



Child Protection Policy

Responding to and Reporting Students at Risk of Harm

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Context

We recognise that care and protection for children and young people is paramount and all staff have a responsibility to report risk of harm concerns about children and young people, within their roles, and to provide support to children and young people.

Legislative Provisions

Children and Young Persons (Care and Protection) Act 1998
<https://www.legislation.nsw.gov.au/acts/1998-157.pdf>

Crimes Act 1900
<https://www.legislation.nsw.gov.au/#/view/act/1900/40>

Privacy and Personal Information Protection Act 1998
<https://www.legislation.nsw.gov.au/#/view/act/1998/133>

Health Records and Information Privacy Act 2002
<https://www.legislation.nsw.gov.au/#/view/act/2002/71>

Commission for Children and Young People Act 1998
<https://www.legislation.nsw.gov.au/#/view/act/1998/146>

Ombudsman Act 1974, Education Act 1990
<https://www.legislation.nsw.gov.au/#/view/act/1974/68/full>

1. Responsibilities and Delegations

1.1 Principal/CEO

1.1.1 Training

- Ensure all staff have participated in an initial child protection induction and an update during the past year;
- Ensure all staff are aware of the indicators of abuse and neglect of children and young people;
- Ensure all staff are aware of their obligation to advise the Principal/CEO of concerns about the safety, welfare and wellbeing of children and young people that arise during the course of their work;
- Ensure that all staff are aware of their mandatory obligation to report suspected risk of significant harm and of the procedures for doing so.

1.1.2 Reporting

- Use appropriate tools to inform decision making, such as the online Mandatory Reporter Guide <https://reporter.childstory.nsw.gov.au/s/mrg>, professional judgment or specialist advice, where there are concerns about risk of harm;
- Determine whether concerns about the safety, welfare or wellbeing of children or young people constitute risk of significant harm and, if they do, report these to Department of Communities and Justice (formally known as Family and Community Services);

1.1.3 Supporting children and young people

- Establish effective systems in their workplace for:
 - child protection concerns to be identified in the course of the work of staff, reported and action taken, where appropriate, so vulnerable children and young people are supported;
 - reasonable steps to be taken to coordinate decision making and coordinate services to children and young people and their families with other local service providers, if required;
 - collaborative work with other agencies for the care and protection of children and young people in ways that strengthen and support the family and in a manner that respects the functions and expertise of each service provider.
- Exchange relevant information to progress assessments, investigations and case management as permitted by law;
- Use best endeavours in responding to a request for a service from Department of Communities and Justice provided that the request is consistent with our responsibilities and policies.

2.1 Employees

2.1.1 Training

- Participate in a child protection induction and in annual updates. This includes all staff-teaching and non-teaching staff, part-time, temporary and casual staff and those who join during the year.

2.1.2 Reporting

- Adhere to mandatory procedures for conveying risk of harm concerns to the Principal/CEO.
- Adhere to mandatory procedures for reporting risk of significant harm to Department of Communities and Justice.
- Ensure, where they have reported any risk of significant harm concerns to the Principal/CEO, that the Principal/CEO has reported those concerns to Department of Communities and Justice.
- Report directly to Department of Communities and Justice if they believe the Principal/CEO has not reported risk of significant harm concerns to Department of Communities and Justice, and they still have concerns about risk of significant harm.

2.1.3 Supporting children and young people

- Cooperate with reasonable steps to coordinate service delivery and decision-making with other relevant service providers;
- Avoid undertaking any investigation of the circumstances giving rise to a report where risk of significant harm has been reported, without the express prior approval of the relevant Department of Communities and Justice case officer;
- Inform students, including apprentices or trainees, of their right to be protected from abuse and of avenues of support if they have concerns about abuse.

2. Monitoring, evaluation and reporting requirements

2.1 The Principal/CEO must maintain a workplace register of staff participation in annual updates and of inductions of new staff, or they must sight individual records of staff inductions. This applies to all staff including non-teaching staff, part-time, temporary and casual staff.

2.2 A record is to be kept of reports to Department of Communities and Justice as confirmation that mandatory reporting requirements have been met. The report reference number should be recorded.

2.3 The record and related papers are to be retained by the Principal/CEO in secure storage and kept confidential. These records are to be provided to any successor.

2.4 Where a reference number has been provided by the Child Wellbeing Unit it must be recorded and kept.