

# Westmead Christian Grammar School

## Policy for Child Protection

Westmead Christian Grammar School is committed to the implementation of child protection regulations, as revised from time to time, in order to exercise a high level of care towards all students. To this end, Westmead Christian Grammar School staff will be trained regularly including annual training, staff inductions and staff meetings, in this area in order to avoid any naively fostered climate or environment which impede the management of the risk of harm towards a child. Annual training is for all staff employed by Westmead Christian Grammar School, and documentary evidence is collected including dated sign-in sheets and training notes. Documentation is stored in the Executive office and maintained by the Deputy Principal and Principal. The training covers a minimum of mandatory reporting, reportable conduct, responding to reportable matters, and school expectations. Child Protection training will be provided for absent staff, within one month of delivery, or upon return, and to new staff members at induction, prior to the commencement of duties within the school. Westmead Christian Grammar School fosters the development of relationships and environments where children are free to access support and assist focused on maintaining their health and safety. The school's Child Protection Policy aims to assist staff members to uphold an irreproachable standard in their duty of care, for the sake of the welfare of students. In accordance with current legislation, and the procedures cited therein, Westmead Christian Grammar School is committed to dealing with all reportable conduct promptly and appropriately.

### Introduction

Westmead Christian Grammar School recognises child abuse and neglect as complex and real issues within Australian society. 'Child Abuse is the non-accidental harm or sexual exploitation of children.' (NSW Commission for Children and Young People, 2000). All members of Westmead Christian Grammar School have the right to develop physically, emotionally, intellectually, spiritually and socially, free from the risk of harm. We are committed to protecting and educating the students of Westmead Christian Grammar School about the issues surrounding child protection. We aim to:

- Protect all students from the risk of harm.
- Promote the wellbeing of all students of Westmead Christian Grammar School.
- Assist all students to seek help effectively.
- Develop skills for positive, non-coercive, non-threatening relationships.
- Develop awareness of the issues associated with child abuse and neglect.
- Educate students about child abuse and neglect.
- Provide an atmosphere where children are free to communicate about issues such as child abuse and neglect.
- Provide guidelines and procedures for staff.

### Background to Child Protection Legislation

Common Law:

- Duty of Care
- Legitimate Expectations
- Procedural Fairness

Systems Abuse:

- *The Royal Commission into the NSW Police Service – The Paedophile Inquiry (Hon Justice JRT Wood)* released its final report in 1997, which highlighted the following critical deficiencies in the duty of care of systems (institutions) involved with children's care and protection:
  1. There had been a tendency among institutions to refrain from addressing the subject.
  2. Institutions tended to deal with the subject by protecting their own name and status, rather than being concerned about the welfare of children.
  3. There has been a lack of coordination among agencies committed to the welfare of children.
  4. There could be a conflict of interest between an employee and a child who has brought an allegation of abuse.



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### Current State Legislation:

As a result of *The Paedophile Enquiry*, and with a view to dealing with the issue of child abuse in institutions, the following Acts of Parliament and subsequent Amendment Acts have been refined:

1. **Children and Young Persons (Care and Protection) Act 1998 (focusing on the child)** as amended by:
  - **Children and Young Persons (Care and Protection) Amendment (Parental Responsibility Contracts) Act 2006,**
  - **Children and Young Persons (Care and Protection) Amendment Bill 2009 (further reform),** and
  - **Children Legislation Amendment (Wood Inquiry Recommendation) Act 2009.**

Prescribes the role of the Department of Communities and Justice (transferred from the Department of Communities) in child protection. Mandates that employees have an obligation to report a child who is considered “at risk of significant harm”.

2. **Child Protection (Offenders Registration) Act 2000 (NSW)** Establishes the **Child Protection Register** for recording information of registrable persons in relation to child abuse.
3. **Commission for Children and Young People Act 1998 (NSW) (focusing on employees)** as amended by:
  - **Commission for Children and Young People Amendment Act 2007 (NSW)**

Establishes the **NSW Commission for Children and Young People**. Mandates the **employment screening** of preferred applicants for certain child-related employment. Retains records of disciplinary proceedings as a result of an allegation/conviction of abuse of an employee.

4. **Ombudsman 1974 (NSW) (focusing on employees)** as amended by:
  - **Ombudsman Amendment (Child Protection and Community Services) Act 1998**

Confers to the NSW Ombudsman the responsibility for **monitoring the handling of child abuse allegations and convictions against employees** of both government and certain non-government agencies.

Provides for the NSW Ombudsman to determine whether an investigation into a child abuse allegation and a conviction against an employee was properly conducted, and whether appropriate action was taken as a result of the investigation.

5. **Children’s Guardian Act 2019:**

The Children’s Guardian will be responsible for administering the reportable conduct scheme and the community visitors’ scheme (transferred from the NSW Ombudsman) including the embedding of the child safe standards from February, 2022.

6. **Crimes Act 1900 (NSW)**
7. **Family Law Act 1975 (Commonwealth)**
8. **Child Protection (Working with Children) Act 2012** relating to working with children check clearances for all persons at the Westmead Christian Grammar School in child-related work.

### Other Related Commonwealth Legislation:

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Disability Standards for Education 2005
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

### Wider Legal Context:

- Anti-Discrimination Act 1977
- Children and Young Persons (Care and Protection) Act 1998
- Commission for Children and Young People Act 1998
- Education Act 1990
- Health Records and Information Privacy Act 2002
- Government Information (Public Access) Act 2009
- Industrial Relations Act 1996
- Ombudsman Act 1974
- Public Finance and Audit Act 1983
- Public Interest Disclosures Act 1994
- Work Health and Safety Act 2011



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### Implication of Legal Context:

Laws grant rights to and impose duties and obligations on individuals. Some laws apply to staff and students and others beyond in the home and community. The rights which are granted, and duties and obligations imposed are not separate but co-existent and connected and they do not discount one another and are there as a mandatory protection mechanism not a choice to take up if it suits. Underlining all the issues surrounding the legal context is the need to remain fair procedurally. This involves not only awareness of systems, laws and strategies relating to management of risk but also the effective procedure of complaint management. Westmead Christian Grammar School is committed to the process and the aim of protecting children and endeavours to document all issues which arise in order to provide transparent management of child protection issues and complaint management.

NB: This policy is to be read in conjunction with the Working with Children Check policy of Westmead Christian Grammar School.

### Biblical Basis for Policy Statement

Westmead Christian Grammar School has as its mission to bring people to the saving knowledge of Jesus Christ, through the provision of Christ-centered education. The school's mission is enforced partly through its perspective on child abuse as outlined below:

1. Abuse violates a number of scriptural commands.
  - a. Recognise that children are a gift from God (Psalm 127:3).
  - b. Treat each other with absolute respect (1 Timothy 5:1-2).
  - c. Sexual abuse is abuse and is not sexual expression (1 Thessalonians 4:3-5).
  - d. Not cause children to be provoked to anger or sin (Ephesians 6:4; Matthew 18:5-6; 19:14).
2. We have a duty of care towards all members of the community.
  - a. The law imposes a duty of care responsibility to schools. This responsibility to exercise duty of care ultimately derives from the second Great Commandment "You shall love your neighbour as yourself" (Matthew 18:1-16; 19:19). Paul applies this proposition to the Roman church in Romans 12:17 where he writes, 'be careful to do what is right in the eyes of everybody'.

### Definitions

#### Child

- An individual under the age of 16 years old

#### Young Person

- An individual who is aged 16 or above but who is under the age of 18

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- Is the collective responsibility of the whole of government and community

#### 'Significant Harm'

- Sufficiently serious to warrant response by a statutory agency irrespective of a family's consent. Not minor or trivial. May reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well-being. May be single act or omission or an accumulation of these

#### Reportable Conduct

- Mandatory reporting threshold has been adjusted to 'significant harm' and the penalty for not reporting was deleted under changes based on the Wood commission recommendations. Mandatory reporters are never prohibited from reporting to The Department of Communities and Justice, as the safety and well-being of a child is considered paramount. The mandatory reporters decision tree should be used to assess whether there is 'risk of significant harm' to a child. It is understood that sometimes the decision tree does not always fit the scenario and therefore the agency leader can be consulted at any time. 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 1990, and
  - Behaviour that causes significant emotional or psychological harm to a child.



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### Mandatory Reporters

- Mandatory reporters are defined in NSW legislation. They are those who deliver the following services to children as part of their paid or professional work:
  - Health care,
  - Welfare,
  - Education (including teachers),
  - Child's services,
  - Residential services, and
  - Law enforcement.

Any person with direct responsibility to provide the above-mentioned services must report risk of significant harm to children. Managers, including both paid employees and volunteers, who supervise direct services are also mandated to report. Mandatory reporters are not obliged to report risk of significant harm to unborn children or young people (those aged 16-18 years), however they are encouraged to make a report if it is appropriate. The penalty for failure to report, as a mandatory reporter, was removed in January 2010. A mandatory reporter guide has been developed to assist and it can be found at: <https://reporter.childstory.nsw.gov.au/s/article/Process-For-Completing-Mandatory-Reporter-Guide>.

### Decision Tree Structure

- A series of yes and no answer questions with termination points which outline the course of action to be taken. Examples found for each area can be found at <https://reporter.childstory.nsw.gov.au/s/article/Guide-To-Selecting-A-Decision-Tree>.

The steps in answering the questions can include:

- Consider what you already know,
- Read the definition,
- Do you have information that meets threshold for 'YES' response?, and
- Focus only on the one question at a time.

### Exchange of Information (under Chapter 16A)

- The CYP Act, Chapter 16A, provides schools with greater ability to obtain information which is relevant to the wellbeing of the children in its care.

Schools are permitted to request information relating to the safety, welfare or wellbeing of a child or children in order to assist the school to:

- Make a decision, assessment or plan, or
- Initiate or conduct any investigation, or
- Provide any service relating to the safety, welfare or wellbeing of a child or children, or
- Manage any risk to a child or class of children.

If a school receives a request for information by another prescribed body, it must comply with the request if it is relating to any of the matters outlined in the previous point. A school must not use information provided to it or disclose information which is not associated with safety, welfare or wellbeing of a child or class of children. It is not necessary for a risk of significant harm to a particular child or young person to be identified before the information can be exchanged. However, at a minimum, general issues of safety, welfare or wellbeing of a child or children are required to be determined.

School must comply with a request for information from a prescribed body, unless the provision of the information would:

- Prejudice a criminal investigation or coronial inquest,
- Prejudice care proceeding,
- Contravene legal professional or client legal privilege,
- Enable the existence or identity of a confidential source of information in relation to the enforcement or administration of a law to be ascertained,
- Endanger a person's life or physical safety, or
- Not be in the public interest.

A school may also provide information about a former employee or request information relating to employment applicants if there is an existing concern that there may be risk to the safety, welfare or wellbeing of a child. If a school dismisses an employee, or an employee resigns, and the school reasonably believes that the former employee may present a risk to the safety, welfare or well-being of a child or class of children, any confidentiality agreement the school and the former employee entered into prohibiting the disclosure of the



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circumstances of that employee's termination will not have effect, to prevent the disclosure of that information. This is regardless of whether the agreement was entered into before or after the commencement of Chapter 16A of the *CYP Act*. It also includes an obligation to provide information to a new employer. Information requested could include the following:

- A child or young person's history or circumstances,
- A parent or other family member,
- People having a significant or relevant relationship with a child or young person or a group of children or young persons, such as a teacher, or
- The other agency's dealings with the child or young person, including past support or service arrangements or with a teacher or other staff member that it previously employed.

Steps to requesting information, include:

- Explaining how the request for information relates to the safety, welfare and wellbeing of a child or class of children,
- Explaining why the information is needed to make a decision about service provision or to manage any risk to the child or class of children,
- Identifying the subject of the information request and identifying the subject's relationship to the child or class of children,
- Ascertaining the specific identity of the person who is the subject of the request for information,
- Providing a background to the request (including consent or lack of consent),
- Providing a timeframe for a response, or
- Providing the specifics (if possible) for the information required.

Other prescribed bodies, include:

- NSW Police Service,
- Other schools,
- State government department or public authority,
- TAFE,
- State public health organisation,
- Private hospitals in NSW,
- Private fostering agency or adoption agency,
- A body that conducts a residential childcare or childcare service,
- Any other organisation that has direct responsibility for, or supervision of, the provisions of healthcare, welfare, education, children's services, residential services, or law enforcement to children,
- An organisation that arranges provision of out-of-home care, and
- Department of Communities and Justice.

For further information refer to [www.community.nsw.gov.au/kts/guidelines/info-exchange/provide-request](http://www.community.nsw.gov.au/kts/guidelines/info-exchange/provide-request).

### Sexual Offence

- Sexual intercourse; age of consent has been raised to 18 years by s.73 of the Crimes Act.

### Sexual Misconduct

- Inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, unwarranted and inappropriate touching, sexual exhibitionism, personal correspondence (including telephone electronic communication, e.g. emails and text messages), exposure of children and young people to sexual behaviour of others, possession of child pornography (a crime), watching children undress, when supervision is not required or justified.

To be reportable – alleged misconduct must have been committed against, with, or, in the presence of a child.

### Grooming Behaviour

- Persuading the child that a special relationship exists; spending inappropriate special time with the child, inappropriately giving gifts, showing special favours to them but not other children, allowing the child to overstep the rules, etc.
- Testing of boundaries – undressing in front of the child, allowing the child to sit on the lap, talking about sex, 'accidental' touching, for example, of the genitals, etc.

### Physical Assault

- *Under common law principles, physical assault of a child must include all three of the following elements:*
  - It is an act committed on or towards a child,



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- It involves either the application of force to a child or an act that causes a child to think that immediate force will be used on them, and
- It is either hostile or reckless (a reckless act is one where a person would reasonably foresee the consequence of or likelihood of inflicting injury or fear, and ignores the risk).

### Ill Treatment

- For example, excessive punishment.

### Neglect

- For example, failing to meet the child's physical, emotional or safety needs resulting in harm or potential to cause harm.

### Behaviour that Causes Psychological Harm

- For example degrading or belittling, harsh criticism or shaming, isolating by comment or restriction, exploiting or corrupting, persistent failure to care for and support. In addition, there must be evidence that the person's (subject of allegation) behaviour has psychologically harmed the child. This might include, destroying the confidence of the child, resulting in significant emotional trauma and deprivation. *N.B.: There must be reportable conduct, significant emotional trauma or harm and a causal link between behaviour and harm.*

### Physical Abuse

- Refers to non-accidental injury and/or harm to the child or young person by a parent, caregiver or another person (including teachers) responsible for the child or young person. Includes harm or injuries caused by excessive discipline, severe beating or shaking, bruising, lacerations or welts, burns, fractures or dislocations, female genital mutilation, attempted suffocation or strangulation and death.

### Emotional Abuse

- Encompasses a range of behaviours that may psychologically harm a child or young person. Behaviour by a parent, caregiver or older child that can destroy the confidence of a child or young person resulting in emotional deprivation or trauma. Involves impairment of a child or young person's social, emotional, cognitive or intellectual development and/or disturbance of the child/young person's behaviour.

### Sexual Abuse

- Includes any act or sexual threat imposed on a child or young person. Adults or adolescents or older children who sexually abuse children or young people and exploit their dependency and immaturity. Coercion that may be physical or psychological is intrinsic to child sexual abuse and differentiates child sexual abuse from consensual peer sexual activity.

### Employee

- Anyone employed by the agency, whether or not they work directly with children. Anyone from outside the agency engaged to provide services to children, such as contractors, clergy and religious employees, volunteers, student placements and foster carers. *Note: A person is engaged if the agency provides the person with work; gives them a brief about the services needed; is able to terminate their involvement with the agency.*

### Allegation

- An allegation of reportable conduct against a person that may involve child abuse. *Note: The allegation does not have to happen as a result of the person's employment but can arise anywhere. In all cases, the OCG must be notified.*

### Conviction

- Any conviction of a person, in this State or elsewhere, of an offence involving child abuse, and includes a finding by a court that a charge for such an offence is proven even though the court does not proceed to a conviction.

### Head of Agency

- The Chief Executive Officer or other Principal Officer of the agency. The Principal is the HOA of a school.

### Registrable person

- A person who has been found guilty of a registrable offence against children under the *Child Protection (Offenders Registration) Act 2000*.

### Person Subject of Allegation

- The person against whom an allegation of reportable conduct has been made. The person must be a current employee of a designated agency or public authority or have been an employee at the time that the allegation was made and must be identifiable. This does not necessarily mean identified by name, as a person may be identifiable by other information including their description and work.

### Employment Proceedings

- Disciplinary proceedings completed in NSW or elsewhere where an employer has found



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- Reportable conduct, or,
- That an act of violence committed by an employee in the course of employment and in the presence of a child has occurred, or there is some evidence it occurred, however, the finding is inconclusive.

### Vexatious

- In relation to employment proceedings, when enquiries into the matter find that the allegation was made without substance and with the intent of being malicious to cause distress to the person against whom the allegation was made.

### Duty of Care

- It is not the duty of staff to prevent all injury or harm, but it is the responsibility to apply common sense in each situation in order to manage the risk of harm for students and others within the school community. In this respect, action should be taken to limit any foreseen risk. This involves the outline of:
  - Reasonable steps for safety and supervision,
  - Creation and management/implementation of risk assessment documentation, and
  - Training and development of staff and students in the management of risk.

Please note, reportable conduct does not extend to:

- Conduct that is reasonable for the purpose 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 professional standards,
- 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 results of the investigation has been recorded in accordance with appropriate procedures, or
- Conduct of a class or kind that is exempted from being reportable conduct by *The Children's Guardian Act* under section 30.

In the context of the above, the terms – *trivial* and *negligible* – carry the ordinary everyday meaning.

The Act lists some examples of conduct that would not constitute reportable conduct namely:

- Touching a non-intimate part of a child's body in order to attract a child's attention, to guide a child or comfort a distressed child,
- A teacher raising his or her voice to attract attention or to restore order in the classroom, and, conduct that is established to be accidental,
- Providing appropriate medical care,
- Guiding a child by the shoulders, arms or hands,
- Not providing supervision when this was for good reason, and for a short period of time and when the risk of harm was reasonable perceived at the time to be low, and
- Action found to be appropriate physical contact in classes such as sport, drama, dance, etc.

### Safe and Supportive Environment

The school is required to maintain a safe and supportive environment, for students and staff members, at all times. Requirements for a safe and supportive environment are outlined in *NESA Registration Systems and Member Non-Government Schools (NSW) Manual, November 2023*. The school will be required to demonstrate a safe and supportive environment through its policies and documentation and through the registration monitoring process. Staff members are encouraged to ask the following questions of themselves, in order to assist in providing the safest and most secure environment for all students: *given what a person in my position should know and can reasonably foresee, what steps can I put in place to ensure that those under my care are being afforded an environment which is as safe and respectful as I can reasonably provide?*

We can be lulled into a false notion that abuse will not occur in a Christian School or church because all staff are committed' Christians. Statistics show that levels of abuse within Christian circles only tend to be slightly lower than in the wider community. Christians are often taught to trust and are vulnerable to abusers taking advantage of the seemingly safe environment of a Christian school. Although we do not want to fear this, we also need to remain vigilant in keeping the environment free from any abuse.

### National Quality Standards and Relevant Legislation

2.2.1 At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

2.2.3 Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

Education and Care Services National Law

Education and Care Services National Regulations 2021: 84, 155, 156



### Responsibilities

#### 1. The School will:

- 1.1. Exercise its duty of care to protect children from abuse or neglect and to protect staff from false allegations of abuse or neglect.
- 1.2. Act on its obligation to report, in the first instance, to the principal or his/her nominee: allegations or suspicions of child abuse, allegations or convictions of child abuse by employees, including volunteers.
- 1.3. Act on its obligation to appoint staff members who are not prohibited persons.

#### 2. The Principal will:

- 2.1. Educate staff members to attain an adequate professional knowledge of the *Child Protection Policy*, as amended from time to time, through periodic in-servicing, annual training, staff inductions and as needed in staff meetings
- 2.2. Ensure that staff members are aware of their legal obligations to report any suspected risk of significant harm and the procedures for reporting
- 2.3. Train staff members to be aware of the indicators of child abuse and neglect, as well as their responsibilities in duty of care
- 2.4. Conduct the *Working with Children Check* prior to the commencement of employment for a prospective employee, as follows:
  - 2.4.1. Require the prospective employee to complete and sign the *Working with Children Check* form.
  - 2.4.2. Contact the appropriate agency in order to confirm that the prospective employee is not on the register of known offenders.
- 2.5. Ensure that investigations are conducted according to the protocol.
- 2.6. Report indicators of suspected child abuse or neglect according to the standard procedures, outlined below.
- 2.7. Implement systems for reporting matters of child neglect and child abuse.
- 2.8. Ensure that appropriate child protection instruction is administered as appropriate.
- 2.9. Make provision for appropriate duty of care by the school for activities that occur inside and outside of the school.
- 2.10. Put procedures in place to minimise harmful behaviour.
- 2.11. Ensure that procedures in the current legislation cited above (especially the requirement to report children at *risk of significant harm* to the Child Protection Helpline, as part of the Department of Communities and justice, are completed appropriately.
- 2.12. If a complaint is raised regarding the 'Head of Agency' i.e. the Principal, the Board Chair would assume the role in this situation.
- 2.13. Follow the school's code of conduct.

#### 3. The Business Manager will:

- 3.1. Conduct the *Working with Children Check* prior to commencement of a prospective employee, on behalf of the Principal, as follows:
  - 3.1.1. Require the prospective employee to complete and sign the *Working with Children* check form, as well as having the correct documentation through Services NSW.
  - 3.1.2. Contact the appropriate agency in order to confirm that the prospective employee is not on the register of known offenders.
  - 3.1.3. Follow the school's code of conduct.

#### 4. The Deputy Principal will:

- 4.1. Put procedures are in place to minimise harmful behaviour.
- 4.2. Ensure that staff members are aware of their responsibilities of duty of care.
- 4.3. Ensure that procedures in the current legislation cited above, especially the requirement to report children at *risk of significant harm* to the Child Protection Helpline (DCJ), are completed appropriately, if the Principal is not available to complete them.
- 4.4. If a complaint is raised regarding the 'Head of Agency' (i.e. the Principal), the nominee will assume the role of HOA for this situation, until the board Chair can be engaged to assume the role and conduct an investigation.
- 4.5. Follow the school's code of conduct.

#### 5. Staff Members will:

- 5.1. Ensure that they have a thorough knowledge of current *Child Protection Procedures*, as amended from time to time.





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- 5.2. Ensure that this policy is implemented within the school community.
- 5.3. Protect children who are at risk of significant harm.
- 5.4. Provide adequate information and education in child protection matters (child abuse and neglect) in appropriate lessons.
- 5.5. Abstain from placing themselves in a situation which may be liable to result in a child protection investigation.
- 5.6. Follow the school's Code of Practice.
- 5.7. Hold and maintain a valid WWCC clearance.
- 6. The Chaplain will:**
  - 6.1. Assist staff, as requested by students, when a situation of child abuse has been revealed.
  - 6.2. Be prepared to counsel students or facilitate counselling with a qualified agency where appropriate for reported instances of sexual abuse or any other type of abuse, or, whose friends are being abused, or, who are, themselves, being abused. (This latter must not be in any conflict with any instructions from the Principal, Department of Community and Justice or other agencies).
  - 6.3. Abstain from placing themselves in a situation which may be liable to result in a child protection investigation.
  - 6.4. Follow the school's code of conduct.
- 7. Volunteers (including student teachers) will:**
  - 7.1. Assist staff, as requested, when a situation of child abuse has been revealed.
  - 7.2. Abstain from placing themselves in a situation which may be liable to result in a child protection investigation.
  - 7.3. Sign the Child Protection documentation prior to having any access to individual children or classes of children.
  - 7.4. Follow the school's code of conduct.
- 8. Duty of Care to Students:**
  - 8.1. In accordance with the injunctions of the Lord Jesus (Matthew 18:2-7), Westmead Christian Grammar School is committed to exercising its duty of care to students through creating a safe environment that is void of abuse or neglect. Appropriate duty of care will include:
    - 8.1.1.1. Being vigilant, at all times, whilst on playground duty, in class, on excursions, etc.
    - 8.1.1.2. Arriving for playground duty, classes, etc, on time.
    - 8.1.1.3. Making sure that acceptable classroom behaviours have been communicated to students and are practised by them, at all times.
    - 8.1.1.4. Being consistent and fair in disciplining students.
    - 8.1.1.5. Having appropriate strategies in place to deal with child abuse allegations within the school (see below) and ensuring that these strategies are affected.
    - 8.1.1.6. Identifying cases of suspected abuse of students (see below) and providing an environment where students are free to disclose issues of abuse/neglect.
    - 8.1.1.7. Supporting children who are the alleged victims of abuse and providing them with an environment where they can experience the pure love of the Lord Jesus.
    - 8.1.1.8. Supporting parents/guardians whose children have been the victims of abuse.
    - 8.1.1.9. Supporting students whose peers or friends have been abused.
- 9. Duty of Care to Staff:**
  - 9.1. The school will exercise its obligation to provide reasonable duty of care to its employees by:
    - 9.2. Educating staff members regarding Child Protection Legislation and ensuring that they are aware of inappropriate behaviours which could make them vulnerable to allegations of abuse.
    - 9.3. Making sure staff members are aware and fully trained regarding the school's Child Protection Policy, as amended from time to time.
    - 9.4. Fostering an environment of mutual trust, transparency, and support.
    - 9.5. Ensuring that all staff members have been screened in accordance with legislative requirements.
    - 9.6. Providing a sensitive, secure and caring environment for a staff member accused of abuse within or outside the school.
    - 9.7. Assessing innocence or guilt in an impartial and fair way.
    - 9.8. Assisting staff members to deal with challenging students in order to obviate situations where misconduct could potentially occur.
    - 9.9. Ensuring that staff members are familiar with all the details of the school's Behaviour Management Policy.



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### Procedure:

In the situation of identified *risk of significant harm* – which is the mandatory reporting threshold – the following procedures should be observed:

1. **Procedures for reporting alleged cases of abuse or neglect of students to The Department of Communities and justice (DCJ).**
  - 1.1. Staff members are not to investigate the allegation of abuse or neglect. Only Investigators specifically appointed for the purpose must carry out the investigation. (Note: See list of harmful behaviours in Appendix 1).
  - 1.2. Staff members are required to report allegations or suspicions of reportable conduct to the Principal, or Principal's nominee only. Discussion with others should be avoided or limited to normal reporting channels. Failure to limit communication in this way will be a breach of this policy and will result in loss of protection under the law due to potential civil proceedings for defamation.
  - 1.3. The Principal or Principal's nominee will report any matter (i.e. risk of significant harm) that has been notified, as required by the current legislation.
  - 1.4. The staff member reporting the matter will be advised of the action taken. If it is decided that there are not reasonable grounds to suspect abuse, and consequently, the matter is not going to be reported by the Principal, the staff member making the original report will have an obligation, under the legislation to lodge a report, if he/she believes that reasonable grounds exist.
  - 1.5. If a student discloses to a member of staff, they are obliged to report the disclosure as stated above, but they must not investigate the matter.
  - 1.6. Investigations must be carried out by an accredited Child Protection Investigator, either within the school or from DCJ or elsewhere, whose duties will include informing parents that a notification has been made.
  - 1.7. A staff member is required to confer with the Principal before responding to a request by DCJ or any officers to attend an interview with the child (victim).
  - 1.8. A staff member cannot be required by DCJ to attend an interview as compulsory, and the positives and negatives of attendance need to be carefully assessed before a decision is made.
  - 1.9. A staff member may be required to report in a detailed manner regarding child abuse. The confidentiality of such a report will be maintained unless otherwise required by a court order.
  - 1.10. Information relating to any matter of child abuse is to be carefully documented.
2. **Procedures for reporting and dealing with allegations of reportable conduct by employees (including volunteers).**
  - 2.1. Upon receipt of allegations of misconduct or reportable conduct by employees (including volunteers), formal investigation procedures will be flowed.
    - 2.1.1. All members of staff are required to report to the Principal or Principal's nominee any allegation of reportable conduct against a fellow employee of the school, including a volunteer. You are required by law to report any of the following allegations:
      - 2.1.1.1. Assault, including sexual assault,
      - 2.1.1.2. Ill treatment, or neglect of a child,
      - 2.1.1.3. Exposing or subjecting a child to behaviour that psychologically harms the child, and
      - 2.1.1.4. Concerning all the above, whether or not, in any case, with the consent of the child.
  - 2.2. The allegation must describe behaviour that may constitute reportable conduct towards a person under the age of 18 at the time of the alleged offence or behaviour that may constitute reportable conduct.
  - 2.3. The Principal or his/her nominee is similarly to be informed if a staff member becomes aware of allegations against another staff member (including volunteers) by a parent, student or other member of the wider community.
  - 2.4. Any allegations against a fellow staff member are to be kept strictly confidential. Protection at law may be lost if strict confidentiality is not maintained.
  - 2.5. The Principal or Principal's nominee will interview the person bringing the allegation.
  - 2.6. Information must be given accurately, truthfully, fairly and discretely. There are serious consequences for making false allegations.
  - 2.7. A written record of this interview will be prepared and filed at the school.
  - 2.8. The Principal will contact the Office of the Children's Guardian (OCG), parents and police, or DCJ, as appropriate. The person bringing the allegation may be required to assist the Principal to complete the official notification.



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- 2.9. The person who is the subject of any allegation should (after the Principal or Principal's nominee has had discussions with appropriate authorities e.g. Office of the Children's Guardian):
  - 2.9.1. Be informed of the substance of the allegation within a reasonable time period, providing that the initial investigation is not compromised.
  - 2.9.2. Be advised that they may have an appropriate support person with them during the interview process.
  - 2.9.3. Be informed of the substance of any adverse comments that may be included in a report rising out of any such investigation.
  - 2.9.4. Be made aware that they will have an opportunity to put their case, either verbally or in writing to the person carrying out the investigation.
  - 2.9.5. Be advised of the right to make a complaint to the OCG, if the staff member is not satisfied with the way the investigation has been handled.
  - 2.9.6. Be alerted to the consequent report to the WWCC Directorate in relation to sustained findings of sexual misconduct, a sexual offence or a serious physical assault.
- 2.10. The Principal will make sure that the victim, parents and alleged perpetrator are receiving appropriate counsel and support.
- 2.11. The Principal will correspond with stakeholder who makes a complaint against a staff member in relation to the misconduct or reportable conduct.
- 2.12. The Principal will make the Complaints and Grievances policy available to all members of the community, which outlines guidelines and expectations regarding allegations of misconduct and reportable conduct.
- 2.13. The Principal will submit a 7-day notification for to the OCG within 7 business days of becoming aware of reportable allegation or conviction against an employee of the school. Reports must also be made to DCJ and where necessary the NSW Police.

### 3. Planning an Investigation in Relation to Reportable Conduct

- 3.1. Upon the receipt of an allegation of reportable conduct against an employee, the Principal, acting as Head of Agency, should determine whether it is an allegation about reportable conduct or misconduct that may involve reportable conduct.
- 3.2. All allegations against employees that involve reportable conduct or misconduct that may involve reportable conduct must be reported within 7 days to the OCG. Report must also be made to DCJ and where necessary the NSW Police.
  - 3.2.1. The notification should include the following information:
    - 3.2.1.1. That a report has been received in relation to an employee of the school,
    - 3.2.1.2. The type of reportable conduct,
    - 3.2.1.3. The name of the employee,
    - 3.2.1.4. The name and contact details of school Head of Agency,
    - 3.2.1.5. For a reportable allegation, whether it has been reported to police, and
    - 3.2.1.6. If a report has been made to the Child Protection Helpline and if a report has been made the nature of the initial risk assessment.
- 3.3. The Principal will conduct or facilitate the conducting of an investigation into the allegation and decide on whether, on the balance of probabilities, the allegation has been sustained or not sustained. Following this, disciplinary action may be taken against the employee.
- 3.4. The principal will inform the PSOA of the preliminary findings in writing and provide them with a further opportunity to respond or make a further submission prior to the matter moving to the final findings.
- 3.5. At the conclusion of an investigation, and the decision regarding disciplinary action, a complete report outlining the findings, disciplinary action and other recommendations must be forwarded to the Office of the Children's Guardian within 30 days, together with any other relevant information.
- 3.6. An initial risk assessment must be conducted at the start of the investigation process, as close to receiving the allegation as possible, in order to minimise risk.
  - 3.6.1. Factors considered withing the risk assessment, should include:
    - 3.6.1.1. The nature and seriousness of the allegation,
    - 3.6.1.2. Vulnerability of children,
    - 3.6.1.3. Nature of the position of the employee under allegation,
    - 3.6.1.4. Disciplinary history of the employee under allegation, and
    - 3.6.1.5. Any comments made to the employee.



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- 3.6.2. The risk assessment should be monitored for application throughout the investigation and updated as required. A final risk assessment should be conducted at the conclusion of the investigation.
- 3.7. The staff member may be temporarily relieved of some or all duties pending the investigation.
- 3.8. In conducting an investigation, the Principal will adhere to the principles of confidentiality and the avoidance of conflict of interest. All investigations will be conducted in an impartial, independent, transparent and objective manner, showing no bias or favour to victim or alleged perpetrator. High level of confidentiality will be applied throughout the investigation stage, with respect to all involved having the right to protection and confidentiality. All stakeholders should be instructed to not discuss the investigation with anyone, without the approval of the Principal or the person responsible for conducting the investigation.
- 3.9. Outline of the steps and flow for an investigation can be found in Appendix 2.
4. **Steps of an investigation in relation to Reportable Conduct**
  - 4.1. An investigation should be commenced promptly, with the person under investigation being informed and given the right to reply.
  - 4.2. If DCJ, JIRT or NSW Police are investigating the allegation, advice should be received from them regarding when and what to inform the employee about the allegation.
  - 4.3. Advanced notice of any interviews relating to an investigation should be provided, where possible. This notice should include advice regarding details of the allegation. The employee should be given the opportunity to have a witness at the interview. The witness is there as support only and may not advocate or take an active role in the proceedings.
  - 4.4. Records should be maintained of all meetings. Interviews may be electronically recorded, depending on the seriousness of the nature of the allegation.
  - 4.5. Fundamental steps of an investigation include:
    - 4.5.1. Clarification of allegation to determine if reportable conduct,
    - 4.5.2. Notification to DCJ, NSW Police, OCG are made,
    - 4.5.3. Risk assessment is complete,
    - 4.5.4. Relevant information collated,
    - 4.5.5. Interviews conducted and recorded,
    - 4.5.6. Employee made aware of allegation, as deemed appropriate,
    - 4.5.7. Documentation provided to employee, unless breaching confidentiality, and
    - 4.5.8. Preliminary findings made, based on evidence sustaining or not sustaining allegation.
  - 4.6. Following an investigation, the Principal or alternative investigator, will make preliminary findings on the balance of probability:
    - 4.6.1. The allegation was false,
    - 4.6.2. The allegation was vexatious, made without substance and with malicious intent, to cause distress to the person the allegation was made about,
    - 4.6.3. The allegation was misconceived, and whilst the allegation was made in good faith, it was without substance,
    - 4.6.4. The allegation was not sustained,
    - 4.6.5. The allegation was not one of reportable conduct, but may constitute a breach of professional behaviour and judgement, requiring disciplinary action, or
    - 4.6.6. The allegation was sustained, and the matter required disciplinary action.
  - 4.7. Any disciplinary action, taken as a consequence of findings of an investigation, should have regard for procedural fairness. This includes providing details of the final findings, informing of possible action which may be taken, including the employee's right to respond in writing.
  - 4.8. The employee should be notified of their right to request that the OCG review the investigation and findings, if it is believed to be unfair, biased or incomplete.
5. Procedural Fairness in Dealing with Child Abuse Investigations



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- 5.1. It is important that the rights of the person are maintained who is the subject of the investigation. In this respect, the following protocols will apply:
  - 5.1.1. Strict confidentiality will be maintained, at all times,
  - 5.1.2. The investigator will act impartially, fairly and reasonably in all investigations,
  - 5.1.3. The person subject of allegation will be informed of the substance of any allegations made against the and will be given reasonable opportunity to present their version of events,
  - 5.1.4. Steps will be taken to protect the person who made the allegation, at all times,
  - 5.1.5. All reasonable enquiries will be made before making a decision,
  - 5.1.6. No person will decide a case to which they have a conflict of interest, and
  - 5.1.7. The investigation will be conducted without due delay.
6. **Record Keeping**
  - 6.1. All information gained during the investigation e.g. meetings, contacts, discussions will be recorded.
  - 6.2. Information regarding notifications to the Ombudsman will be kept in a secure location under the direction of the Principal. The Principal may make records available to other appropriate people where necessary.
  - 6.3. From 1<sup>st</sup> October 2023, records including Child Protection related incidents, incident, injury, trauma and illness, and fitness and propriety of staff, volunteers, and students, will be maintained:
    - 6.3.1. For 45 years
    - 6.3.2. Being clear, objective, and thorough,
    - 6.3.3. Indexed, logically, and in a secure manner,
    - 6.3.4. As required and then disposed of in a consistent manner.
7. **Initial Appointment of Staff**
  - 7.1. Prohibited persons must not seek employment at Westmead Christian Grammar School. The school will indicate this fact in staff advertising and on the Application Form.
  - 7.2. Applicants will disclose on the Application Form that they are not prohibited persons. The preferred applicant will be required to sign a declaration that they are not prohibited persons.
  - 7.3. The preferred applicant will be required to sign a consent form allowing the school to undertake a screening check through the Commission for Children and Young People (CCYP).
  - 7.4. During the interview, the Principal or Principal's nominee will ask the applicant if there are any issues of child protection which might preclude them being appointed to the school.
  - 7.5. The school will conduct detailed reference checks relating to child protection issues.
  - 7.6. Preferred applicants must appropriately identify themselves by consenting to undertake a 100 Point Check. The school will keep photocopies of this documentation in the staff member's file.
  - 7.7. Westmead Christian Grammar School will contact the applicant in the case of an adverse finding.
  - 7.8. A risk assessment may be conducted on a prospective applicant. The decision to employ a person who has been subject to a Working with Children Check will always remain with the employer. The Principal must notify the CCYP if he/she decides not to appoint the preferred applicant on the basis of the risk assessment. This information will be used for auditing purposes and will not affect the applicant's suitability for future employment.



## Child Protection

### **4-Step Procedure:**

In the situation of identified *risk of significant harm* – which is the mandatory reporting threshold – the following procedure should be observed: *Note: See list of harmful behaviours in Appendix 1*

#### **Step 1**

Use the decision tree structure to ascertain whether there is 'reportable conduct' present. Information can be found at the [www.reporter.childstory.nsw.gov.au/s/mrg](http://www.reporter.childstory.nsw.gov.au/s/mrg) website. Step 1 may include:

- Considering what you already know,
- Reading the definition,
- Determining the necessary course of action through answering questions on the decision tree structure,
- Focusing on each question in the process, and
- Do you have information that meets threshold for 'YES' response?

It should be understood that even if the incident is not reportable at this stage, a written report should be made in the situation where the accumulation of incidents raises the significance of harm for the child or young person.

#### **Step 2**

Make a *written report* as early as possible, and include the following:

- The names and details of all children involved.
- The *risk of significant harm* that has been identified, including perceived injuries.
- The details of the person, if one is identified, who is creating the risk of harm.
- Whether an interpreter is necessary for DCJ follow-up.
- Details of the staff member writing the report.
- Any other significant details.

#### **Step 3**

*Inform the Principal* or a senior member of staff regarding the information and provide a *copy of the report*.

#### **Step 4**

- Details of the staff member writing the report.
- Ring the Child Protection Helpline on 132 111.
- They reporter will be directed to action required.
- Permission from the Principal needs to be sought and no-one should be interviewed against their wishes.
- Family does not need to be informed before the interview takes place based upon recommendations of the Child Protection Helpline.
- In extreme situations, the child or children can be removed from the school and placed into the custody of DCJ as a measure of protective intervention.



## Child Protection

Procedure	
A student informs you or you observe issues or behaviours which fall under Child Protection and/or place the individual at risk of 'Significant Harm'. Note: See list of harmful behaviours in Appendix 1	
Complete a decision tree structure to ascertain whether there is 'reportable conduct' present. This can be found at <a href="http://www.reporter.childstory.nsw.gov.au/s/mrg">www.reporter.childstory.nsw.gov.au/s/mrg</a>	
NO: The incident is not reportable at this stage	YES: The incident is reportable
Write a report including: <ul style="list-style-type: none"> <li>• The names and details of those involved</li> <li>• The risk of significant harm that has been identified</li> <li>• The details of the person who is creating the risk of harm (if identified)</li> <li>• Your details as the staff member writing the report</li> <li>• Any other significant details</li> </ul>	Write a report including: <ul style="list-style-type: none"> <li>• The names and details of those involved</li> <li>• The risk of significant harm that has been identified</li> <li>• The details of the person who is creating the risk of harm (if identified)</li> <li>• Your details as the staff member writing the report</li> <li>• Any other significant details</li> </ul>
Inform the Principal or a member of senior staff	Inform the Principal or a member of senior staff and provide them with a copy of the report.
Place your written report in the students file	Inform the Child Protection Helpline (DCJ) on 132 111
	Follow any further instructions provided by DCJ
	Place a copy of the following documents into all applicable student and staff files. <ul style="list-style-type: none"> <li>• Your written report</li> <li>• Case/Reference number provided by DCJ</li> <li>• A print email of the DCJ report</li> </ul>
Evidence of compliance: All records should be kept and maintained in order to provide the evidence of compliance, including records of all training conducted regarding Child Protection, copies of all validations relating to Working with Children checks and any incident reports. NB: Staff absent during child protection training, will be trained upon return to school	



## **Appendix 1**

### **INDICATORS OF ABUSE**

#### **Definition of abuse**

The NSW Interagency Guidelines defines abuse as the term commonly used to describe different types of maltreatment of a child or young person. It includes assault (including sexual assault), ill treatment and exposing the child or young person to behaviour that might cause psychological harm. Neglect occurs where there is risk of harm or actual harm to a child or young person caused by the failure to provide the basic physical and emotional necessities of life. Neglect is characterised as a continuum of omissions in the care of the child or young person.

#### **Matters to take into consideration when considering indicators of abuse or neglect:**

- History of previous harm to the child or young person.
- Social or geographic isolation of the child, young person or family including lack of access to extended family or supports.
- Abuse or neglect to a sibling.
- Family history of violence including injury to children and young people.
- Domestic or dating violence.

#### **Physical or mental health issues for the caregiver affecting their ability to care for the child or young person:**

- The parent or caregiver's abuse of alcohol or other drugs affecting their ability to care for the child or young person.
- A deficiency of functional parenting skills required to provide the safety, welfare and well being of children and young people.
- The parent or caregiver is experiencing significant problems in managing the child's behaviour.
- The parent or caregiver has unrealistic expectations of age-appropriate behaviour in the child or young person.
- The parent is experiencing significant difficulties in relating to the young person.

#### **General indicators of abuse and neglect of a child or young person:**

##### **(a) When a child or young person:**

- Gives some indication that the injury or event did not occur as previously stated
- Tells you he/she has been abused.
- Tells you he/she knows of someone who has been abused, may be referring to himself/herself.
- Shows poor concentration.
- Reports or shows sleeping problems (e.g. nightmares, bed wetting).
- Shows marked changes in behaviour or mood, an escalation of risk-taking behaviours, tantrums, aggressiveness, withdrawal.
- Complains of stomach-aches and headaches with no physical basis.

##### **(b) When another person who is significant to the child or young person:**

- Appears to have unrealistic expectations of a young person including failure to allow the young person to participate in decisions that affect them or expecting adult behaviours.
- Tells you that the child or young person may have been abused.

##### **(c) More specific indicators of neglect of a child or young person:**

- Poor standards of hygiene leading to social isolation.
- Scavenging or stealing food.
- Extended stays at school, public places, other's homes.
- Being focused on basic survival.
- Consistently seeking for adult affection or approval.
- Fast and superficial way of relating, lacking of a sense of genuine interaction.
- Anxiety about being dropped or abandoned.
- Self comforting behaviour (eg rocking, sucking).
- Unexplained general ill health or poor condition.
- Delay in developmental milestones.
- Loss of 'skin bloom'.
- Poor hair texture.





## Child Protection

- Untreated physical symptoms.

### **(d) Indications in parents or caregivers:**

- Failure to provide adequate food, shelter, medical attention, hygienic home conditions or leaving the child or young person inappropriately without supervision.
- Inability to respond emotionally to a child or young person.
- Child or young person left alone for long periods.
- Depriving of, or withholding physical conduct or stimulation for long periods.
- Failure to provide psychological nurturing.
- One child or young person treated differently (e.g. victimised).
- Absence of social support from relatives, other adults or social workers.

### **Specific indications of physical abuse:**

#### **(a) In a child or young person:**

- Facial, head and neck bruising.
- Lacerations and welts from excessive discipline or physical restraint.
- Explanation by the child or young person is not consistent with the injury.
- Other marks and bruises which may show the shape of the object that caused it (eg hand print, buckle).
- Bite marks and scratches where the bruise may show a print of teeth and experts can determine whether or not it is an adult bite.
- Multiple injuries or bruises.
- Ingestion of poisonous substances, alcohol or drugs or major trauma.
- Dislocations, sprains, twisting.
- Fractures of bones.
- Burns or scalds.
- Head injuries where the child or young person may have symptoms of drowsiness, fits, vomiting or retinal haemorrhages suggesting the possibility that the child might have been shaken.
- Indications of female genital mutilation which could include:
  - Having a special operation associated with celebrations
  - Reluctance to be involved in sport or other physical activities when previously interested
  - Difficulties with toileting or menstruation.

#### **(b) In parents and caregivers:**

- Direct admission of parents or caregivers that may injure the child or young person.
- Family history of violence including previous harm to the children or young people.
- History of their own maltreatment as a child or young person.
- Repeated presentations of the child or young person to health or other services with injuries, ingestion or with minor complaints.
- Marked delay between injury and presentation for medical assistance.
- History of injury which is inconsistent with the physical findings.
- History of injury which is vague, bizarre or variable.

### **Specific indications of emotional abuse:**

#### **(a) In a child or young person:**

- Feelings of worthlessness about life and themselves.
- Inability to value others.
- Lack of trust in people and expectations.
- Lack of interpersonal skills necessary for adequate functioning.
- Extreme attention-seeking or risk-taking behaviour.
- Other behaviour disorders (e.g. disruptiveness, aggressiveness, bullying)

#### **(b) In parents or caregivers:**

- Constant criticism, belittling, teasing of a child or young person or ignoring or withholding praise and affection.
- Excessive or unreasonable demands.
- Persistent hostility and severe verbal abuse, rejection and victimisation.
- Belief that a particular child or young person is bad or evil.



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- Using inappropriate physical or social isolation as punishment.
- Situations where an adult's behaviour harms a child's or young person's safety, welfare and well-being.
- Exposure to domestic violence.

### Specific indicators of sexual abuse:

#### (a) In a child or young person:

- Describes sexual acts (e.g. Daddy hurts my wee-wee).
- Direct or indirect disclosures.
- Age-inappropriate behaviour and/or persistent sexual behaviour.
- Self-destructive behaviour, drug dependence, suicide attempts, self mutilation
- Persistent running away from home.
- Eating disorders.
- Going to bed fully clothed.
- Regression in developmental achievements in younger children.
- Child or young person being in contact with a known or suspected perpetrator of sexual assault.
- Unexplained accumulation of money and gifts.
- Bleeding from the vagina or external genitalia or anus.
- Injuries such as tearing or bruising to the genitalia, anus or the perineal region.
- Sexually transmitted diseases.
- Adolescent pregnancy.
- Trauma to the breasts, buttocks, lower abdomen or thighs.

#### (b) General indications of a child or young person's stress should be considered such as:

- Poor concentration at school.
- Sleeping/bedtime problems (e.g. nightmares, bed-wetting).
- Marked changes in behaviour or mood, tantrums, aggressiveness, withdrawal.
- Child complains of stomach aches and headaches with no physical finding.

#### (c) In parents and caregivers:

- Exposing a child or young person to prostitution or child pornography or using a child or young person for pornographic purposes.
- Intentional exposure of child or young person to sexual behaviours in others.
- Ever committed/been suspected of child sexual abuse.
- Inappropriate curtailing or jealousy regarding age appropriate development of independence from the family.
- Coercing child or young person to engage in sexual behaviour with other children or young people.
- Verbal threats of sexual abuse.
- Denial of adolescent's pregnancy by family.
- Perpetration of spouse abuse or physical child abuse.

Note: offenders use a range of tactics including force, threats and tricks to engage children or young people in sexual contact and to try to silence the child or young person. They may also try to gain the trust and friendship of parents in order to obtain access to children and young people.



## Child Protection

### Appendix 2: Flow and Steps of Investigating Reportable Conduct

Flow/Steps of Investigations	Evidence of Compliance
Principal or the appointed investigator is responsible to ensure these steps are followed and documented:	
Receives complaint and assesses risk of harm using MRG	MRG
Contact DCJ, NSW Police and other agencies as necessary	Collection of details of agency members
Face value assessment of type of complaint	All collated material
If Reportable Conduct, notify OCG within 7 days	7 Day Notification Form
Complete a Risk Assessment	Risk Assessment
Complete initial allegations letter to PSOA	Initial letter regarding allegation to PSOA
Plan investigation and interviews	Investigation Plan
Gather evidence	Collect documentary evidence
Allow PSOA to respond	Interview Plan (PSOA)
Complete written report	Written Report
At regular intervals ensure Risk Assessment is accurate	Risk Assessment
Provide preliminary findings letter to PSOA	Preliminary Findings Letter (PSOA)
PSOA invited to respond to preliminary findings	Response from PSOA
Consider further response	Response from PSOA
Make final findings and document in letter to PSOA	Final Findings Letter (PSOA)
Consider disciplinary action required	All collated material
Complete final Risk Assessment	OCG Guidelines
Notification to OCG with completed findings within 30 days	Entity Report
If investigation is not complete within 30 days and no extension has been provided by the OCG; complete an interim report to notify OCG	30 day interim report

**NB:** PSOA = Person subject to the allegation; OCG – Office of the Children’s Guardian