for significant harm to a child. Examples of neglect include failing to protect a child from abuse and exposing a child to a harmful environment.

Emotional or Psychological: is behaviour that causes significant emotional or psychological harm to a child is conduct that is intentional or reckless (without reasonable excuse), obviously or very clearly unreasonable and which results in significant emotional harm or trauma to a child.

For a reportable allegation involving psychological harm, the following elements must be present:

- An obviously or very clearly unreasonable or serious act or series of acts that the employees knew or ought to have known was unacceptable, and
- Evidence of psychological harm to the child that is more than transient, including displaying patterns of 'out of character behaviour,' regression in behaviour, distress, anxiety, physical symptoms or self-harm, and
- An alleged causal link between the employee's conduct and the significant emotional or psychological harm to the child.

Reportable Allegation: is an allegation that an employee has engaged in conduct that may be reportable conduct.

Reportable Conviction: means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

Employee of the Maronite College of the Holy Family (the entity) includes;

- An individual employed by, or in, the Maronite College of the Holy Family.
- A volunteer providing services to children.
- A contractor engaged directly by the entity (or by a third party) where the contractor holds, or is required to hold, a WWCC clearance for the purposes of their work with an entity.
- A person engaged by a religious body where that person holds, or is required to hold, a WWCC clearance for the purposes of their work with the religious body.

ESOA: stands for **E**mployee **S**ubject **O**f the **A**llegation.

6.3 PROCEDURE FOR REPORTING REPORTABLE CONDUCT ALLEGATIONS OR CONVICTIONS

6.3.1 Staff Members

Any concerns about any other employee engaging in conduct that is considered inappropriate, or reportable conduct, or any allegation of inappropriate or reportable conduct made to the employee or about the employee themselves must be reported **directly to** the **Principal**. Where it is uncertain if the conduct is reportable conduct but is considered inappropriate behaviour, this too **must be reported** to the Principal.

Staff members must also report to the Principal when 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 the employee themselves.

If the allegation involves the Principal, the staff member must report to the Chairperson of the Board for the Maronite College of the Holy Family.

6.3.2 Parents, Carers and Community Members

Parents, carers and community members are encouraged to report any conduct that is, in their view, inappropriate, reportable or criminal conduct to the Principal or their delegate. All such reports will be dealt with in accordance with the College's Child Protection Procedures articulated in this document and the College's Complaint Handling Policy and Procedures.

(refer to Appendix 2: Child Protection Concern and Complaint Form)

6.3.3 College Principal

The Principal, as the Head of Entity under the Children's Guardian Act (2019), must:

- Ensure specified systems are in place for preventing, detecting and responding to reportable allegations or convictions.
- Must notify the Board immediately if a Child Protection incident occurs.
- Submit a 7-day notification form to the OCG within 7 business days of becoming aware of a reportable allegation or conviction against an employee of the entity (unless the Head of the Entity has a reasonable excuse).

The notification will include the following information:

1. A report has been received in relation to an employee of the College.
2. Type of reportable conduct.
3. The name of the employee.
4. The name and contact details of College and Principal.
5. Reportable allegation, whether it has been reported to Police.
6. If a report has been made to the Child Protection Helpline, that a report has been made.
7. The nature of the relevant Principal's initial risk assessment and risk management action.

The notice must also include the following, if known to the Principal.

1. Details of the reportable allegation or conviction considered to be a reportable conviction,
2. the date of birth and working with children number, if any, of the employee the subject of the report.
3. The police report reference number (if Police were notified).
4. The report reference number if reported to the Child Protection Helpline.
5. The names of other relevant entities that employ or engage the employee, whether or not directly, to provide a service to children, including as a volunteer or contractor.

Maximum penalty for failure to notify within 7 business days —10 penalty units.

6.4 PROCEDURE FOR INVESTIGATING AN ALLEGATION OF REPORTABLE CONDUCT

The Principal is responsible for ensuring that the following steps are taken to investigate an allegation of reportable conduct and notify the Board of an investigation.

6.4.1 Initial Steps

Once an allegation of reportable conduct against an employee is received, Principal will:

I. Determine whether it is an allegation of reportable conduct.
II. Assess whether the DCJ or the Police need to be notified (i.e., if reasonable grounds to suspect that a child is at risk of significant harm or a potential criminal offence). If they have been notified, seek clearance from these statutory agencies prior to the College proceeding with the reportable conduct investigation.
III. Notify the child's parents (unless to do so would likely compromise the investigation or any investigation by the DCJ or Police).
IV. Notify the OCG within 7 business days of receiving the allegation.
V. Carry out a risk assessment and take action to reduce/remove risk, where appropriate.
VI. Provide an initial letter to the ESOA advising that an allegation of reportable conduct has been made against them and the College's responsibility to investigate this matter under Section 34 of the Children's Guardian Act 2019.
VII. Investigate the allegation or appoint a person to investigate the allegation.

6.4.2 Investigation Principles

During the investigation of a reportable conduct allegation the Maronite College of the Holy Family will:

1. Follow the principles of procedural fairness.
2. Inform ESOA of the substance of any allegations made against them, at the appropriate time in the investigation, and provide them with a reasonable opportunity to respond to the allegations.
3. Make reasonable enquiries or investigations before making a decision.
4. Avoid conflicts of interest.
5. Conduct the investigation without unjustifiable delay.
6. Handle the matter as confidentially as possible; and
7. Provide appropriate support for all parties including the child/children, witnesses and the ESOA.

6.4.3 Investigation Steps

In an investigation the Principal or appointed investigator will generally:

1. Interview relevant witnesses and gather relevant documentation.
2. Provide a letter of allegation to the ESOA.
3. Provide the ESOA with the opportunity to provide a response to the allegations either in writing or at Interview.
4. Consider relevant evidence and make a preliminary finding in accordance with the OCG guidelines.
5. Inform the ESOA of the preliminary finding in writing by the Head of Entity and provide them with a further opportunity to respond or make a further submission prior to the matter moving to final findings.
6. Consider any response provided by the ESOA.
7. Make a final finding in accordance with the OCG guidelines.
8. Decide on the disciplinary action, if any, to be taken against the ESOA.
9. If it is completed, send the final report to the OCG within 30 days after having received the allegation, as per section 36 of the Children's Guardian Act 2019.
10. If the final report is unfinished within 30 days, the Head of Entity must provide, at minimum, an interim report to the OCG within 30 days of having received the allegation, as per section 38 of the Children's Guardian Act 2019.

Submission of an interim report must include;

a) A reason for not providing the final report within 30 days and an estimated timeframe for completion of the report.
b) Specific information, including (if known); the facts and circumstances of the reportable allegation; any known information about a reportable conviction; action taken since the OCG received a notification about the reportable allegation or reportable conviction. further action the Head of Entity proposes to take in relation to the reportable allegation or reportable conviction; including if the Head of Entity proposes to take no further action; the reasons for the action taken and the action proposed to be taken or the reasons for the decision to take no further action; other information prescribed by the regulations.
c) Be accompanied by copies of documents in the College's possession, including transcripts of interviews and copies of evidence.

The steps outlined above may need to be varied on occasion to meet particular circumstances. For example, it may be necessary to take different steps where the matter is also being investigated by the DCJ or Police.

An ESOA may have an appropriate support person with them during the interview procedure. Such a person is there for support only and as a witness to the proceedings and not as an advocate or to take an active role.

6.5 RISK MANAGEMENT THROUGHOUT AN INVESTIGATION OF A REPORTABLE CONDUCT ALLEGATION

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.

6.5.1 Initial Risk Assessment

Following an allegation of reportable conduct against an employee, the Principal conducts an initial risk assessment to identify and minimise the risks to:

- Child(ren) who are the subject of the allegation.
- Other children with whom the employee may have contact.
- The ESOA.
- The College.
- The proper investigation of the allegation.

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

- Nature and seriousness of the allegations.
- Vulnerability of the child(ren) the ESOA has contact with at work.
- Nature of the position occupied by the ESOA.
- Level of supervision of the ESOA.
- Disciplinary history or safety of the ESOA and possible risks to the investigation.

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

A decision to take action on the basis of a risk assessment is not indicative of the findings in the matter.

Until the investigation is complete, and a finding is made, any action, such as an employee being suspended, is not considered as an indication that the alleged conduct by the employee did occur.

6.5.2 Ongoing Risk Assessment

The Principal will continually monitor risk during the investigation including in the light of any new relevant information that emerges.

6.5.3 Findings

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 ESOA, the child(ren) involved and any other parties.

6.5.4 ESOA Information

The ESOA will be advised:

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

The ESOA 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 OCG notification form or other investigation material that reveals information provided by other employees or witnesses.

The WWC Act enables a person who has a sustained finding referred to the OCG to request access to the records held by the College in relation to the finding of misconduct involving children once final findings are made. The entitlements of a person to request access to information in terms of section 46 of the WWC Act is enlivened when a finding of misconduct involving children has been made.

6.5.5 Disciplinary Action

As a result of the allegations, investigation or final findings, the College may take disciplinary action against the ESOA (including termination of employment).

In relation to any disciplinary action, the College will give the ESOA:

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

6.5.6 Confidentiality

It is important when dealing with allegations of reportable conduct that the matter be dealt with as confidentially as possible.

The College requires that all parties maintain confidentiality during the investigation including in relation to the handling and storing of documents and records.

Records about allegations of reportable conduct against employees will be kept in a secure folder in SharePoint and will be accessible by the Principal (Head of Entity – Sr Margaret Ghosn), Head of Risk and Compliance and Deputy Principal - Wellbeing.

No employee may comment to the media about an allegation of reportable conduct unless expressly authorised by the Principal to do so.

Staff members who become aware of a breach of confidentiality in relation to a reportable conduct allegation must advise the Principal.

7. CRIMINAL OFFENCES (Child Safe Standards 5, 6, 7)

In 2018 the Crimes Act was amended to adopt recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse*. The new offences are designed to prevent child abuse and to bring abuse that has already occurred to the attention of the Police.

7.1 FAILURE TO PROTECT OFFENCE (Crimes Act 1900 – NSW)

An adult working in a school, therefore all staff members, will commit an offence if they know another adult working there poses as serious risk of committing a child abuse offence and they have the power to reduce or remove the risk, and they negligently fail to do so either by acts and/or omissions.

This offence is targeted at those in positions of authority and responsibility working with children who turn a blind eye to a known and serious risk rather than using their power to protect children.

7.2 FAILURE TO REPORT OFFENCE (Crimes Act 1900 – NSW)

Any adult, and therefore all staff members, will commit an offence if they know, believe or reasonably ought to know that a child abuse offence has been committed and fail to report that information to Police, without a reasonable excuse. A reasonable excuse would include where the adult has reported the matter to the Principal and is aware that the Principal has reported the matter to the Police.

7.3 SPECIAL CARE RELATIONSHIPS (Crimes Act 1900 – NSW)

It is a crime in NSW for a staff member, volunteer or contractor to have a sexual relationship with a student where there is a special care relationship. The Act provides that a young person is under an adult's special care if the adult is a member of the teaching staff of the College at which the young person is a student; or has an established personal relationship with the young person in connection with the provision of religious, sporting, musical or other instruction.

The Special Care (sexual intercourse) offence under s73 was supplemented by an additional special care offence involving sexual touching now under s73A of the Crimes Act. The new offence under s73A will expand special care offences to also apply to non-penetrative sexual touching. The offence will protect children aged 16-17 years from inappropriate sexual contact with teachers and others who have special care of the child.

8. RECORDS and RETENTION (Child Safe Standard 1, 6, 7, 9, 10)

The Principal and Head of College monitor the compliance of this Policy, procedural practices and securely maintain College records pertaining to staff, relevant to this Policy such as:

1. Staff Register which includes;
    a) Staff name and date of birth (for verification)
    b) NESA Number and Accreditation Level (teaching staff)
    c) Qualifications
    d) Working With Children Check Clearance number and expiry date.
    e) WWCC verification date from the Office of the Children's Guardian.
    f) Child Protection annual Professional Development Certificates of completion.
    g) Staff members signed 'Acknowledgment' they have read the College Child Protection Policy and Procedures and understand their legal and moral obligations to care and protect all students (annually).
    h) Privacy Policy and Procedures signed acknowledgement (annually).
    i) Staff ICT User Policy and Procedures agreement (annually).
    j) Conflict of Interest signed declaration (annually).
    k) Dissemination of College Policies and Procedures signed acknowledgment.
    l) Acknowledgement of Induction
2. Mandatory reports to the Department of Communities and Justice (DCJ).
3. Reports of reportable conduct allegations, the outcome of reportable conduct investigations, and/or criminal convictions.
4. Permanently retaining all documented evidence pertaining to staff misconduct for the purpose of historical claims.
5. All College Policies and Procedures are reviewed in accordance with the NESA Act. College Procedures are reviewed within a two-year period, earlier when legislation and regulations change or when changes and/or improvements are made by the College.
6. All College Policies and Procedures are saved in SharePoint and backup regularly.
7. College Policies and Procedures pertaining to Child Safety and Protection are retained in accordance with NSW Record Keeping Requirements (refer to the College's *Record Management Policy).*

9. RESOURCES (Child Safe Standard 2, 3, 5, 8)

kidshelpline
Anytime | Any Reason

www.kidshelp.com.au

Beyond Blue

Children and Young Adults 5 years to 25 years old.

www.beyondblue.com.au

Kids Help Line is Australia's only free, confidential and anonymous, 24-hour telephone and online counselling service specifically for young people aged between five and eighteen. The 24-hour, toll-free telephone number is 1800 55 1800.

CHILD PROTECTION POLICY AND PROCEDURE

AGREEMENT

This agreement outlines the commitment of the staff members at Maronite College of the Holy Family to adhere to the Child Protection Policy and Procedures of the College By signing below, you agree to uphold the highest standards of care and vigilance in safeguarding the welfare and wellbeing of all students under the care of the College.

1. **Understanding and Compliance:** I, _____ acknowledge that I have read, understood, and agree to comply with the Child Protection Policy and Procedures of Maronite College of the Holy Family. I understand that failure to comply with this Policy and Procedure may result in disciplinary action, up to and including termination of employment.

2. **Reporting Obligations:** I understand that I have a legal and ethical obligation to report any concerns or suspicions regarding the welfare of children to the Principal. I will promptly report any observed or suspected instances of abuse, neglect or harm, in accordance with the reporting procedures outlined in the College's Child Protection Policy.

3. **Confidentiality:** I understand the importance of maintaining confidentiality in all matters related to child protection. I will not discuss or disclose information related to child protection concerns except to the Principal or Principal's delegate as the authorised individual as required by law.

4. **Training and Awareness:** I agree to participate in all mandatory training sessions and workshops related to child protection provided by the College. I will continuously educate myself on best practices and procedures for safeguarding children and remain vigilant in identifying signs of abuse or neglect.

5. **Professional Conduct:** I will conduct myself in a professional manner at all times when interacting with students, their families, or other staff members. I will treat all students with respect, dignity and sensitivity to their individual needs and backgrounds.

6. **Collaboration and Support:** I will collaborate with other staff members, as well as external agencies and authorities, to ensure the safety and wellbeing of students within the College community.

7. **Review and Acknowledgment:** I understand that the Child Protection Policy and Procedures may be updated or revised periodically, and it is my responsibility to stay informed of any changes. I acknowledge that I have received a copy of the current Policy and Procedure, and I agree to abide by its terms and conditions.

By signing below, I affirm that I have read, understood, and agree to comply with the Child Protection Policy and Procedures of Maronite College of the Holy Family.

Staff Member's Signature: _____

Date: _____

CHILD SAFE CODE OF CONDUCT COMMITTMENT

All paid and unpaid staff, including volunteers, contractors and trainees at Maronite College of the Holy Family are responsible for the safety and wellbeing of children and young people who engage with Maronite College of the Holy Family. All paid and unpaid staff are expected to act in accordance with this Child Safe Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

I will:	• Act in accordance with Maronite College of the Holy Family child safety and wellbeing policies and procedures at all times. • Behave respectfully, courteously and ethically towards students and their families and towards other staff. • Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well. • Promote the human rights, safety and wellbeing of all students at Maronite College of the Holy Family. • Demonstrate appropriate personal and professional boundaries. Refer to *Staff Code of Conduct Policy.* • Consider and respect the diverse backgrounds and needs of students. • Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all students and their families. • Involve students in making decisions about activities, policies and processes that concern them wherever possible. • Contribute, where appropriate, to Maronite College of the Holy Family policies, discussions, learning and reviews about child safety and wellbeing. • Identify and mitigate risks to student's safety and wellbeing as required by Maronite College of the Holy Family risk assessment and *Risk Management Policy* and/or process. • Respond to any concerns or complaints of student's harm or abuse promptly and in line with Maronite College of the Holy Family's policy and procedure for receiving and responding to complaints in accordance with the College's *Complaints Handling Policy & Procedures for All Stakeholders* and *Child Protection Policy & Procedures* (Refer to Appendix 3). • Report all suspected or disclosed child harm or abuse as required by Children& Young Persons (care and protection) Act (NSW) and in accordance with Maronite College of the Holy Family's *Child Protection Policy & Procedures* on internal and external reporting (Refer to Appendix 3). • Comply with Maronite College of the Holy Family protocols on communicating with students. Refer to *Staff ICT User Agreement, Staff Code of Conduct Policy and MCHF Staff Handbook.* • Comply with Federal and NSW legislation and Maronite College of the Holy Family policies and procedures on record keeping and information sharing.

I will <u>NOT</u>:	• Engage in any unlawful activity with or in relation to a child. • Engage in any activity that is likely to physically, sexually or emotionally harm a student. • Unlawfully discriminate against any child or their family members. • Be alone with a student unnecessarily. Refer to *Staff Code Of Conduct.* • Arrange personal contact, including online contact, with any student for a purpose unrelated to Maronite College of the Holy Family activities. • Disclose personal or sensitive information about a child, including images of a child, unless their parent or legal guardian consent or unless I am required to do so by Maronite College of the Holy Family policy and procedure on reporting. • Use inappropriate language in the presence of children, or show or provide children with access to inappropriate images or material in accordance with the College *Staff ICT User Agreement.* • Cross professional boundaries that can be construed as personal rather than professional interaction and/or relationship with any student. • Work with children while under the influence of alcohol or prohibited drugs. • Ignore or disregard any suspected or disclosed child harm or abuse.
If I think this Code of Conduct has been breached by another person at Maronite College of the Holy Family I will:	• Act to prioritise the best interests of students. • Take actions promptly to ensure that all students are safe. • Promptly report any concerns to the Principal or Head of Risk and Compliance at Maronite College of the Holy Family. • Follow Maronite College of the Holy Family policies and procedures for receiving and responding to complaints and concerns. Refer to *Complaints Handling Policy and Procedures for All Stakeholders* and Appendix 3. • Comply with Child protection legislative requirements on reporting if relevant, and with Maronite College of the Holy Family policy and procedure on internal and external reporting. In accordance with the College *Child Protection Policy and Procedures.*
I agree to abide by this Code of Conduct during my employment with Maronite College of the Holy Family. **I understand that any breach of this Code of Conduct may lead to disciplinary action or termination of my employment with Maronite College of the Holy Family.**	Full Name: …… Signature: …… Date: ……

CHILD PROTECTION CONCERN and COMPLAINT FORM

CONFIDENTIAL

This form will be used to record a suspicion, allegation or disclosure of child abuse or a complaint of inappropriate behaviour.

Your name and position	
Name of the child or young person involved	
Name of person making complaint	
Name of person who the complaint was made against	

1. Nature of the complaint – include time, date, location and what happened (this can include observations of the child's behaviour).

2. Details of any injuries and if the child received any medical attention.

3. Accurately record what the child said when describing what happened.

   (In the case of an allegation of abuse, formal investigations and interviews will be carried out by Family and Community Services and/or NSW Police. You must record what the child has said but unless it is your role to investigate, you will not interview the child).

4. Details of anyone who saw what happened.

5. Does this complaint indicate the possibility of child abuse, i.e., physical abuse, sexual abuse, or neglect?

   ☐ Yes ☐ No

6. Who did you make a report to?

   o The Principal

   o Member of the Executive Team (state the member's name _____)

   o Police (000 ask for Police)

   o Department of Communities and Justice

7. People spoken to:

8. Date(s):

REFERENCES

NSW Department of Communities and Justice
https://www.dcj.nsw.gov.au

The Office of the Children's Guardian
https://www.kidsguardian.nsw.gov.au

Department of Premier and Cabinet – Keep Them Safe
www.keepthemsafe.nsw.gov.au

Australian Independent Schools New South Wales (AISNSW)

RELATED LEGISLATION & REGLUATIONS

Education Act 1990 (NSW)
Education Regulations 2017
Working with Children Act 2012 (NSW)
Children's Guardian Act 2019 (NSW)
Children & Young Persons (care and protection) Act 1998 (NSW)
Child Protection Standards 2022
Crimes Act 1900
Commonwealth Privacy Act 1988
Privacy Principles (Australia)
Privacy and Personal Information Act 1998 (NSW)

RELATED MCHF POLICIES

Enrolment Policy & Procedures
Student Wellbeing Policy & Procedures
Student Behaviour Management Policy & Procedures
Student Attendance Policy & Procedures
Employment Relations Policy & Procedures
Staff Code of Conduct Policy
Privacy Policy & Procedure
Medical Policy & Procedures
Complaints Handling Policy & Procedures for All Stakeholders
Whistle Blowing Policy
Record Management Policy & Procedure
Staff ICT Acceptable Use Policy
Student ICT Acceptable Use Policy
Student BYOD Policy
Anti-Bullying Policy & Procedures
External Provider Policy
Parental Code of Conduct Policy

POLICY OWNERSHIP: PRINCIPAL			
POLICY DATES (CHILD SAFE STANDARD 9 & 10)			
Implemented	February 2015	***Reviewed***	11/03/ 2020; 22/06/2022; 7/02/2023; 3/05/ 2023, 30/11/2023; 11/06/2024; 19/06/2025, 17/01/2026
Next Policy Review Due	November 2028		

POLICY AUTHORISATION		
PRINCIPAL Sr Margaret Ghosn	**SIGNATURE**	**DATE** 28/06/2024, 19/06/2025, 17/01/2026

POLICY DETAILS

Policy Number: 0012
Policy Version: 0003; 0004; 0005; 0006; 0007, 0008, 0009, 0010
Reference: AIS Child Protection Policy for NSW Independent Schools accessed 2020 and 2022
Incorporated amendments: Moore's Legal (Moores-P. FID93152) 21 November 2019
College Authority:
Howayek Providence Limited, Chairman of the College Board: Mr George Khouri

Tracked Changes:

2022 Version 0004: Updated key changes to Reportable Conduct Scheme such as, Children's Guardian Act 2019 effective 1 March 2020 and Office of the Children's Guardian (OCG) now responsible for 'Reportable Conduct Scheme' and WWCC. New terminology and changes in timeframe for OCG for both notifications and investigation reports 2020. Change to Department of Communities and Justice (DCJ) 2022, previously known as Family and Community Services for mandatory reporting. Inclusion of appendices Appendix 1 Staff Acknowledgement 2022 and Appendix 2 Confidential Concern and Complaint form 2022. Inclusion of the Ten Child Safe Standards, effective March 2022.

2023 Version 0005: Updated College leadership titles. Included new College Vision, Mission, Motto and Ethos.

2023 Version 0006: Included College Procedure for WWCC and authentication process.

2023 Version 0007: Included notification to College Board.

2024 Version 0008: Updated Mission & Vision Statements. Changed Child Protection Policy & Procedure Staff Agreement to be more explicit and detailed. Change College emblem.

2025 Version 0009: Inclusion of Policy Ownership and College values. Additional appendix *Child Safe Code of Conduct Commitment* for paid and unpaid staff and as a separate document Number 0012A.

2026 Version 0010: Updated the Principal's title and *Child Safe Code of Conduct* (Staff Commitment).

Attachments: Appendix 1 Child Protection Policy and Procedure Staff Agreement
Appendix 2 Child Safe Code of Conduct (Staff Commitment)
Appendix 3 Child Protection Confidential Concern and Complaint Form