



# **Guidelines and Procedures**

## **Protecting and Supporting Children and Young People**

### **1. General Statement**

St. Philip's Christian Education is committed to creating and maintaining procedures that protect the safety, welfare and well-being of all children and young people at our school; and meet our obligations under Child Protection Legislation. A part of that duty of care owed by the College is, with the help of the parents, families, community and government and non-government agencies, to protect children and young people against all forms of harm that could have been reasonably foreseen, and to support those that have been harmed. The procedures followed will be in accordance with all relevant legislation, and take into account other appropriate practices and guidelines aimed at maintaining the safety, welfare and wellbeing of children and young people. This care for wellbeing is a duty that will be upheld when the student is involved with staff at school, out of school on excursions (routine or special), inter-state and overseas. The College's policy and procedures will be amended as necessary to take into account amendments to relevant legislation and regulations.

### **Glossary**

DCJ – Department of Communities and Justice

HRE – Head of Relevant Entity

MRG – Mandatory Reporting Guide

OCG – Office of the Children's Guardian

ROSH – Risk of Significant Harm

SPCE – St Philip's Christian Education

WWCC – Working with Children Check

### **2. Context**

#### **3.1 Child Safe Scheme and the Child Safe Standards**

The Child Safe Scheme gives the Office of the Children's Guardian (OCG) additional powers to monitor and investigate how organisations implement the Child Safe Standards to support the safety and wellbeing of children and young people. Under the Scheme, certain child-related organisations including Education and Early Childhood must implement the Child Safe Standards.

The Child Safe Standards are—

- Child safety is embedded in organisational leadership, governance and culture.
- Children participate in decisions affecting them and are taken seriously.
- Families and communities are informed and involved.
- Equity is upheld, and diverse needs are taken into account.
- People working with children are suitable and supported.
- Processes to respond to complaints of child abuse are child focused.

- Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
- Physical and online environments minimise the opportunity for abuse to occur.
- Implementation of the Child Safe Standards is continuously reviewed and improved.
- Policies and procedures document how the organisation is child safe.

### **3.2 SPCE Child Safe Statement**

St Philip's Christian Education is committed to providing quality Christian education and care to children and young people to assist them reach their God-given potential. We are committed to providing a child-safe and a child-friendly environment based on Christian beliefs, values and practices, where children and young people are safe, feel safe and are able to actively participate in decisions that affect their lives.

St Philip's Christian Education has zero tolerance for child abuse.

St Philip's Christian Education is committed to ensuring the safety, welfare and wellbeing of all children and young people who attend our schools and centres, and is dedicated to protecting them from abuse and harm.

St Philip's Christian Education regards its child protection responsibilities with the utmost importance, and as such is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations to maintain a child-safe and supportive environment, both in the physical and online learning environments for all children and young people.

## **3. Explanations/Definitions**

### **3.1 The Mandatory Reporter Guide (MRG)**

The [Mandatory Reporter Guide](#) (MRG) is a child protection assessment tool. The MRG provides a common platform for decision making about whether concerns reach the threshold. A number of "decision trees" (sections such as physical abuse, neglect, psychological harm) ask a series of questions to determine if the significant risk threshold is met. They however do not replace professional judgment. The interactive online version generates a Decision Report for the user that reflects all the answers provided to the questions. Confidentiality is assured as no names or other identifying information are entered when using the *Mandatory Reporter Guide*.

The Mandatory Reporter Guide is available on the ChildStory website

<https://reporter.childstory.nsw.gov.au/s/mrg>

### **3.2 Definitions**

Child – is a person under 16 years of age

Young Person – is a person who is 16 years or above but under the age of 18 years.

### **3.3 What is "Risk of Significant Harm" (ROSH)?**

Everyone in the community should be alert to signs of abuse or neglect in children and young people. Their safety, welfare and well-being are a community responsibility. An injury, concerning behaviour or a disclosure may be a trigger to consider whether you should report a child or young person, or whether you or your agency can offer support to prevent significant harm from occurring or continuing.

Any member of the community, including mandatory reporters, who suspect, on reasonable grounds, that a child or young person is at risk of significant harm should report their concerns to the Child Protection Helpline (**phone 132 111**)

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

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

Risk of Significant Harm (ROSH) can include:

- physical abuse
- neglect
  - *supervision*
  - *physical shelter/environment*
  - *food*
  - *medical care*
  - *mental health care*
  - *education*
- sexual abuse
- problematic sexual behaviour
- psychological harm
- relinquishing care
- carer concerns
  - *parent/carer substance abuse*
  - *parent/carer mental health*
  - *parent/carer domestic violence*
- unborn child.

### **3.4 What are "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
- what the child, young person, parent or another person has disclosed
- what can reasonably be inferred based on professional training and/or experience.

It does not mean that reporters are required to confirm their suspicions or have clear proof before making a report.

### **3.5 What is a "Current Concern"?**

Concerns must be current - that is, significant harm arising from abuse or neglect is recent or likely in the foreseeable future should circumstances continue unchanged. Current concerns may also arise from a child or young person having contact with someone who is known to be responsible for causing harm to a child in the past.

Current concerns also refer to situations where the abuse or neglect of the child or young person occurred sometime in the past but continue to have an impact on the child or young person's safety, welfare or wellbeing.

### 3.6 Mandatory Reporting

Who is legally deemed a "Mandatory Reporter"?

Anyone who as part of their paid or professional work delivers or manages services to children.

### 3.7 When must a report be made?

Mandatory reporters must report when they have reasonable grounds to suspect a child or young person is at risk of significant harm (ROSH) and have current concerns about the safety, welfare and wellbeing of the child or young person.

It is mandatory to report matters pertaining to 0-15 years children. Professional judgement is called for when dealing with 16-17 years and unborn children.

Mandatory reporters should only make a report to the Child Protection Helpline where there is suspected "*risk of significant harm*". For reports that do not meet the new threshold, mandatory reporters identify potential responses within their own agency or make a referral to other services to provide support to the family, including Family Referral Services.

**Mandatory reporters** should telephone [132 111](tel:132111)

## 4. Child Protection Guidelines

1. As a member of staff of SPCE, you are required to report to the Principal (HRE) or to the Principal's nominee in any situation where you believe a child or young person is at ROSH as described above.
2. The Principal (HRE) or delegate will complete with you the MRG and based on the results will act accordingly. If it is decided that the matter is not to be reported to DCJ Services, alternate actions will be decided on.
3. Mandatory reporters should note that the legislation requires that they continue to respond to the needs of the child or young person (within the terms of their work role) even if after a report to the Child Protection Helpline has been made.
4. If a student discloses abuse to you, you must report this disclosure to the Principal as stated above and complete the MRG.
5. You may be required to communicate with other agencies that have responsibilities for children and young people. All staff must work collaboratively with these agencies to ensure the best outcome for the child/young person concerned. It is vital to remember that the **safety, welfare and wellbeing of the child/young person** is **paramount** therefore the needs and interests of the child/young person, and their families in receiving these services takes precedence over the protection of confidentiality or of an individual's privacy.

## 5. Child Protection Procedures

5.1 Where you have reasonable grounds to suspect a child/young person is at ROSH you should firstly **contact the Principal** and together complete the **Mandatory Reporter Guide (MRG)** to assess whether their concerns meet the threshold of ROSH.

However, if there is an **immediate danger** to the child or young person you should contact the **Police - 000 and/or the Child Protection Helpline** call **132 111**

5.2 If the Mandatory Reporter Guide advises that there is ROSH, you must report to the **Child Protection Helpline**.

5.3 Once a report is made to the Child Protection Helpline no further report needs to be made unless new information comes to hand.

5.4 The summary page or the decision report from the online MRG must be printed and filed along with any follow up documentation/reports in a central file in the Principal's office.

## 6. Additional Information

Reports to the Child Protection Helpline must be made by phone where:

- the child is at high or imminent risk of significant harm due to:
  - serious physical injury to a child or young person requiring medical attention
  - serious neglect to a child or young person of an immediate nature
  - domestic violence involving serious injury and/or use of a weapon
  - sexual harm involving serious current concerns
  - a high-risk prenatal report where the birth is imminent
  - immediate safety issues
  - death of a sibling in circumstances which are reviewable by the Ombudsman.
- the report concerns:
  - a group of children/young people other than a sibling group
  - a child or young person who resides outside of NSW
  - an alleged person causing harm who has access to the child AND there is concern that the child may experience harm in the foreseeable future
  - complex information which is more easily communicated verbally than in writing
- the reporter is unsure how to interpret the MRG outcome and needs to discuss this with a Helpline caseworker.

### Information required in a report

It is important to provide all relevant information when making a child protection report as the detail and quality of the information provided to the Helpline is critical to the quality of the decision making that follows.

Ensure you have the student's file or TASSweb on hand when making the report. Note that reports must still be made where only a little information is known but there is ROSH.

The kind of information which is useful includes ROSH information, as prompted by the MRG, as well as information about the child or young person, the family, the reporter, and the context of the report, as follows:

#### *Child's information*

- Name of child or young person (or alias) or other means of identifying them
- Age and date of birth (or approximation)
- If child is Indigenous – Aboriginal, Torres Strait Islander or both
- Cultural background of child, language(s) spoken, religion and other cultural factors
- Name, age of other household children or young people
- Address of child and family
- School or child care details
- If child has a disability – nature/type, severity, impact on functioning
- Is the child/young person subject of an Apprehended Violence Order?

- Is the child or young person under the care of the Minister or residing in out-of-home care?

#### *Family information*

- Name, age of parents/carer and household adults
- Home and/or mobile phone number
- Cultural background of parents, language(s) spoken, religion and other cultural factors
- Information about parental risk factors and how they link to child's risk of harm
  - domestic violence
  - alcohol or other drug misuse
  - unmanaged mental illness
  - intellectual or other disability
- Protective factors and family strengths
- on-offending carers' capacity to protect child
- Any previous suspicious death of a child or young person in the household?
- Is the parent/carer pregnant?
- Is the parent/carer the subject of an Apprehended Violence Order?
- Description of family structure (for example, biological parents, single parent, blended family)
- Name, age, gender of siblings. Do siblings live with the child or young person?

#### *Reporter Details*

- Name, entity address, phone and email details
- Position
- Reason for reporting today
- Nature of contact with child or family
- Nature of ongoing role with child or family (include frequency, duration and type)
- If report is being made by someone else in the entity, name of the entity worker who sourced the report

#### *Other information*

- Services involved with child/family if known
- Principal language of family and whether an interpreter for a spoken or signed language is required
- If parent knows of report and their response
- If child or young person knows about the report and their views
- Information related to worker safety issues
- Outcome of MRG

#### **Other reasons to notify the Child Protection Helpline**

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

- pregnant
- runaway
- missing
- homeless (in the case of homelessness review the MRG *Neglect: Physical Shelter/Environment* tree first. If that leads to a report to DCJ, report as neglect. If it does not lead to a report to DCJ, advise the Child Protection Helpline)

### **Safeguards for reporters**

Reports to DCJ are confidential and the reporter's identity (if known) is protected by law if the report is made in good faith. The law offers the following protections:

- the report shall not be held to be a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct
- no liability for defamation can be incurred because of the making of the report
- the report, or its contents, is not admissible in any proceedings as evidence against the person who made the report
- a person cannot be compelled by a court to provide the report or give any evidence as to its contents
- a report is an exempt document under the *Freedom of Information Act 1989*.

If law enforcement agencies require the identity of a reporter in order to investigate serious offences alleged to have been committed against children or young people, the identity of the reporter may be released to the police. This provision aims for a balance between the privacy of the reporter and the safety of the child or young person. The reporter will be notified that their identity is to be released to the police unless doing this would prejudice the investigation.

### **Feedback to reporters**

The Child Protection Helpline will provide feedback to mandatory reporters on the reports it receives. If the feedback indicates that the statutory threshold is not met, mandatory reporters may need to consider what additional services or supports could be provided locally. Services offered should assist in addressing identified problems and minimising the risk of future harm.

### **Finding services for children, young people and families**

If the MRG indicates that a matter does not reach the significant harm threshold a report should **not** be made to the Child Protection Helpline, unless in your professional judgement there are additional factors that the Helpline needs to take into account.

Other actions you can take to find help for a child or family include:

- if you believe that other agencies can assist the child and family, you should make appropriate referrals or share information with an agency if requested if they meet the criteria as listed in accordance with Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998.

### **What happens to reports that do not meet the "risk of significant harm" threshold?**

If a child or young person is **not** at ROSH the report does not meet the statutory threshold. In these situations, mandatory reporters should:

- continue to offer the services of their own organisation (where appropriate)
- refer to local services and work collaboratively with other organisations to help keep children safe
- refer to Family Referral Services (where available), which link families to local services.

Information sharing will ensure that concerns for children and young people's wellbeing are monitored and reported to DCJ if they reach a level considered to be ROSH. The Helpline will provide feedback to mandatory reporters about whether or not the report meets the threshold for statutory intervention.

### **Definition of terms used in the MRG**

The MRG focuses on whether a concern is significant or not, and not whether abuse or neglect is present according to a specific definition.

**Physical abuse** is where:

a child/young person has a suspicious current injury, suspected to be caused by the parent/carer AND where it has not occurred accidentally OR the child or young person is being treated in a way that may have or is likely to cause injury.

**Neglect – lack of supervision** is where:

a child/young person is alone and based on their age/development/circumstances this is unsafe. It may also be where a child/young person is currently not under the care and supervision of an appropriate carer and due to age/development/disability this is unsafe.

**Neglect – lack of physical shelter/environment** is where:

a child/young person or family has no safe place to stay; or there is imminent danger of serious harm in the current residence dependant on their age/development/disability and where the parent/carer is not ensuring the child's safety

*(Note: Reporting the homelessness of young people aged 16 to 17 years is not mandatory and can only be done with the consent of the young person.)*

**Neglect – food – medical professionals** is where:

a child/young person has a condition caused or exacerbated by inadequate or poor diet or where the child is aged under 5 and is failing to keep pace with expected growth and there is no known organic cause.

**Neglect – food – non-medical professionals** is where:

a child or young person is: reporting persistent hunger; reporting persistent withholding of food as punishment; thin, frail, listless; frequently begging/stealing/hoarding food; mentioning going without eating; frequently arriving at school without breakfast/ lunch; having difficulty concentrating and you suspect poor nutrition.

**Neglect – medical care – medical professionals** is where:

a child/young person requires medical care for an acute condition for which parents/carers are not providing the recommended medical treatment or there is a chronic condition which is not being treated or a treatment plan is not being followed and this is likely to result in significant harm.

**Neglect – medical care – non-medical professionals** is where:

a child/young person has a physical health condition that appears to need immediate care which is not being provided; parent/carer is refusing or unable to seek recommended medical care; or there is a medical condition that requires an ongoing treatment plan that is not being followed.

**Neglect – mental health care** is where:

a child/young person is suicidal; has committed or is threatening serious violence; or is causing significant self-harm; or a parent/carer is refusing to provide or access mental health care that the child/young person requires.

**Neglect – education – not enrolled** is where:

a child/young person is of compulsory school age and is not enrolled.



**Neglect – education – habitually absent** is where:

a child/young person is of compulsory school age and is enrolled and is habitually absent.

**Sexual abuse – child** is where:

a child has made a clear, unambiguous statement of sexual assault or is: pregnant; diagnosed with a sexually transmitted disease; displaying trauma to genital area; or where you are aware by other means that a child has been sexually abused.

It will also be a cause for reporting if:

there is a concern a child will have significant contact with an alleged or known sex offender; or the child is exposed to sexually explicit material or acts, including pornography and communication of sexual matters; and the child expresses fear, discomfort or shows symptoms of significant harm.

**Sexual abuse – young person** is where:

a young person has made a clear, unambiguous statement of sexual abuse, or you are aware by other means the young person has been sexually abused.

It may also be a cause for reporting if:

the young person is engaged in prostitution or pornography; and the young person appears subject to coercion or intimidation.

**Child/Young Person Problematic Sexual Behaviour** is where:

a child/young person is engaged or may be engaged in sexually abusive behaviour, indicated by:

- a victim who is substantially younger, smaller, weaker, less mature or cognitively/physically less capable
- pressure, coercion, aggression, bribery, secrecy or other grooming behaviours have been used.

It may also be a cause for reporting:

when the victim is a relative of the initiating child/young person; when the victim lives in the same household; or where the action was significantly outside normal sexual behaviour.

It may also be a cause for reporting where the child/young person has continuing or imminent contact with the victim.

**Psychological harm is where a child/young person** is exposed to:

chronic or severe domestic violence; severe parental/carer mental health or substance abuse concerns; parental/carer behaviours that are persistent, repetitive and have a negative impact on a child/young person's development, social needs, self-worth or self-esteem; parental/carer criminal and/or corrupting behaviour; parental/carer behaviours that deliberately expose a child/young person to traumatic events.

**Relinquishing care** is where:

the parent/carer is no longer willing to provide shelter/food/supervision for the child/young person or child/young person has been in voluntary care for longer than the legislation allows.

It is also a cause for reporting if there are no alternative care arrangements in place for the next 72 hours.

**Parent/carer substance abuse** is where:

the substance abuse impacts on the parent/carer's ability to meet the child/young person's needs; causes significant harm and/or where the child/young person's behaviour indicates the impact of substance abuse.

**Parent/carer mental health** is where:

the mental health concern impacts on the parent/carer's ability to meet the child/young person's needs; causes significant harm and/or where the child or young person's behaviour indicates the impact of the parent/carer's mental health concern.

**Parent/carer domestic violence** is where:

there has been an incident of domestic violence; there is a child or young person in the home and where one or more of the following occurred, whether the child was present or not: use of weapon; strangulation/suffocation attempt; serious injury to adult; physical injury to child/young person; serious threat to harm child/young person/adult/self; a significant increase in the pattern of violence.

**Unborn child** is where:

there is a history of abuse or neglect of siblings of the unborn child; siblings have been removed, or died in circumstances that have been reviewed by the Ombudsman.

It may also be where you are aware of circumstances that suggest either parent/carer will be unable to care for baby upon birth due to: suicidal tendencies; substance abuse; mental illness; domestic violence; cognitive disability; medical condition; homelessness; inadequate preparations for birth.

## **7. Child Protection Training**

All staff will participate in child protection training on an annual basis. The Principal holds responsibility for this. This training may be conducted by the Central Office, an internal staff member, and/or by another provider such as AIS NSW or the Office of the Children's Guardian or via SPCE's HR online system. This training may be conducted in person or online, and generally occurs at the start of the academic school year. Staff who were not employed by the College when this training occurs or who were absent for the training must do this at another time throughout the school year. The Principal's EA is responsible for maintaining a register/record of staff attendance and completed training. The Principals' EA, in consultation with the Heads of School, will facilitate training to occur for staff members who were not in attendance at the original staff training.

## **8. For further information:**

- The Child Protection (Working with Children) Act 2012.  
[http://www5.austlii.edu.au/au/legis/nsw/consol\\_act/cpwca2012388/](http://www5.austlii.edu.au/au/legis/nsw/consol_act/cpwca2012388/)
- Consult AIS or other professional services, if relevant

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**St Philip's  
Christian Education**  
FOR THE WHOLE OF LIFE

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### **ACKNOWLEDGEMENT**

(please print)

Name: \_\_\_\_\_

School: \_\_\_\_\_

Role/Job Title: \_\_\_\_\_

I (name) \_\_\_\_\_ have read, understood and agree to comply with the terms of this Child Protection Guidelines and Procedures – Protecting and Supporting Children and Young People.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

Please return this signed acknowledgement form to your Principal.