



Child Protection Policy

Purpose

This policy applies to all families, staff, volunteers, students and visitors at SPCC Saints Academy. The principal activity of any child care service is to provide care, education and a safe environment for children. Child abuse is a widespread problem and has no cultural or socio-economic boundaries. SPCC Saints Academy has a responsibility to both children and their families to ensure that children, whilst in our care, are protected from child abuse.

All educators and volunteers of our service are Mandatory Reporters and are required to report to the Child Protection helpline (Phone: 132111) if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concerns about the safety, welfare or wellbeing of a child or young person where the concerns arise during or from their work. We are committed to ensuring all educators and staff have a full understanding of their responsibilities as a Mandatory Reporter and are supported in fulfilling these.

This policy provides a framework for the protection of the child and to clarify procedures for staff who may be required to report on allegations of child abuse. It also sets down procedures that relate to allegations of abuse against a staff member or other adult on the services' premises.

Aim

The aim of this policy is to:

- Promote the safety and wellbeing of all children and educators attending SPCC Saints Academy.
- Promote a culture of reporting (Guide to Child Safe Standards, 2018, p11).
- Provide an environment for children that is safe, free from neglect and from physical, emotional or sexual abuse by staff or other adults whilst at Saints Academy.
- Ensure that record keeping is sufficiently detailed.
- Provide support through referral partners (CFCA Helplines and telephone counselling services for children, young people and parents). CFCA – Child Family Community Australia. The website for these resources is <https://aifs.gov.au/cfca/publications/cfca-resource-sheet/helplines-and-telephone-counselling-services-children-young-people>
- Ensure there are procedures to protect children, staff and families such as a reporting procedure and professional standards.
- Ensure that staff are trained and skilled in identifying possible indicators of abuse and that they are aware that they are Mandatory Reporters and required to notify any concern or child protection issues to the relevant authorities.
- Ensure staff keep up to date on legislation.
- Ensure staff are aware of their roles and responsibilities and procedures to follow if a case of abuse or neglect is suspected.
- Ensure that all notifications remain confidential.

Definitions

Mandatory Reporter – “The legal requirement to report suspected cases of child abuse and neglect is known as mandatory reporting. Mandatory reporters include operators, owners and professional employees of children's service centres. This is a legal obligation and as such carries with a penalty if you fail to act”. Child Abuse Royal Commission (2017).

Ref: <https://reporter.childstory.nsw.gov.au/s/articleWhat-is-Mandatory-Reporting>

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Child – A person under the age of 16 years.

Child Abuse – refers to a child “at risk of significant harm”. This includes one or more of the following circumstances:

- The child's basic physical or psychological needs are not being met.
- Necessary medical care has not been arranged for the child.
- The child has been or is at risk of being physically or sexually abused or ill-treated.
- The child is living in a household where domestic violence occurs and, as a consequence, the child is at risk of serious physical and psychological harm.
- A parent or caregiver has behaved in such a way towards the child that the child has suffered or is at risk of suffering serious psychological harm.
- Assault (including sexual assault) of a child.
- Ill-treatment or neglect of a child.
- Exposure or subjecting a child to behaviour that psychologically harms a child.

A child abuse allegation can also include an allegation of misconduct that may involve child abuse eg. An allegation involving possession of child pornography.

Child Abuse Conviction – Any conviction of a person, in the State of New South Wales or elsewhere, of an offence involving child abuse, and including a finding by the Court that a charge for such an offence is proven even though the court does not proceed to a conviction. The term “allegation” must refer to a description of behaviour that may constitute child abuse and also refers to “conviction” for the purpose of the procedure.

Prohibited person - Any person convicted of a serious sex offence will not be permitted to work or seek work in employment which primarily involves direct contact with children where that contact is un-supervised (in either a paid or unpaid role).

Vexatious complaint – An allegation of child abuse against another that is unfounded.

Procedures

PART A: Reporting suspected Risk of Harm

If there is an immediate danger to the child, the local police station and/or the Child Protection Hotline should be contacted immediately.

Step 1

Raise the matter in confidence with the Nominated Supervisor immediately.

A written observation, including the date and full name of the child, identifying the concern/incident must be documented immediately and be based on:

- Firsthand observation of the child or family.
- What the child, parent or other person has disclosed.
- What can reasonably be inferred based on professional training and/or experience.
- Have written observations of the child available for discussion.

Step 2

Access the Mandatory Report Guide (MRG). The MRG assists in providing mandatory reporters with the most appropriate reporting decision. It is recommended that mandatory reporters



complete the MRG on each occasion they have risk concerns. Each circumstance is different and every child is unique.

For more information on Child Story Reporter, refer <https://reporter.childstory.nsw.gov.au>

Print out the decision and discuss with Nominated Supervisor immediately.

Retain report in the child's confidential file.

Report to Regulatory Authority (ACECQA):

Approved providers must notify ACECQA through NQAITS within 24 hours of any incident or allegation of physical or sexual abuse to a child while being educated or cared for by an education and care service.

Step 3

a) If MRG informs child is at risk of significant harm

- Mandatory Reporter and/or Nominated Supervisor must make a report to the *Child Protection Helpline* on 132111 or online via Child Story Reporter; OR

b) If MRG informs the child is NOT at risk of significant harm

- Nominated Supervisor to ensure families are referred to appropriate support agencies if required (family consent must be obtained prior to referral being made).
- Continue to record clear, dated and objective observations.
- Maintain documentation in a confidential file after discussing with Nominated Supervisor.
- Work closely to support the child and family; OR

c) If MRG informs child is NOT at risk of significant harm BUT staff remain concerned, the Mandatory Reporter and/or Nominated Supervisor:

- Contact the *Child Protection Helpline* on 132111 to seek further advice.

PART B When a child makes a disclosure

- Follow procedures above, and;
- Remain calm and objective and comfort to the child;
- Listen to and believe the child;
- Don't make promises that you cannot keep;
- Convey messages that it is not their fault and it was right to tell;
- Tell them you will need to talk to other people whose job it is to help keep children safe;
- Report to the Nominated Supervisor as soon as possible that same day;
- If a child makes a disclosure in a group situation, calmly follow through on issues discussed with all children regarding protective behaviours. As soon as possible without removing the child from the group inappropriately, move to a quiet area and follow the steps outlined above.

Note that our role is to support the wellbeing of the child, not to investigate the disclosure. Do not question the child further about the details of the abuse/neglect.

PART C: Responding to an allegation of abuse by an adult at the Centre

The Approved Provider/Nominated Supervisor will:

- Develop and maintain a system of appropriate record keeping for all allegations to ensure detailed documentation is made and stored as required;
- Take all allegations of abuse seriously and clarify what is being alleged with the person who is making the allegation;



- Assess whether or not a child or young person is 'at risk of significant harm' using the Mandatory Reporting Guide (MRG), and if so, make a report to the Child Protection Hotline;
- Determine where the allegation is a reportable allegation or reportable conviction;
www.kidsguardian.nsw.gov.au/ArticleDocuments/1021/Identifying_reportable_allegations.pdf.aspx?Embed=Y
- The 7-day notification form will be completed by the Approved Provider and submitted to the Office of the Children's Guardian within 7 days of becoming aware of reportable allegation, as required under the Children's Guardian Act 2019;
www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/organisations-in-the-scheme/notify-the-childrens-guardian
www.kidsguardian.nsw.gov.au/ArticleDocuments/1022/7-DayNotificationForm.pdf.aspx?Embed=Y
- Consider whether or not the police need to be informed of the allegation, and if so, make a report;
- Ensure confidentiality is maintained at all times and that systems are in place to deal with any breaches of confidentiality;
- Undertake a risk management approach following an allegation to ensure the protection and safety of children, staff and visitors to the service. Based on the risk assessment decisions will be made in order to manage the risks that have been identified;
- Develop an investigation plan of the matter. Obtain relevant information from a range of sources. This may include a statement from the person who made the allegation;
- Statements from witnesses and a statement from the person against whom the allegation has been made and any other relevant documentation;
- If the allegation is being investigated by the Department of Communities and Justice or the Police, the service will be guided by their advice as to whether they should independently investigate the allegation;
- If the investigation is carried out by the service, the information that has been gathered will be assessed and a finding made as to whether the allegation is false, vexatious, misconceived, not reportable conduct, not sustained or sustained. The reasons for the finding will be clearly recorded to ensure that the decision-making has been transparent.
- The educator, volunteer or student will be advised of the outcome of the investigation in writing. Advice will be provided about the investigation finding and any follow up action that may be required. Advice will also be provided about any rights of appeal and the person will be advised that the Office of the Children's Guardian has been notified and the Joint Child Protection Response (JCPR) Program also notified of the relevant employment proceeding (if relevant);
- 30-day interim report form or Entity report form (to be provided after the investigation or determination is complete) will be completed by the HRE-Approved Provider and submitted to the Office of the Children's Guardian within 30 calendar days of becoming aware of a reportable allegation, as required under the Children's Guardian Act 2019;
www.kidsguardian.nsw.gov.au/ArticleDocuments/1022/30-DayInterimReportForm.pdf.aspx?Embed=Y
www.kidsguardian.nsw.gov.au/ArticleDocuments/1022/EntityReportForm.pdf
Department of Communities and Justice will also be informed of the outcome of the investigation.

Informing the member of Staff, Volunteer/Student

The Approved Provider/Nominated Supervisor will:

- Treat the staff member/educator/volunteer/student with fairness at all times and uphold their employee rights at all times;



- Depending on the nature of the allegation, arrange to inform the person immediately (though be guided by the advice of DCJ or the police);
- Arrange for the person against whom an allegation has been made to have a support person attend the meeting. This support person must not participate in the discussions throughout the meeting;
- Make accurate documentation of all conversations and ensure all records are kept confidentially;
- Offer counselling or support to the person subject to the allegation;
- Depending on the nature of the allegation made, the person subject to the allegation may be suspended pending further investigation;
- After all investigations are completed, provide the educator/carers/volunteer with verbal and written notification of the outcome of the investigation.

Rights of all Parties

- The decision-making process throughout the investigation will be based on the safety and wellbeing of the child/ren and the staff/carers/carers' household members;
- Consideration will be taken in relation to actual or potential 'conflicts of interest' that may be held by the investigator;
- All reportable allegations will be notified to the Office of the Children's Guardian. The person, against whom the allegation has been made will be notified of this and will also be notified of the investigation findings and follow-up action, including the notification to the Joint Child Protection Response Program;
- The person, against whom the allegation has been made, will be notified of any appeal mechanisms if they are not satisfied with the investigation process or the outcome of the investigation;
- The Approved Provider, Nominated Supervisor or other nominated person who conducts the investigation will ensure that they will act without bias, without delay and without conflict of interest; and
- All parties can complain to the Office of the Children's Guardian if they are not satisfied with the conduct of the investigation.

FURTHER INFORMATION ON THE OFFICE OF THE CHILDREN'S
GUARDIAN CAN BE OBTAINED BY:

Phone: **02 8219 3800**

Email: reportableconduct@kidsguardian.nsw.gov.au Web:
www.kidsguardian.nsw.gov.au

Responsibility of SPCC Saints Academy

SPCC Saints Academy will ensure that before any staff commence their employment, they will have a current Working with Children Check.

The Approved Provider will ensure that:

- Persons placed in day-to-day charge of the service have current qualification in Child Protection <https://education.nsw.gov.au/early-childhood-education/working-in-early-childhood->

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[education/child-protection-training-requirements](#)

The Approved Provider/Nominated Supervisor will ensure that:

- Any adult working or volunteering with children completes a Working with Children Check and does not commence employment without their Working with Children Check being verified. Any person whose Working with Children Check has been disqualified as a result of failing to qualify for a Working with Children Check renewal will not continue to be employed by SPCC Saints Academy. This check is verified when renewed;
https://www.kidsguardian.nsw.gov.au/ArticleDocuments/316/WWCC_brochure.pdf.aspx

The Nominated Supervisor will ensure that:

- All staff undergo training in all aspects of child protection, current legislation and its implications for their work;
- Parents of attending children are provided with information about relevant legislation and procedures;
- All staff follow procedures;
- The Head of SPCC Saints Academy is informed of any allegation of child abuse made against any staff member;
- Any situation regarding an allegation of child abuse, or any concern for any child as being at risk of harm, is treated with discretion and regard for the privacy and confidentiality of the persons concerned, recognising however, that the rights of children to be free from abuse must be held paramount;
- Management of staff will be organised to maximise protection of children from abuse and minimise opportunities for abuse, as well as minimise opportunities for vexatious allegations against staff.

Child Safe Practices

SPCC Saints Academy will:

Provide professional development internally and externally as recommended by Child Safe Standards (2018) for its staff in areas of:

- Child protection legislation, regulations and guidelines;
- Operational practices;
- Protective behaviour programs for children;
- Ensure staff have current knowledge by having Child Protection on the agenda of all staff meetings and providing refresher course every 3 years;
- Provide risk assessments to highlight any risk areas and strategies will be employed to mitigate risks.

Minimise stress factors for staff by:

- Supporting staff to be aware of their own personal levels of tolerance and stress and seek support where required as well as be aware of colleague's stress levels;
- Providing a varied roster;
- Providing an environment where staff will be easily in view of or able to be heard by another adult when working with children;
- Ensuring staff have the opportunity to take leave, meal breaks and programming time to minimise burn out and stress levels;
- Provide resource materials and information on support agencies, child protection legislation.



Ensure pedagogical practices include:

- Programs which are developmentally appropriate that do not shift the onus for safety from adult to child and from abuser to victim;
- Programs which help children learn about self-protection, asking someone they trust for help and the development of positive assertive behaviours;
- Opportunities are given to children to be involved in decision-making as recommended in the Guide to the Child Safe Standards (2018, p17);
- Encouraging positive self-esteem, secure relationships with adults and children;
- Teaching children to identify, label and communicate a range of feelings and correctly label body parts;
- Teaching children to identify when they feel safe, unsafe and identify a network of people they can trust;
- Listening to children so they know their questions and concerns are respected and understood;
- Respecting children's choices and decisions and encourage them to respect other children's choices especially where physical contact is concerned;
- Children are supported individually, recognising the diverse needs and vulnerabilities of children, through observations and discussions with families and support services (Guide to the Child Safety Standards, 2018);
- Open, two-way communication between families and communities as outlined in the Guide to the Child Safe Standards (2018).

Guide to making a child protection report-

www.community.nsw.gov.au

Child Story Reporter-

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

Office of the Children's Guardian-

<https://www.service.nsw.gov.au/nswgovdirectory/children's-guardian-office>

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/training-and-resources/child-safe-standards>

SPCC Saints Academy – After School is committed to providing a child safe environment. The safety and protection of children is our highest priority and we have zero tolerance for any abuse or maltreatment of children. We take a preventative, proactive and participatory approach to all aspects of child safety.

This policy links to the following:

Education and Care Service National Regulations 2021: 84,273,117B, 117C

Other: Child Safe Standards, NSW Children and Young Person's (Care and Protection) Act 1998, Commission for Children and Young People Act 1998, Child Protection (Prohibited Employment) Act 1998, Ombudsman Act 1974 (with relevant Child Protection Amendments), NSW Department of Communities & Justice Mandatory Reporting Guidelines NSW, Child Protection Interagency Guidelines (2006), Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No 13, Child Story - <https://childstory.net.au/>, NQS 2, 4,5,7

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Saints Academy
FOR THE WHOLE OF LIFE

SPCC Saints Academy

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