

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program](#)

[CompliSpace Staff Sign In](#)

[< 6. Improvement Action, Monitoring & Reporting](#)

[Child Protection Program Definitions >](#)

Red Bend Catholic College's Child Protection Program

A child (aged under 16 years) or young person (aged over 16 and under 18 years) in NSW is at risk of significant harm if the child has been, or is at risk of being:

- neglected
- physically or sexually abused or ill-treated
- exposed to domestic or family violence
- seriously emotionally or psychologically harmed by a parent or carer.

A child or young person may also be at risk of significant harm if they are subjected to grooming behaviours.

Red Bend Catholic College has zero tolerance for child abuse and is committed to the protection of all children and young people from all forms of abuse.

This Child Protection Program is made up of work systems, practices, policies and procedures designed to maintain a child safe environment and to embed an organisational culture of child safety within the College community.

The Program deals specifically with child protection issues and is designed to ensure compliance with child protection laws and regulation in NSW.

The Program also addresses the **Marist Schools Australia (MSA) Child Protection Standards** (MSA Standards) which go beyond NSW child protection laws and regulations and are designed to further develop a culture at the College where protecting children from abuse, neglect and grooming is embedded in the everyday thinking practices of staff, Volunteers and designated Direct Contact Contractors.

In accordance with MSA Standard 11, the Program has been approved by the MSA Regional Director.

Broader child safety issues arising from our common law duty of care are dealt with through our **Student Duty of Care** policies and procedures.

If you have a belief or suspicion that a child or young person has suffered, is suffering, or is at unacceptable risk of suffering, harm or abuse contact the Principal.

Where you need guidance on making a report or have questions regarding child safety, contact one of the College's appointed Child Protection Officers. Click [here](#) for full contact details.

Whenever there are concerns that a child or young person is in immediate danger outside the school the Police should be called on 000.



**Our Child Protection
Officers - Make a
Report**



Child Protection Policy



**Child Protection Code of
Conduct**



**Child Abuse -
Definitions and Key
Risk Indicators**



**Who is Responsible for
Child Protection?**



**Staff and Student
Professional Boundaries**



**Child Protection Law
and Regulation in NSW
- An Overview**



**Creating and Maintaining
a Child Safe Environment**



**Participation and
Empowerment of Children
and Young People**



**Child Protection Risk
Management**



**Procedures for
Responding to and
Reporting Suspected
Child Protection
Incidents**



**Child Safe Human
Resources Practices**



Disciplinary Procedures



**Continuous Review and
Improvement**



**Safe and Supportive
Environments**



**Marist Schools
Australia Child
Protection Standards**

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > **Child Protection Program Definitions**

[CompliSpace Staff Sign In](#)

[< Child Protection Program](#)

[>](#)

Child Protection Program Definitions

Child is defined in the Children and Young Persons (Care and Protection) Act 1998 (NSW) as a person who is under the age of 16 years.

Young Person is defined in the Children and Young Persons (Care and Protection) Act 1998 (NSW) as a person who is aged 16 years or above, but who is under the age of 18 years.

Where the term **student** is used in this Program, it is referring to all children and young people enrolled at the College.

The MSA Standards apply to all MSA staff, College staff, Volunteers, Third Party Contractors and External Education Providers. Within the MSA Standards, the following definitions are provided:

Direct Contact Volunteers are volunteers who are involved in providing support and guidance directly to students and could potentially have direct contact with students during the normal course of providing the volunteer service.

Direct Contact Volunteers may have:

- significant amounts of 1:1 time with students
- supervisory responsibility for a group of students with only broad and indirect oversight of a College staff member
- full responsibility for one or more students, such as in a sports coaching role or learning support role.

Examples of Direct Contact Volunteer activities may include volunteers involved in College camps and excursions, coaching sporting teams or assisting in learning activities.

Refer to **Direct Contact Volunteers' Responsibilities** for more information.

Direct Contact Contractors are third party contractors who have direct unsupervised contact with students during the normal course of their work or contractors who may be in a position to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare (e.g. full-time maintenance personnel). This also includes any contractors whom a school is legally required to screen.

Examples of Direct Contact Contractor activities may include tutors, sports coaches and casual teachers.

Refer to **Third Party Contractors' Responsibilities** for more information.

Indirect Contact Contractors are third party contractors who are not Direct Contact Contractors. Refer to **Third Party Contractors' Responsibilities** for more information.

Indirect Contact Volunteers are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students.

Examples of Indirect Contact Volunteer activities may include assisting with College functions, or the College canteen and fundraising barbeques.

Refer to **Indirect Contact Volunteers' Responsibilities** for more information.

Where the term "Third Party Contractor" is used, it captures both "Direct Contact Contractors" and "Indirect Contact Contractors". Refer to **Third Party Contractors' Responsibilities** for more information.

Where the term "Volunteer" is used, it captures both "Direct Contact Volunteers" and "Indirect Contact Volunteers".

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[Red Bend Catholic College](#) > [Child Protection Program](#) > [Our Child Protection Officers - Make a Report](#)

[CompliSpace Staff Sign In](#)

[< Child Protection Program Definitions](#)

[>](#)

Our Child Protection Officers - Make a Report

A number of senior staff members are nominated as the College's Child Protection Officers. The names, positions and contact details for all the College's Child Protection Officers can be found below.

Child Protection Officers are selected based on a number of considerations, including but not limited to:

- their personal attitudes, experiences and beliefs, for example, a person who is non-judgmental, calm, resilient and demonstrates a high degree of integrity and respect for confidentiality
- their role within the College, for example, a person who has seniority and experience working with complex student and family issues at the College and someone who is readily accessible and available to all members of the College community
- their personal profile within the College, for example, a person who is approachable, who students and staff trust and who is willing and able to respond to issues personally and sensitively.

Our Child Protection Officers are available to answer any questions that you may have with respect to our Child Protection Policy, Child Protection Code of Conduct, and the Child Protection Program.

The College's Child Protection Officers are your **first point of contact for reporting child protection issues** within the College. They receive special training that enables them to deal with child protection concerns both sensitively and effectively.

Child abuse includes:

- neglect
- physical abuse
- sexual abuse
- serious emotional or psychological harm by a parent or carer
- exposure to domestic or family violence.

Grooming is a recognised form of child abuse under the Crimes Act 1900 (NSW), and grooming behaviours are:

- a criminal offence under the Crimes Act 1900 (NSW)
- an example of sexual misconduct which must be reported to the NSW Ombudsman under the Ombudsman Act 1974 (NSW)
- conduct which may place a child or young person at risk of significant harm, which must be reported under the Children and Young Persons (Care and Protection) Act 1998 (NSW).

Grooming behaviours must be reported internally to a Child Protection Officer.

If you have any concern that a child or young person may be experiencing any form of abuse, neglect or grooming, whether or not you have formed a reasonable suspicion that the abuse, neglect or grooming has occurred, you should immediately raise your concerns with one of our Child Protection Officers.

The welfare and best interests of children and young people are paramount.

Whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.

Name	Position	Contact No.	Email Address
Stephen Dwyer	Principal	(02) 6852 2000	principal@redbendcc.nsw.edu.au
James Metzeling	Deputy Principal	(02) 6852 2000	jamesmetzeling@redbendcc.nsw.edu.au
Ash Hogan	Director of Students	(02) 6852 2000	ashhogan@redbendcc.nsw.edu.au
Steve Hooper	Director of Boarding	(02) 6852 2000	stevehooper@redbendcc.nsw.edu.au
Louise Spry	Basil House Coordinator	(02) 6852 2000	LouiseSpry@redbendcc.nsw.edu.au
Stephen Schrader	Chisholm House Coordinator	(02) 6852 2000	stephenschrader@redbendcc.nsw.edu.au
Erica Langley	Denis House Coordinator	(02) 6852 2000	ericalangley@redbendcc.nsw.edu.au
Chris Douglass	Loyola House Coordinator	(02) 6852 2000	ChrisDouglass@redbendcc.nsw.edu.au
Jenny McDean	McAuley House Coordinator	(02) 6852 2000	JennyMcDean@redbendcc.nsw.edu.au
Tony O'Connell	Xavier House Coordinator	(02) 6852 2000	TonyOConnell@redbendcc.nsw.edu.au
Matthew Pearce	Director of Faith Formation	(02) 6852 2000	matthewpearce@redbendcc.nsw.edu.au

Our Senior Child Protection Officer

Red Bend Catholic College has appointed **Stephen Dwyer (Principal)** as the College's Child Protection Officer. Child Protection Officer has an important role in the promotion and maintenance of a child protection culture at the College.

The Child Protection Officer is identified in our publicly available **Child Protection Policy** as the individual the wider community is to initially contact when they have child protection concerns relating to the College.

The Senior Child Protection Officer is contactable by phone on **(02) 6852 2000** or by emailing **Principal@redbendcc.nsw.edu.au**.

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[Red Bend Catholic College](#) > [Child Protection Program](#) > **Child Abuse - Definitions and Key Risk Indicators**

[CompliSpace Staff Sign In](#)

[≤](#)

[Definition of Child Abuse >](#)

Child Abuse - Definitions and Key Risk Indicators

Definition of Child Abuse

Physical Abuse

Sexual Abuse

Grooming Behaviours

Serious Emotional or Psychological Harm

Neglect

Family Violence

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Child Abuse - Definitions and Key Risk Indicators](#) > [Definition of Child Abuse](#)

[CompliSpace Staff Sign In](#)

[<](#)

[Physical Abuse >](#)

Definition of Child Abuse

Child Abuse

Section 23 of the Children and Young Persons (Care and Protection) Act 1998 (NSW) defines a child or young person to be **“at risk of significant harm”** if current concern exists for the safety, welfare or wellbeing of the child or young person because:

- the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met
- the parents or carers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care
- the parents or carers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with the Education Act 1990 (NSW)
- the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated
- the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm
- a parent or other carer has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm.

A child is defined by the Act as a person who is under the age of 16 years.

A young person is defined by the Act as a person who is aged 16 years and above but who is under the age of 18 years.

All forms of child abuse are an offence under sections 227 and 228 of the Children and Young Persons (Care and Protection) Act 1998 (NSW).

Family Violence

The NSW Crimes (Domestic and Personal Violence) Act 2007 (NSW) sets out the various criminal offences and procedural matters relating to domestic and family violence in NSW.

The Act defines a “domestic violence offence” as a “personal violence offence” committed by a person against another person with whom they have or had a domestic relationship. A personal violence offence includes multiple offences under the Crimes Act 1900 (NSW).

As the Act is primarily procedural rather than explanatory, the College encourages the College community to look to the Federal definition of family violence in the Family Law Act 1975 (Cth).

Section 4AB of the Family Law Act 1975 (Cth) defines family violence as violent, threatening or other behaviour by a person that coerces or controls a member of the person's family, or causes the family member to be fearful. Examples of this behaviour include, but are not limited to:

- assault, including sexual abuse or other sexually abusive behaviour
- stalking
- repeated derogatory taunts
- intentionally damaging or destroying property
- unreasonably denying the family member the financial autonomy that he or she would otherwise have.

In 2011, the definition of 'abuse' in relation to a child in the Family Law Act 1975 (Cth) was amended to include serious psychological harm arising from the child being subjected to or exposed to family violence.

Section 4AB of the Family Law Act 1975 (Cth) states that abuse, in relation to a child, includes "causing the child to suffer serious psychological harm, including (but not limited to) when that harm is caused by the child being subjected to, or exposed to, family violence".

Section 4AB states that a child is exposed to family violence if the child sees or hears family violence or otherwise experiences the effects of family violence.

Physical Abuse

Physical abuse is a non-accidental injury or pattern of injuries to a child or young person caused by a parent, carer or any other person.

It includes, but is not limited to, injuries which are caused by:

- excessive discipline
- severe beatings or shakings
- cigarette burns
- attempted strangulation
- female genital mutilation.

Injuries can include bruising, lacerations or welts, burns, fractures or dislocation of joints.

Possible Physical Indicators of Physical Abuse:

- unexplained bruises
- bruises or welts on facial areas and other areas of the body, including back, bottom, legs, arms or inner thighs
- any bruises or welts in unusual configurations, or those that look like the object used to make the injury, for example, fingerprints, handprints, buckles, iron or teeth
- drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest head injury
- burns that show the shape of the object used to make them, such as an iron, grill, cigarette, or burns from boiling water, oil or flames
- dislocations, sprains, twisting injuries
- fractures of the skull, jaw, nose or limbs, especially in younger children, and those not consistent with the explanation offered or with the type of injury
- cuts and grazes to the mouth, lips, gums, eye area, ears or external genitalia
- human bite marks
- bald patches where hair has been pulled out
- multiple injuries, old and new.

Possible Behavioural Indicators of Physical Abuse:

- inconsistent or unlikely explanation for an injury
- inability to remember the cause of an injury
- fear of specific people
- wearing clothes unsuitable for weather conditions (such as long sleeved tops) to hide injuries
- wariness or fear of a parent/carer and reluctance to go home
- no reaction or little emotion displayed when hurt
- little or no fear when threatened
- habitual absences from the College without explanations (the parent/carer may be keeping the child or young person away until signs of injury have disappeared)
- overly compliant, shy, withdrawn, passive and uncommunicative
- fearfulness when other children cry or shout
- unusually nervous or hyperactive, aggressive, disruptive and destructive to self and/or others
- excessively friendly with strangers
- regressive behaviour, such as bed wetting or soiling
- poor sleeping patterns, fear of dark, nightmares
- sadness and frequent crying
- drug or alcohol misuse
- poor memory and concentration
- suicide attempts
- academic problems.

Sexual Abuse

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

Sexual abuse includes sexual activity or behaviour that is imposed, or is likely to be imposed, on a child or young person by another person, including the following:

Contact Behaviours:

- kissing, touching or fondling a child or young person in a sexual manner
- penetration of the vagina or anus by digital, penile, or any other object
- oral sexual contact
- coercing the child or young person to perform a sexual act on him/herself or anyone else.

Non-Contact Behaviours:

- flashing/exposing to a child or young person
- having a child or young person pose or perform in a sexual manner
- looking at a child's or young person's genitals for sexual gratification
- exposure to sexually explicit material or acts (including pornographic material)
- communication of graphic sexual matters (including by social media or any other electronic means).

Sexual abuse also includes prostitution or exposure to circumstances where there is a risk that the child or young person may be sexually exploited.

Possible Physical Indicators of Sexual Abuse:

- injury to the genital or rectal areas, such as bruising or bleeding
- vaginal or anal bleeding or discharge
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and/or rectum
- inflammation or infection of the genital area
- sexually transmitted diseases
- pregnancy, especially in very young adolescents
- bruising and other injury to breasts, buttocks or thighs
- anxiety related illnesses such as anorexia or bulimia
- frequent urinary tract infections.

Possible Behavioural Indicators of Sexual Abuse:

- the student discloses sexual abuse
- persistent and age-inappropriate sexual activity, including excessive masturbation, masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event
- drawings or descriptions in stories that are sexually explicit and not age appropriate
- a fear of home, a specific place, a particular adult, or excessive fear of men or of women
- poor or deteriorating relationships with adults and peers
- poor self-care/personal hygiene
- regularly arriving early at the College and leaving late
- complaining of headaches, stomach pains or nausea without physiological basis
- frequent rocking, sucking or biting
- sleeping difficulties
- reluctance to participate in physical or recreational activities
- regressive behaviour, such as bed wetting or speech loss
- the sudden accumulation of money or gifts
- unplanned absences or running away from home
- delinquent or aggressive behaviour
- depression
- self-injurious behaviour, including drug/alcohol abuse, prostitution, self-mutilation, or attempted suicide
- the sudden decline in academic performance, poor memory and concentration
- wearing of provocative clothing, or layers of clothes to hide injuries
- promiscuity.

Student-to-Student Offending

If you are concerned that a child or young person (under the age of 18) may have initiated sexually abusive behaviour to others, you must report your concern to one of our Child Protection Officers

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[Red Bend Catholic College](#) > [Child Protection Program](#) > [Child Abuse - Definitions and Key Risk Indicators](#) > [Grooming Behaviours](#)

[CompliSpace Staff Sign In](#)

[< Sexual Abuse](#)

[Serious Emotional or Psychological Harm >](#)

Grooming Behaviours

Grooming behaviour refers to predatory conduct undertaken to prepare a child or young person for sexual activity at a later time. Grooming behaviour typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour. It involves the use of a variety of manipulative and controlling techniques, with a vulnerable subject, in a range of interpersonal and social settings, in order to establish trust or normalise sexually harmful behaviour, with the overall aim of facilitating exploitation and/or prohibiting exposure. Perpetrators can groom a child, as well as other people in the child's life, for example parents/carers and other staff members at the College.

The following are offences under the Crimes Act 1900 (NSW):

- Section 66EB: Grooming or procuring a child under the age of 16 years for unlawful sexual activity, carrying a maximum 12-year term of imprisonment.
- Section 66EC: Grooming a person for unlawful sexual activity with a child under the person's authority, carrying a 5 or 6-year term of imprisonment (depending on the age of the child).

"Under the authority" means under the care, or under the supervision or authority, of the other person. This includes the relationship between a student and a Principal, teacher/volunteer/contractor.

These offences only apply to children (a person under the age of 16). The grooming of a young person, while not a crime, must still be reported to the Principal.

A failure to reduce or remove the risk of a child becoming a victim of grooming may also constitute a criminal offence.

Grooming is a recognised form of child abuse under the Crimes Act 1900 (NSW), and grooming behaviours are:

- an example of sexual misconduct which must be reported to the NSW Ombudsman under the Ombudsman Act 1974 (NSW), and
- conduct which may place a child or young person at risk of significant harm, which must be reported under the Children and Young Persons (Care and Protection) Act 1998 (NSW).

Online Grooming:

Under section 66EB, the criminal offence of grooming includes:

- an adult (18 years or over) who engages in any conduct that exposes a child to indecent material or provides a child with an intoxicating substance, and
- who does so with the intention of making it easier to procure the child for unlawful sexual activity with that or any other person.

"Conduct" is defined to include:

- communicating in person or by telephone, the internet or other means, or
- providing any computer image, video or publication.

An adult:

- who intentionally meets a child, or travels with the intention of meeting a child, whom the adult has groomed for sexual purposes, and
- who does so with the intention of procuring the child for unlawful sexual activity with that adult person or any other person,
- is guilty of an offence.

Under section 66EC, the criminal offence of grooming a person for unlawful sexual activity with a child (under the ages of 16) under the person's authority includes:

- an adult (18 years or over) who provides a person (other than the child) with any financial or other benefit, and
- who does so with the intention of making it easier to procure a child who is under the authority of the person (under the care, or under the supervision or authority, of the other person) for unlawful sexual activity with the adult person or any other person,

is guilty of an offence.

Possible Indicators of Adult Grooming Behaviours in the College Context:

The types of behaviours that may lead to a conclusion of grooming behaviour include (but are not limited to) the following:

- persuading a student that they have a special relationship with the adult, for example, by:
 - spending inappropriate special time with the student
 - inappropriately giving gifts to the student
 - inappropriately showing special favour to a student but no other students
 - inappropriately allowing the student to overstep rules
 - asking the student to keep the special relationship secret
- testing boundaries, for example, by:

- undressing in front of a student
- encouraging inappropriate physical conduct, even where it is not overtly sexual
- talking about sex
- 'accidental' intimate touching
- inappropriately extending a relationship out of school hours (an example of where this may be appropriate is where there is a pre-existing friendship with the student's family)
- inappropriate personal communication with a student including emails, telephone calls, text messaging, social media or other forms of online communication
- being overly interested in the student's sexual development
- offering to help a student improve their performance at school
- taking a lot of photos of a student
- sharing alcohol or drugs with a student
- making jokes or innuendo of a sexual nature
- inviting or allowing students to attend a staff member's home without parental/carer permission
- entering change rooms or toilets occupied by students when supervision is not required or appropriate.

Possible Indicators That a Child or Young Person May Be Subject to Grooming:

- developing an unusually close relationship with an adult
- displaying significant mood changes, including hyperactive, sensitive, hostile, aggressive, impatient, resentful, anxious, withdrawn or depressed behaviour
- using 'street' or different language they learned from a new or older 'friend'
- having new jewellery, clothing, expensive items or large amounts of money that were gifts from a new or older 'friend'
- using a new mobile phone excessively to make calls, videos or send text messages to a new or older 'friend'
- being excessively secretive about their use of social media or online communications
- frequently staying out late or overnight with a new or older 'friend'
- being dishonest about where they have been or who they were with
- drug and alcohol use
- being picked up in a car by a new or older 'friend' from home or the College or 'down the street'.

Possible Indicators That a Child or Young Person May Be Subject to Online Grooming:

- discovery of pornography on their computer or device
- receiving or making calls to unrecognised numbers
- increased or excessive amount of time spent online
- increased secrecy in what they are doing online and efforts to try and hide what they are doing online
- evidence of people on their 'friends' list that are unknown and they have never met offline.

What is Not Grooming?

Certain behaviours or acts will not in isolation constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

Similarly, not all physical contact between a student and a staff member or any person engaged by the College to provide services to children, including a Volunteer, will be inappropriate and/or an indicator of possible grooming behaviour.

The following physical contact with students is not grooming behaviour:

- administration of first aid
- supporting students who have hurt themselves
- non-intrusive gestures to comfort a student who is experiencing grief, loss or distress, such as a hand on the upper arm or upper back
- non-intrusive touching i.e. shaking a student's hand or a pat on the back to congratulate a student.

Serious Emotional or Psychological Harm

Serious psychological harm can occur where the behaviour of a child's parent or carer damages the confidence and self-esteem of the child or young person, resulting in serious emotional deprivation or trauma.

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

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

Possible Physical Indicators of Serious Emotional or Psychological Harm:

- speech disorders
- delays in emotional, mental or even physical development
- physical signs of self-harming.

Possible Behavioural Indicators of Serious Emotional or Psychological Harm:

- constant feelings of worthlessness about life and themselves
- unable to value others
- lack of trust in people
- lack of people skills necessary for daily functioning
- extreme attention-seeking behaviour
- obsessively eager to please or obey adults
- takes extreme risks, is markedly disruptive, bullying or aggressive
- highly self-critical, depressed or anxious
- suicide threats or attempts
- persistent running away from home.

Neglect

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

Possible Physical Indicators of Serious Neglect:

- consistently dirty and unwashed
- low weight for age and/or failure to thrive and develop
- consistently inappropriately dressed for weather conditions
- consistently without adequate supervision and at risk of injury or harm
- consistently hungry, tired and listless, falling asleep in class, or malnourished
- unattended health problems and lack of routine medical care
- inadequate shelter and unsafe or unsanitary conditions
- abandonment by parents/carers
- poor hygiene.

Possible Behavioural Indicators of Serious Neglect:

- scavenging or stealing food
- gorging when food is available
- inability to eat when extremely hungry
- alienated from peers, withdrawn, listless, pale, and thin
- aggressive behaviour
- delinquent acts, for example, vandalism, drug or alcohol abuse
- little positive interaction with parent/carer
- appearing miserable or irritable
- poor socialising habits
- poor evidence of bonding, or little stranger anxiety
- indiscriminate with affection
- poor, irregular or non-attendance at school
- staying at the College for excessively long hours
- self-destructive
- dropping out of school
- taking on an adult role of caring for a parent/carer
- misusing alcohol or drugs
- academic issues.

Family Violence

Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

For the full definition of family violence refer to **Definition of Child Abuse**.

When dealing with children it is important to remember that “family violence” extends to behaviour that causes a child to hear, witness, or be exposed to the effects of “family violence”. A child’s exposure to family violence constitutes child abuse under the Family Law Act 1975 (Cth).

Examples of situations that may constitute a child being exposed to family violence include the child :

- overhearing threats of death or personal injury by a member of the child’s family towards another member of the child’s family, or
- seeing or hearing an assault of a member of the child’s family by another member of the child’s family.

As family violence can result in one or more forms of child abuse (being neglect, physical or sexual abuse or emotional or psychological harm) physical and behavioural indicators of these types of abuse may also be indicative of a family violence situation.

Behavioural indicators for older children and young people may include:

- moving away or running away from the family home
- entering a relationship early to escape the family home
- experiencing violence in their own dating relationships
- involvement in criminal activity
- alcohol and substance abuse.

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[Red Bend Catholic College](#) > [Child Protection Program](#) > **Child Protection Policy**

[CompliSpace Staff Sign In](#)

[< Family Violence](#)

[Our Child Safety Code of Conduct >](#)

Child Protection Policy

Red Bend Catholic College has developed the following Child Protection Policy as an overarching statement that provides key elements of our approach to the protection of children and young people from abuse and sets the tone for the College's entire Child Protection Program.

This policy is designed to be Red Bend Catholic College's public statement of commitment to the protection of children from abuse, neglect and grooming, and a demonstration of the College's leaders' commitment to champion child safety in all College environments.

The College's Child Protection Policy fulfils the requirements of the MSA Standards and has been approved and endorsed by the MSA Regional Director and the MSA Association Council in its capacity as the College's governing body.

The policy is reviewed at least annually in light of experience, the effectiveness of procedures, and the publication of relevant research.

The policy is published on our public website as well as communicated through other mediums such as newsletters, our annual report and in induction and welcome packs for staff members, Direct Contact Volunteers and Direct Contact Contractors.

A PDF version of Red Bend Catholic College's Child Protection Policy is available [here](#).

Red Bend Catholic College's Child Protection Policy

Objectives

This policy provides the framework for:

- the development of work systems, practices, policies and procedures that promote child protection, safety and wellbeing within the College
- the creation of a safe and supportive College environment and a positive and robust child protection culture
- the promotion and open discussion of child protection issues within the College
- complying with all laws, regulations and standards relevant to child protection in NSW.

Statement of Commitment

Red Bend Catholic College is committed to providing education and care to children and young people to assist them to develop into high-achieving, supported students, positively connected to each other and to the communities in which they live and which they will serve.

The College is committed to ensuring the safety, welfare and wellbeing of all children and young people at the College and is dedicated to protecting them from abuse and harm.

At Red Bend Catholic College, we have a zero tolerance for child abuse. The College regards its child protection responsibilities with the utmost importance, as such is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and to maintain safe and supportive College physical and online environments for all children and young people.

Child Safe Values and Principles

The following child safe principles guide the College commitment to child safety and form the basis for all child protection policies and procedures at the College.

1. All children and young people have the right to be safe and treated fairly.
2. The welfare and best interests of children and young people are paramount.
3. The views of children and young people must be respected.
4. Clear expectations for appropriate behaviour with children and young people are established in our Child Protection Code of Conduct and Staff and Student Professional Boundaries policy.
5. The safety of children and young people is dependent upon the existence of a child safe culture.
6. Child safety awareness is promoted and openly discussed within our College community.
7. Procedures are in place to screen all staff, Volunteers, Third Party Contractors and External Education Providers who have direct contact with children and young people.
8. Child safety and protection is everyone's responsibility.
9. Child protection training is mandatory for all staff members, Direct Contact Volunteers* and Direct Contact Contractors**.
10. Procedures for responding to alleged or suspected incidents of child abuse and harm are simple and accessible for all members of the College community, and all are welcome and encouraged to use them
11. Procedures are in place to ensure all College premises are designed to ensure the safety of children.

**Direct Contact Volunteers are those volunteers who are involved in providing support, guidance and supervision directly to students and could potentially have direct unsupervised contact with students during the normal course of providing the volunteer service.*

Examples of Direct Contact Volunteer activities may include volunteers involved in College camps and excursions, coaching sporting teams or assisting in learning activities.

***Direct Contact Contractors are third party contractors who have direct unsupervised contact with students during the normal course of their work or contractors who may be in a position to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare (e.g. full-time maintenance personnel). This also includes any contractors whom a school is legally required to screen.*

Examples of Direct Contact Contractor activities may include tutors, sports coaches and casual teachers.

Child Protection Officers

As part of our commitment to child safety and protection, Red Bend Catholic College has appointed a number of **Child Protection Officers** as honest, mature, ethical and experienced members of the College community who can deal with sensitive issues relating to child protection and safety.

Our Child Protection Officers are available to answer any questions that you may have with respect to our Child Protection Policy and the Child Protection Program.

Responsibilities

The College acknowledges that child protection is everyone's responsibility.

At Red Bend Catholic College all staff members, Volunteers, Third Party Contractors and External Education Providers have a shared responsibility for contributing to the safety and protection of children and young people. Specific responsibilities for each group of the College community are further explained in the **Who is Responsible for Child Protection** section of our Child Protection Program.

Reporting Child Protection Concerns

Our Child Protection Program provides detailed guidance for all members of the College community as to how to identify key risk indicators of child abuse and how to report child abuse concerns to one of our College's nominated Child Protection Officers. It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant external authorities.

Staff, Third Party Contractors, External Education Providers, Volunteers, students, parents/carers and other community members who have concerns that a child or young person may be subject to abuse, neglect or grooming are asked to contact the College's Senior Child Protection Officer, **Stephen Dwyer**, by phoning **(02) 6852 2000** or emailing **Principal@redbendcc.nsw.edu.au**.

Communications will be treated confidentially on a 'need to know basis'.

Whenever there are concerns that a child is in immediate danger the Police should be called on 000.

Related Policies and Procedures

- **Risk Management Program**
- **Compliance Program**
- **Human Resources Program**
- **Student Duty of Care Program**
- **Work Health & Safety Program**
- **Child Protection Training**
- **Recruitment and Selection Procedures**
- **Induction Procedures**

Program Compliance and Review

Red Bend Catholic College is committed to the continuous improvement of our Child Protection Program and to ensuring the College's compliance with NSW child protection law and regulation.

The Program is regularly reviewed for overall effectiveness and to ensure compliance with all child protection related laws, regulations and standards. For more information, refer to the **Continuous Review and Improvement** section of our Child Protection Program.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > **Our Child Safety Code of Conduct**

[CompliSpace Staff Sign In](#)

[< Child Protection Policy](#)

[Staff and Student Professional Boundaries >](#)

Our Child Safety Code of Conduct

A Child Safety Code of Conduct lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. For more detailed guidance refer to the College's **Staff and Student Professional Boundaries** policy.

When individuals are clear about behavioural expectations, they are much more likely to act appropriately with each other and with children and young people.

When everyone is educated about the Code of Conduct and the reasons it is so important to uphold, the College environment becomes much more transparent and people are accountable for their behaviour. Above all, a Child Safety Code of Conduct helps to protect children and young people from harm.

This Code applies to:

- all staff members, including non-teaching staff and temporary or casual staff
- volunteers
- students
- parents and carers
- Third Party Contractors and External Education Providers
- teaching students on placement at the College
- visitors.

The Code is made available via our public website and the staff intranet.

The MSA Regional Director has approved and endorsed this Child Protection Code of Conduct.

A PDF version of our Child Safety Code of Conduct is available [here](#).

Red Bend Catholic College's Child Safety Code of Conduct

This Child Protection Code of Conduct outlines appropriate standards of behaviour for all adults towards students. The Code serves to protect students, reduce any opportunities for abuse or harm to occur, and promote child safety in the College environment. It provides guidance on how to best support students and how to avoid or better manage difficult situations. Where a staff member breaches the Code, Red Bend Catholic College may take disciplinary action, including in the case of serious cases, dismissal. The College revises the Code annually.

Red Bend Catholic College has the following expectations of behaviours and boundaries for all individuals interacting with children and young people within our College community.

The MSA Regional Director has approved and endorsed this Child Protection Code of Conduct.

DO:

- Uphold Red Bend Catholic College's Child Protection Policy at all times.
- Behave as a positive role model to students.
- Promote the safety, welfare and wellbeing of students.
- Be vigilant and proactive with regard to student safety and child protection issues.
- Provide age appropriate supervision for students.
- Comply with guidelines published by the College with respect to child protection, specifically the College's **Child Protection Policy** and our **Staff and Student Professional Boundaries** policy.
- Treat all students with respect.
- Promote the safety, participation and empowerment of students with a disability.
- Promote the cultural safety, participation and empowerment of linguistically and culturally diverse students.
- Use positive and affirming language towards students.
- Encourage students to 'have a say' and then listen to them with respect.
- Respect cultural, religious and political differences.
- Help provide an open, safe and supportive environment for all students to interact, and socialise.
- Intervene when students are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way.
- Report any breaches of this Child Safety Code of Conduct.
- Report concerns about child safety to one of the College's Child Protection Officers and ensure that your legal obligations to report allegations externally are met.
- Where an allegation of child abuse is made, ensure as quickly as possible that the student involved is safe.
- Tell the Principal if you have immediate concerns for a student's safety.
- Respect the privacy of students and their families and only disclose information to people who have a need to know.

DO NOT:

- Engage in any form of inappropriate behaviour towards students or expose students to such behaviour.
- Use prejudice, oppressive behaviour or inappropriate language with students.
- Express personal views on cultures, race, ethnicity, disability or sexuality in the presence of students or discriminate against any student based on culture, race, ethnicity, disability or sexuality.
- Engage in open discussions of an adult nature in the presence of students.
- Engage in any form of sexual conduct with a student including making sexually suggestive comments and sharing sexually suggestive material.
- Engage in inappropriate or unnecessary physical contact or behaviours including doing things of a personal nature that a student can do for themselves, such as toileting or changing clothes.
- Engage in any form of physical violence towards a student including inappropriately rough physical play.
- Use physical means or corporal punishment to discipline or control a student.
- Engage in any form of behaviour that has the potential to cause a student serious emotional or psychological harm.
- Develop 'special' relationships with students that could be seen as favouritism (e.g. the offering of gifts or special treatment for specific students).
- Engage in undisclosed private meetings with a student that is not your own child.
- Engage in inappropriate personal communications with a student through any medium, including any online contact or interactions with a student.
- Take or publish (including online) photos, movies or recordings of a student without parental/carers consent.
- Post online any information about a student that may identify them such as their: full name, age, email address, telephone number, residence, school, or details of a club or group they may attend.
- Ignore or disregard any suspected or disclosed child abuse.

Our Child Protection Program includes a **Staff and Student Professional Boundaries** policy that provides detailed guidance for all staff and Volunteers on how to maintain professional boundaries between students and adults at Red Bend Catholic College.

Disciplinary Procedures

Where a staff member breaches the Code, Red Bend Catholic College may take disciplinary action, including in the case of serious breaches, dismissal.

Where any other member of the College community breaches any obligation, duty or responsibility within our Child Safety Code of Conduct, Red Bend Catholic College will take appropriate action.

Report Any Child Protection Concerns

Our Child Protection Program also includes information for staff members and Direct Contact Volunteers as to how to identify key risk indicators of child abuse and how to report child abuse concerns to one of the College's Child Protection Officers.

It also contains detailed procedures with respect to the reporting of child abuse incidents to relevant authorities.

Indirect Contact Volunteers, Third Party Contractors, External Education Providers, students, parents/carers or other community members who have concerns that a child may be subject to abuse are asked to contact one of the College's Child Protection Officers.

Communications will be treated confidentially on a 'need to know basis'.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > **Staff and Student Professional Boundaries**

[CompliSpace Staff Sign In](#)

[< Our Child Safety Code of Conduct](#)

[Who is Responsible for Child Protection? >](#)

Staff and Student Professional Boundaries

This policy applies to all teaching staff, boarding staff, non-teaching staff, Volunteers, Third Party Contractors and External Education Providers **(together, known as "staff" for the purposes of this policy only)**.

Red Bend Catholic College staff hold a unique position of influence, authority, trust and power in relation to students at the College. As such, it is their duty, at all times, to maintain professional boundaries with students.

The following policy and guidelines are designed to raise awareness of situations where professional boundary violations may occur and some strategies to minimise the risk of boundary violations.

The practice of protective behaviours at all times will also reduce the possibility of vexatious claims being brought against staff.

Red Bend Catholic College's Policy

Red Bend Catholic College is committed to providing a safe physical and emotional environment where all of our students are respected and treated with dignity in an appropriate professional and caring manner where the risk of child abuse is minimised, and a safe and supportive child-safe environment is maintained.

It is our policy that:

- staff exercise their responsibilities in a way that recognises professional boundaries with regard to their relationships with students at all times
- staff identify, discourage and reject any advances of a sexual nature initiated by a student
- staff interaction with students is professional at all times, including inside and outside of school hours
- conflict of interest issues must be reported to the Principal as soon as practicable
- equal learning opportunities are given to each student without discrimination
- appropriate consequences will be applied to staff who breach professional boundaries.

What are Professional Boundaries?

Professional boundaries are parameters that describe the limits of a relationship in circumstances where one person (a student) entrusts their welfare and safety to another person (a staff member), in circumstances where a power imbalance exists.

The fact that College staff are in a unique position of trust, care, authority and influence with students means that there is always an inherent power imbalance that exists between them. It also means that professional boundaries must be established, maintained and respected at all times.

In most cases this power imbalance is clear, however sometimes it may be more difficult to recognise especially for younger staff members who may only be a few years older than their students.

The following guidelines are not exhaustive, and, given that sometimes “grey areas” may occur, it is expected that all staff (no matter their age or experience) use their own good judgment, think very carefully about the implications and potential consequences of engaging in certain behaviours with students, and always err on the side of caution.

When unsure about whether professional boundaries are being, or have been, breached, ask yourself:

- Would I modify my behaviour if a colleague was present?
- How would I feel about explaining my actions at a staff meeting?
- Am I sharing information for the student's benefit, or for my benefit?
- Am I dealing with this student differently from others in similar circumstances?
- Is my language or demeanour different from normal when dealing with this particular student?

Intimate Relationships

Staff must not initiate or develop a relationship with any student that is or can be misinterpreted as having a romantic or sexual, rather than professional basis. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents/carers.

Such relationships have a negative impact on the teaching and learning of students and colleagues and may carry a serious reputational risk for the staff member and, in turn, the College.

The professional relationship of staff and students may be breached by:

- flirtatious behaviour or dating
- development of an intimate personal relationship
- sexual relations
- the use of sexual innuendo, inappropriate language and/or material with students
- unwarranted and inappropriate touching
- unwarranted and inappropriate filming or photography
- deliberate exposure to sexual behaviour of others (e.g. pornography)
- having intimate contact without a valid context via written or electronic means (e.g. email, letters, telephone, text messages, social media sites or chatrooms)
- going out, whether alone or in company, to social events such as the movies or dinner
- exchanging gifts of a personal nature that encourages the formation of an intimate relationship.

Staff should also be aware that developing or encouraging romantic or sexual relationships with recent former students (over 18 years of age) may violate professional boundaries and are strongly discouraged from doing so.

The imbalance of power and authority that exists in the staff/student relationship does not suddenly disappear after the student finishes their schooling. Staff should not assume that they will be protected from disciplinary action by claiming that a relationship began only after the student left the College as there may be a reasonable belief that the emotional intimacy of the relationship developed while the staff/student relationship existed.

Personal Relationships

Staff must not initiate or develop a relationship with any student that is or can be perceived or misinterpreted as having a personal rather than professional element. This is regardless of whether the relationship is consensual, non-consensual or condoned by parents or carers.

It is the student's **perception** of staff behaviour and not the intention of the staff member that is important.

An established and expected professional relationship between staff and students may be compromised by staff:

- attending parties or socialising with students outside of organised College events (without parental/carers permission)
- sharing personal details about their private lives with students
- meeting with students outside of school hours without permission from the College.

Staff must recognise at all times that their role is not to be a “friend” or “parent” to a student.

Fair Learning Opportunities

The main focus of teaching is effective student learning and as such, teachers are expected to support their students with their professional expertise so as to offer them the best education in their individual circumstances. The quality of teaching and learning between teachers and students characterises their relationship.

Teachers should demonstrate their commitment to student learning by:

- maintaining a safe and challenging learning environment that promotes mutual respect
- recognising and developing each student's abilities, skills and talents by catering to their individual abilities and respecting their individual differences
- encouraging students to develop and reflect on their own values
- interacting with students without bias
- not engaging in preferential treatment
- not discriminating against any student on the basis of race, sex, sexuality, disability or religious or political conviction
- always making decisions in students' best interests.

Electronic Communications between Staff and Students

It is expected that all staff at the College will adhere to the following guidelines:

- all use of technology should be for educational purposes or for the organisation of co-curricular activities
- all email communication between staff and students should be via the College email system and reflect a professional staff/student relationship
- staff should not communicate with students via text message where it is not in a professional context
- staff should not give out their personal telephone numbers or social media contact details
- staff are not to accept or request students as 'friends' on social media or otherwise use social media to communicate in any way that is not condoned or approved by the College
- staff should not exchange personal pictures with a student
- teachers are not expected or encouraged to respond to concerns of parents/carers or students on holidays, weekends or in the evening
- any student personal contact numbers or other personal contact details made available to the College should only be used for College communications.

Physical Contact with Students

All staff should be aware that situations may arise that can be perceived in a manner that was not intended. For this reason, all staff at the College should adhere to the following guidelines for contact with students both in and outside of the College grounds:

- staff should avoid unnecessary physical contact with students
- minimal, non-lingering, non-gratuitous physical contact in the context of the situation is acceptable (e.g. congratulatory pat on the back or handshake)
- contact for sport, drama and dance instruction is acceptable in a class situation but not in a 1:1 situation. If physical contact is required for specific technical instructions, it must be brief and only with the consent of the student. Note that a student may withdraw consent for this contact either verbally or gesturally and staff must remain vigilant whilst engaging in necessary contact situations. Once consent has been withdrawn **no** further contact can be or should be made.

Off-Campus Excursions and Camps

During off-campus excursions or camps, the same physical contact guidelines apply as well as the following:

- checking of sleeping arrangements, or supervising of students changing should be done, where possible, with another staff member present and always in a manner that respects students' privacy and personal space
- always knock and advise of presence prior to entering a bedroom or dormitory
- ensure that while in a bedroom or dormitory a strict staff-student relationship is upheld and that inappropriate behaviour, such as sitting on a student's bed, is not undertaken.

Managing Conflicts of Interest

Where personal relationships with students such as family relationships and close friendship networks exist, questions of conflicts of interest may arise.

This may be more prevalent in close or rural communities where professional boundaries may be tested due to the nature and size of the community. In these circumstances, staff need to be far more diligent in developing and maintaining these boundaries.

Where a staff member feels that a conflict of interest may exist, they should notify the Principal, or the Regional Director of MSA if the conflict involves the Principal and arrangements should be implemented to avoid the conflict situation if possible. For example, the teaching of students by a staff member with a conflict should be avoided.

Any significant decisions relating to these students in the College (such as the appointment of classes or selection in sports teams) should be referred to another staff member and endorsed by a supervisor.

Disclosure of Staff-Student Interactions

It is Red Bend Catholic College's policy that all staff are encouraged to declare any interactions with students outside school hours. These interactions may include instances where the staff member is:

- related to the student
- friends with the student's parents or family
- given parental consent to interact with the student for academic purposes outside of school hours and has notified the College.

Red Bend Catholic College maintains records of all declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of school hours or College premises.

These records are kept in electronic form indefinitely.

Staff Responsibilities

All staff are to:

- follow the guidelines as set out in this policy
- immediately report any conflicts of interest
- remove themselves from decision making where a conflict has been identified.

Where a staff member breaches this policy Red Bend Catholic College may take disciplinary action, including in the case of serious breaches, dismissal.

Implementation

These guidelines are implemented through a combination of:

- staff training and development in professional conduct
- student and parent/carers education and information
- effective management of teachers engaging in inappropriate relationships with students
- effective management of conflicts of interest
- effective communication and incident notification procedures
- effective record keeping procedures
- initiation of corrective actions where necessary.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > **Who is Responsible for Child Protection?**

[CompliSpace Staff Sign In](#)

[< Staff and Student Professional Boundaries](#)

[Association Council Responsibilities >](#)

Who is Responsible for Child Protection?

Child protection is everyone's responsibility.

Society as a whole shares responsibility for promoting the safety and protection of children and young people from abuse, neglect and grooming behaviours. In the College context, all members of the College community have their role to play—teachers, staff, administrators, parents/carers, Volunteers and students. That said, the College's Executive Management Team are committed to 'leading from the front' and engaging in a preventative, proactive and participatory approach to child protection issues.

Students are encouraged to take an active role in developing and maintaining a child safe environment at the College and are provided with opportunities to contribute and give feedback in the development of the College's policies and practices. Students are also made aware of the avenues available to them to report or disclose abuse or concerns for their safety or the safety of others.

Key Roles and Responsibilities include:

The Association Council

The MSA Regional Director

The Principal

The College's Child Protection Officers

Staff Members

Direct Contact Volunteers

Indirect Contact Volunteers

Third Party Contractors

External Education Providers

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **Association Council Responsibilities**

[CompliSpace Staff Sign In](#)

[< Who is Responsible for Child Protection?](#)

[MSA Regional Director Responsibilities >](#)

The Association Council Responsibilities

The Association Council is the College's governing body.

It is the responsibility of each member of the Association Council to:

- acquire and keep up-to-date knowledge of child protection matters
- understand the nature of the College's operations and the child protection risks associated with these operations
- ensure that the College has appropriate resources to effectively implement its Child Protection Policy and Child Protection Program
- ensure that the College has appropriate processes for receiving and considering information regarding child protection issues and can respond in a timely way to that information
- ensure that the College has and implements processes to ensure that the College is complying with its legal and regulatory obligations with respect to child protection
- ensure that the College has developed and implements processes to ensure ongoing monitoring to verify the provision and use of the resources that have been allocated to the management of child protection issues within the College and their effectiveness
- advise the MSA Regional Director on child protection issues at the College as required.

The Association Council has delegated its functions relating to the management and implementation of the College's Child Protection Program to the **College's Principal**.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **MSA Regional Director Responsibilities**

[CompliSpace Staff Sign In](#)

[< Association Council Responsibilities](#)

[The Principal's Responsibilities >](#)

MSA Regional Director Responsibilities

MSA, through its Regional Directors, is assured that each MSA-governed school complies with relevant legislation, the MSA Standards and relevant requirements of the Catholic Church and the Marist Association of St Marcellin Champagnat.

Each Regional Director is responsible for:

- approving the Child Protection Program of each MSA-governed school within their Region, after it has been considered and endorsed by the MSA Regional Council
- ensuring that an annual risk assessment is undertaken by each MSA-governed school within their Region
- annually conducting an internal audit of the implementation of the Child Protection Program of each MSA-governed school within their Region
- annually submitting a written report to the Professional Standards Committee of the Association Council on the overall effectiveness of the Child Protection Program of each MSA-governed school within their Region
- submitting a summary to the Professional Standards Committee of reportable incidents** received from each MSA-governed school within their Region.

The Principal is responsible for assisting the Regional Director to meet the responsibilities listed above.

***Reportable incidents are incidents of child abuse (either current or historical) that relate to abuse, or potential abuse, by a member of staff (including employees, Volunteers, brothers or interns) of the College.*

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **The Principal's Responsibilities**

[CompliSpace Staff Sign In](#)

[< MSA Regional Director Responsibilities](#)

[The School's Child Protection Officers' Responsibilities >](#)

The Principal's Responsibilities

The Principal is ultimately responsible, and will be accountable for, taking all practical measures to ensure that:

- the College's **Child Protection Policy** and Child Protection Program are implemented effectively with available resources effectively deployed;
- appropriate College Child Protection Officers are appointed and trained
- a strong and sustainable child protection culture is maintained within the College
- any child protection incidents arising are dealt with professionally and in a timely manner
- the MSA Regional Director, the College's Executive and senior leaders are briefed regularly on the child safe culture and child protection matters
- the College is complying with its legal and regulatory obligations with respect to child protection
- promptly managing the College's response to an allegation or disclosure of child abuse, and ensuring that the allegation or disclosure is taken seriously
- ensuring that the College's Child Protection Policy is clearly communicated to all key stakeholders including students, parents, staff and Volunteers
- on behalf of the Association Council, ensuring that the College's Child Protection Policy and Child Protection Program are being implemented effectively
- ensuring that all staff, Direct Contact Volunteers and Direct Contact Contractors undertake child protection training so that they are able to identify signs of abuse and grooming, understand how to respond and when to make a referral either internally or to an external agency
- providing all staff members, Direct Contact Volunteers and Direct Contact Contractors with a copy of the College's Child Protection Policy
- ensuring the College's Child Protection Policy and Child Protection Program are reviewed on a regular basis by an appropriate member of staff
- offering assistance and support when a member of the College community receives or makes a disclosure of abuse or grooming
- organising external support to assist parties following a disclosure or suspicion of abuse or grooming
- developing processes for minor corrective issues that don't need to be reported to an outside authority.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > [The School's Child Protection Officers' Responsibilities](#)
[CompliSpace Staff Sign In](#)

[< The Principal's Responsibilities](#)

[Staff Responsibilities >](#)

The College's Child Protection Officers' Responsibilities

A number of senior staff members are nominated as the College's Child Protection Officers. The names, positions and contact details for all College's Child Protection Officers can be found [here](#).

Key responsibilities for the College Child Protection Officers include:

- having a good working knowledge of the College's Child Protection Program
- ensuring that there are clear procedures to allow people to report child protection concerns within the College
- promoting child protection issues within the College community and responding to general queries with respect to the College's Child Protection Policy and Child Protection Program
- acting as "Child Protection Champions" and ensuring a strong and sustainable child protection culture is embedded within the College
- being a point of contact for staff, or other members of the College community, to raise child protection concerns within the College
- assisting the Principal, Senior Child Protection Officer and other senior staff members in coordinating appropriate responses to child protection incidents including liaising with the Police and other external agencies and responding to a child who makes, or is affected by, an allegation of child abuse
- where authority is delegated from the Principal, promptly managing the College's response to an allegation, disclosure or suspicion of abuse or grooming with the assistance of the Principal and senior staff members, and ensuring that the disclosure is taken seriously
- offering assistance and support when a member of the College community receives or makes a disclosure of abuse, neglect or grooming

In the event that one of the College's Child Protection Officers cannot perform their role, for example, due to conflicts of interest or absence, these duties must be performed by either another Child Protection Officer, the Senior Child Protection Officer or the Principal.

Our Senior Child Protection Officer

The College has appointed **The Principal** as our Senior Child Protection Officer (Senior CPO). The Senior CPO has an important role in the implementation and operation of our Child Protection Program.

Key responsibilities of the Senior CPO include:

- being the first point of contact for all child protection concerns or queries for the wider community
- ensuring that other Child Protection Officers understand and comply with their key responsibilities
- ensuring that all Child Protection Officers undergo appropriate annual training in both the College's Child Protection Program, their legal responsibilities, and how to appropriately respond to child protection concerns and incidents
- coordinating the College's response to child protection incidents in consultation with the College's Principal
- reviewing and assessing the College's Child Protection Program, specifically the College's **Procedures for Responding to and Reporting Suspected Child Protection Incident**
- ensuring that the College's Child Protection Program is implemented effectively and communicated to all relevant stakeholders.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **Staff Responsibilities**

[CompliSpace Staff Sign In](#)

[< The School's Child Protection Officers' Responsibilities](#)

[Direct Contact Volunteers' Responsibilities >](#)

Staff Responsibilities

All staff are required to comply with the content of our **Child Protection Policy**, our Child Protection Program and their legal obligations with respect to the reporting of child abuse, neglect and grooming.

It is each individual's responsibility to be aware of key risk indicators of child abuse, neglect and grooming, to be observant, and to raise any concerns they may have relating to child abuse, neglect or grooming with one of the College's **Child Protection Officers** and/or with external agencies where required.

Staff, as a condition of employment at the College, must adhere to the College's **Child Protection Code of Conduct** and **Staff and Student Professional Boundaries** policy.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **Direct Contact Volunteers' Responsibilities**

[CompliSpace Staff Sign In](#)

[< Staff Responsibilities](#)

[Indirect Contact Volunteers' Responsibilities >](#)

Direct Contact Volunteers' Responsibilities

Direct Contact Volunteers are volunteers that are involved in providing support and guidance directly to students during the normal course of providing the volunteer service.

Examples of Direct Contact Volunteer activities may include volunteers involved in College camps or excursions, coaching sporting teams or assisting in learning activities.

All Direct Contact Volunteers are required to adhere to our **Child Protection Policy** and our Child Protection Program.

They must also be aware that they too have legal obligations with respect to the reporting of child abuse, neglect and grooming behaviours under the Reportable Conduct Scheme.

It is each individual's responsibility to be aware of key risk indicators of abuse, neglect and grooming, to be observant, and to raise any concerns they may have relating to child protection with one of the College's **Child Protection Officers** and/or with external agencies where required.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **Indirect Contact Volunteers' Responsibilities**

[CompliSpace Staff Sign In](#)

[< Direct Contact Volunteers' Responsibilities](#)

[Third Party Contractors' Responsibilities >](#)

Indirect Contact Volunteers' Responsibilities

Indirect Contact Volunteers are those volunteers who are involved in providing support and services whilst not directly assisting a specific group of students.

Indirect Contact Volunteers are not responsible for supervising students.

Examples of Indirect Contact Volunteer activities may include assisting with College functions, the College canteen and fundraising or sporting event barbeques.

All Indirect Contact Volunteers are responsible for contributing to the safety and protection of children and young people in College environments. Indirect Contact Volunteers also have legal obligations with respect to the reporting of abuse, neglect and grooming behaviours under the **Reportable Conduct Scheme**.

All Indirect Contact Volunteers are required by the College to adhere to our **Child Protection Policy** and our **Child Protection Code of Conduct**.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **Third Party Contractors' Responsibilities**

[CompliSpace Staff Sign In](#)

[< Indirect Contact Volunteers' Responsibilities](#)

[External Education Providers' Responsibilities >](#)

Third Party Contractors' Responsibilities

All Third Party Contractors (service providers) engaged by the College are responsible for contributing to the safety and protection of children and young people in the College environment.

Third Party Contractors include, for example, maintenance and building personnel, consultants, casual teachers, tutors, sports coaches and College cleaners.

This also includes music teachers and other extra-curricular teachers and instructors who are engaged by students and their families directly, rather than the College, but have an agreement with the College to use the College's facilities.

In this Child Protection Program, Third Party Contractors are classified as either "Direct Contact Contractors" or "Indirect Contact Contractors".

Direct Contact Contractors are:

- those who have direct unsupervised contact with students during the normal course of their work
- those who may be in a position to establish a relationship of trust with a student notwithstanding that unsupervised access to students would be rare (e.g. full-time maintenance personnel)
- any contractors whom a school is legally required to screen.

Indirect Contact Contractors are those contractors who do not meet the definition of a "Direct Contact Contractor". These are contractors who have no contact with students as part of their role or undertake roles where students are not reasonably expected to be present (e.g. those contractors who complete work during school holidays). This type of contractor also includes contractors who are engaged in emergencies where there is insufficient time to undertake relevant child-safety checks.

All service providers engaged by the College are required by the College to adhere to our **Child Protection Policy** and our Child Protection Program. Where Third Party Contractors are engaged at short notice, making it impractical to undertake normal screening and/or briefing sessions, the College should take reasonable steps to ensure the protection of children and young people at the College while the work is being completed.

The College may include this requirement in the written agreement between it and the service provider.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Who is Responsible for Child Protection?](#) > **External Education Providers' Responsibilities**

[CompliSpace Staff Sign In](#)

[< Third Party Contractors' Responsibilities](#)

[>](#)

External Education Providers' Responsibilities

An External Education Provider is any organisation that the College has arranged to deliver a specified course of study that is part of the curriculum, to a student or students enrolled at the College. The delivery of such a course may take place on College premises or elsewhere.

All External Education Providers engaged by the College are responsible for contributing to the safety and protection of children and young people in the College environment.

All External Education Providers engaged by the College are required by the College to adhere to our **Child Protection Policy** and **Child Protection Code of Conduct**, and are required to have appropriate child protection policies and procedures within their organisation.

Red Bend Catholic College may include this requirement in the written agreement between it and the External Education Provider.

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[Red Bend Catholic College](#) > [Child Protection Program](#) > **Child Protection Law and Regulation in NSW - An Overview**

[CompliSpace Staff Sign In](#)

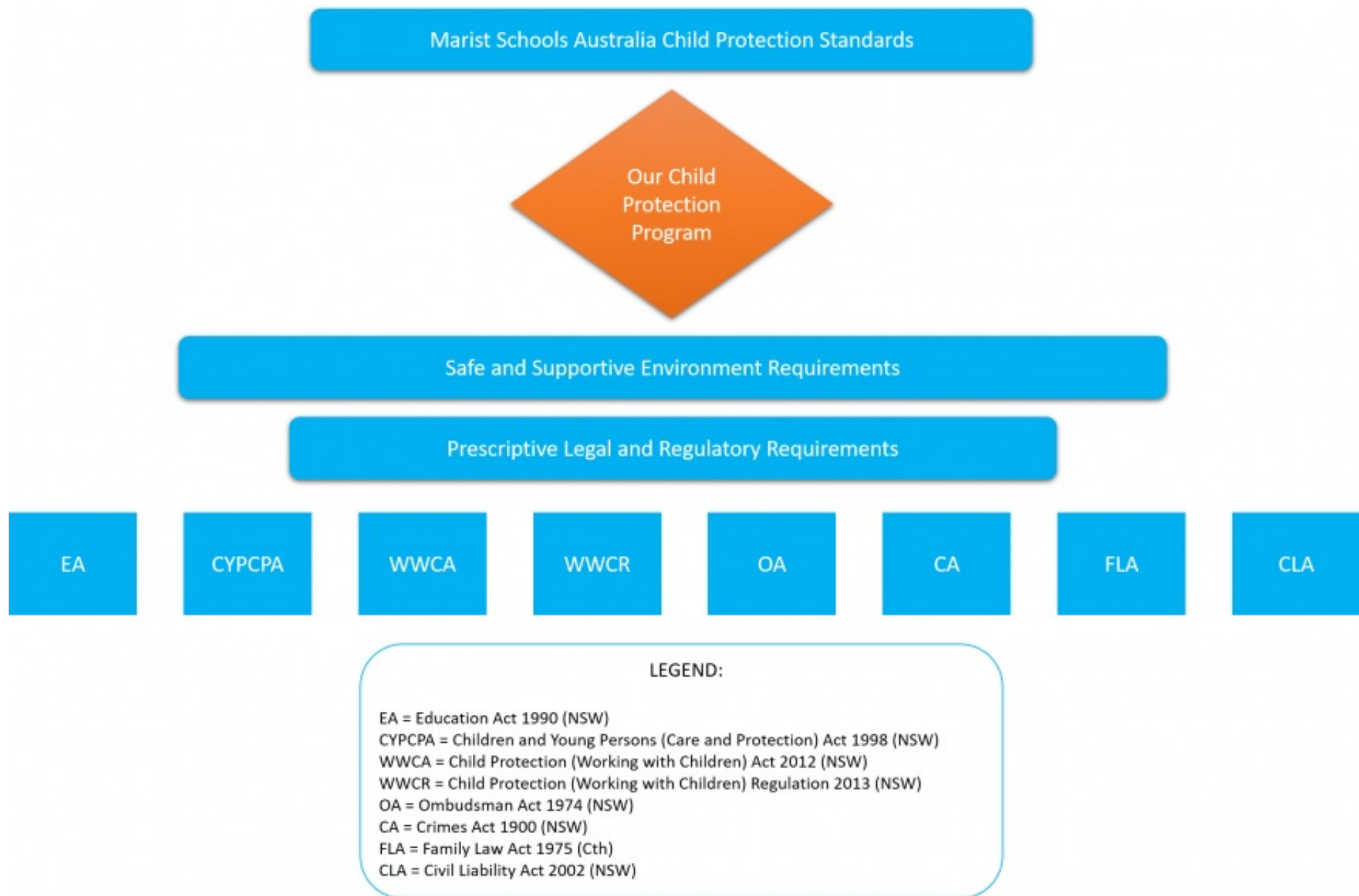
[< External Education Providers' Responsibilities](#)

[Safe and Supportive Environments >](#)

Child Protection Law and Regulation in NSW - An Overview

The legal and regulatory framework for child protection in NSW is made up of a complex web of laws, regulations and guidance notes.

This diagram and the commentary below provide an overview of the framework.



Marist Schools Australia Child Protection Standards

At the top of the diagram, are the Marist Schools Australia Child Protection Standards (MSA Standards). MSA introduced the MSA Standards in 2016 to enhance the way that MSA-governed schools prevent and respond to child abuse. These Standards are compulsory for MSA-governed schools, but they are 'principle-based', meaning how the Standards are applied in practice is open to interpretation and will depend largely on the size, nature and complexity of the MSA-governed school.

The MSA Standards sit at the top of the diagram due to their principle-based nature when compared to the more prescriptive Safe and Supportive Environment requirements, with which schools are legally required to comply.

To assist MSA-governed schools in interpreting and implementing each of the 11 MSA Standards, MSA has developed a guidance document titled **Child Protection Standards: A Framework for MSA-Governed Schools**.

The **Marist Schools Australia Child Protection Standards** section of this Program sets out the MSA Standards and how we comply with each MSA Standard as required by MSA.

Prescriptive Legal and Regulatory Requirements

At the bottom of the diagram there are **eight separate pieces** of legislation that work together to make up the legal and regulatory framework for child protection in NSW. They are in summary:

Education Act 1990 (NSW)

From a child safety perspective, a key function of the Education Act is to prescribe the registration requirement for non-government schools to have a **Safe and Supportive Environment**.

Safe and Supportive Environments

These requirements are designed to foster the provision of a safe and supportive College environment in which students can develop their educational potential.

Student welfare encompasses the mental, physical and emotional wellbeing of students. The provision of student welfare policies and programs is essential in developing a sense of self-worth and fostering personal development. The College's policies and procedures relating to student welfare are found in **Student Duty of Care**.

It is a requirement of registration that the College meets its legislative child protection requirements identified by the Education Act. NESA provides further guidance on how to meet this obligation in section 3.6 of the **Registered and Accredited Individual Non-government Schools (NSW) Manual**.

The College's compliance with these requirements is outlined in the **Safe and Supportive Environments** section of this Program.

Children and Young Persons (Care and Protection) Act 1998 (NSW)

The Children and Young Persons (Care and Protection) Act has a number of functions, including to:

- provide for the care and protection of, and the provision of services to, children and young persons
- provide for the sharing of information relating to the safety, welfare or wellbeing of children and young persons
- establish key responsibilities governing child protection intervention.

For the purpose of our Child Protection Program, the Children and Young Persons (Care and Protection) Act is important for three reasons:

- it provides the **statutory definition** of when a child or young person is "at risk of significant harm"
- it makes all forms of child abuse an offence under the Act
- it establishes obligations with respect to **Mandatory Reporting**.

Child Protection (Working with Children) Act 2012 (NSW) and Child Protection (Working with Children) Regulation 2013 (NSW)

The Child Protection (Working with Children) Act 2012 and Regulation 2013 aim to protect children and young people from harm by providing a high standard of compulsory national criminal record checking for people wishing to do paid, unpaid or volunteer child-related work in NSW.

People who are assessed as posing an unjustifiable risk to the safety of children and young people will fail the Working with Children Check, and the Act prohibits these people from working with children and young people.

The Act imposes penalties for schools and individuals that do not comply with the Act.

Ombudsman Act 1974 (NSW)

From a child safety perspective, the key function of the Ombudsman Act is to require the College to investigate allegations of employee misconduct, or conviction relating to the **reportable conduct** of staff and Volunteers at the College and report the allegations to the NSW Ombudsman.

Note that under the Ombudsman Act, a child is defined as a person under the age of 18 years.

Crimes Act 1900 (NSW)

The Crimes Act in NSW sets out several child protection related offences, including those related to indecent acts and sexual abuse of a child. Of key relevance to the NSW child protection framework are:

- grooming offences
- failure to reduce or remove risk of child becoming victim of child abuse
- sexual touching of young person between 16 and 18 under special care
- concealing child abuse.

Family Law Act 1975 (Cth)

NSW has its own state-based family violence legislation – the Crimes (Domestic and Personal Violence) Act 2007 (NSW) – however the Act provides predominantly procedural information (how the Courts operate regarding domestic and personal violence). For this reason, the College looks to the Federal Family Law Act 1975 (Cth) for the **definition of ‘family violence’**.

Critically, the Family Law Act extensive definition of “family violence” includes behaviour that causes a child to hear, witness, or be exposed to the effects of such behaviour.

Civil Liability Act 2002 (NSW)

The Civil Liability Act is the principal legislation governing claims for damages for economic and non-economic loss arising from personal injury and death in NSW, as a result of negligence or fault. It is through this Act that child abuse victims may claim compensation for loss arising from child abuse.

Section 6F of the Civil Liability Act imposes a duty of care on the College to take reasonable precautions to prevent an individual associated with the College from perpetrating physical or sexual abuse of a child in connection with the College's responsibility for the child. If the College is involved in a negligence proceeding under the Civil Liability Act, the College is presumed to have breached its duty of care unless it establishes that it took reasonable precautions to prevent the abuse.

Whether or not the College took reasonable precautions will be assessed by a court in accordance with considerations set out in the Civil Liability Act and case law. The effective implementation of the College's risk management strategies in **Child Protection Risk Management** is an example of taking reasonable precautions to prevent the physical or sexual abuse of a child.

In determining whether the College took reasonable precautions to prevent child abuse, a court may take into account any of the following:

- the nature of the College
- the resources reasonably available to the College
- the relationship between the College and the child
- whether the College has delegated in whole or in part the exercise of care, supervision or authority over a child to another organisation
- the role in the College of the individual who perpetrated the child abuse
- the level of control the College had over the individual who perpetrated the child abuse
- whether the College complied with any applicable standards in respect of child safety
- any other matters the court considers relevant.

Our Child Protection Program

To comply with our Safe and Supportive Environment registration requirements and each of the eight separate pieces of legislation noted above, Red Bend Catholic College has established this Child Protection Program which sets out our work systems, practices, policies and procedures designed to not only ensure compliance, but also to develop safe and supportive College environments and a child safe culture.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Safe and Supportive Environments](#)

[CompliSpace Staff Sign In](#)

[≤](#)

[Marist Schools Australia Child Protection Standards >](#)

Safe and Supportive Environments

Section 47 of the Education Act 1990 (NSW) sets out 13 requirements for registration for non-government schools in NSW. One of these requirements, under section 47(g) of the Act, is that "a safe and supportive environment is provided for students".

The NSW Education Standards Authority (NESA) has published the **Registered and Accredited Individual Non-government Schools (NSW) Manual** which provides information about the requirements for registered and accredited non-government schools under the Education Act 1990 (NSW).

The requirement for a safe and supportive environment for students at the College is divided into two distinct categories:

- compliance with child protection legislative requirements
- policies and procedures for student welfare and safety.

NESA has set out the College's responsibilities in relation to the legislative requirements for child protection in the Manual.

The table below sets out each requirement and a summary of how we comply with that requirement.

The College's Child Protection Program addresses the requirements related to compliance with child protection legislation, while the College's **Student Duty of Care Program** focuses on compliance with child safety and welfare requirements.

Red Bend Catholic College has developed and implemented our Child Protection Program in accordance with NESA registration requirements for compliance with child protection legislative requirements.

Requirement	Short Description	How Red Bend Catholic College Complies with the Requirement
1	Staff who have direct contact with students are informed annually of their legal responsibilities related to child protection, and other relevant College expectations.	<p>Red Bend Catholic College has developed a comprehensive Child Protection Program that ensures the College's compliance with NSW child protection laws.</p> <p>All staff and Direct Contact Volunteers are required under our Child Protection Program to complete at least annual training on a number of child protection topics listed in our Child Protection Training Program.</p> <p>The Training Program includes education on legal responsibilities and the College's expectations for all adults in the College community interacting with students.</p> <p>The College maintains electronic records of the training provided to all staff, MSA Association Council *members/directors* and Direct Contact Volunteers.</p>
2	Requirements to notify and investigate allegations of reportable conduct are made known to staff.	<p>Red Bend Catholic College has developed and implemented a Reportable Conduct of Staff, Volunteers and Others policy. The policy includes procedures for the College to investigate and report allegations and findings of staff misconduct to the NSW Ombudsman in accordance with the College's legislative requirements under the Ombudsman Act 1974 (NSW).</p>

3	All persons engaged in child-related work at the College have a working with children check clearance.	<p>It is Red Bend Catholic College's policy that no staff member, Volunteer, Third Party Provider or External Education Provider is engaged by the College prior to the verification of a valid Working with Children Check.</p> <p>The College's Working with Children Checks policy outlines the respective responsibilities of workers engaged by the College in child-related work at Red Bend Catholic College.</p>
4	The College maintains evidence of working with children check clearances for all persons in child-related work at the College.	<p>Red Bend Catholic College has developed and implemented a comprehensive Child Protection Record Keeping policy that details the College's procedures for recording and maintaining key child protection related documentation.</p> <p>It is the College's policy that a Working with Children Checks register is created and maintained by Kylie Biggs, Executive Assistant to the Principal and Deputy to ensure that the College can, at all times, evidence that every staff member involved in child-related work at the College has a valid Working with Children Check – subject to statutory exemptions.</p>
5	The College responds to reportable matters in accordance with legislative requirements.	<p>Red Bend Catholic College has developed and effectively implemented Procedures for Responding to and Reporting Suspected Child Protection Incidents to ensure compliance with legislative reporting requirements for all staff and Direct Contact Volunteers.</p> <p>The College annually trains all staff and Direct Contact Volunteers on the College's procedures for responding to and reporting child protection incidents at the College.</p>
6	All staff who are mandatory reporters are informed annually of their obligations and the process that the College has in place in relation to mandatory reporting.	<p>Red Bend Catholic College has developed and implemented a Mandatory Reporting policy that explains the legal obligation of mandatory reporters to report reasonable suspicions of child abuse, neglect and grooming at the College.</p> <p>The College's mandatory reporters are also trained at least annually on their obligations under the Children and Young Persons (Care and Protection) Act 1998 (NSW).</p> <p>The College's Child Protection Officers are also trained annually on these obligations to ensure that they can assist and guide mandatory reporters in their reporting obligations, should they have questions about the process of reporting.</p>

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[Red Bend Catholic College](#) > [Child Protection Program](#) > [Marist Schools Australia Child Protection Standards](#)

[CompliSpace Staff Sign In](#)

[< Safe and Supportive Environments](#)

[Creating and Maintaining Child Safe Environments >](#)

The Marist Schools Australia Child Protection Standards

The MSA Standards were developed by drawing on best-practice procedures across various jurisdictions for ensuring child-safe schools.

The MSA Standards are applicable across all MSA-governed schools in Australia.

The MSA Standards are as follows:

Standard 1: Compliance with child protection laws

Standard 2: Strategies to embed a child protection culture

Standard 3: A child protection policy

Standard 4: A child protection code of conduct

Standard 5: Staff and volunteer management practices

Standard 6: Contractor management practices

Standard 7: Responding to and reporting allegations of suspected child abuse

Standard 8: Strategies to identify and reduce or remove risks of child abuse

Standard 9: Strategies to promote child empowerment and participation

Standard 10: Catholic Church protocols and requirements

Standard 11: Marist protocols and requirement

To assist MSA-governed schools in interpreting and implementing each of the 11 MSA Standards, Marist Schools Australia has developed a guidance document titled **Child Protection Standards: A Framework for MSA-Governed Schools**.

Red Bend Catholic College has established and implemented our Child Protection Program in accordance with the **Registered and Accredited Individual Non-government Schools (NSW) Manual** and the MSA Standards.

The table below sets out each MSA Standard as it aligns with the Registration Manual's requirement for Safe and Supportive Environments and how the College complies with each standard.

MSAS refers to the Marist Schools Australia Standards.

SSE refers to the NESA's Safe and Supportive Environments requirements.

Standard No.	NESA Safe and Supportive Environments Requirement	Marist Schools Australia Standard	How Red Bend Catholic College Applies the Standards
MSAS 1	Not required	Compliance with child protection laws	<p>Through the development and implemented of a comprehensive Child Protection Program, the College ensures compliance with NSW child protection laws including the:</p> <ul style="list-style-type: none"> • <i>Education Act 1990 (NSW)</i> • <i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i> • <i>Child Protection (Working with Children) Act 2012 (NSW) and Regulation 2013</i> • <i>Ombudsman Act 1974 (NSW)</i> • <i>Crimes Act 1900 (NSW)</i> • <i>Family Law Act 1975 (Cth).</i> <p>The College has mapped its child protection legal obligations in the Child Protection Law and Regulation in NSW - An Overview section of our Child Protection Program.</p>
MSAS 2, SSE 1	Staff who have direct contact with students are informed annually of their legal responsibilities related to child protection, and other relevant College expectations	Strategies to embed a culture of child protection culture	<p>Red Bend Catholic College complies with this Standard in a number of ways including:</p> <ul style="list-style-type: none"> • the development of this Child Protection Program, our Child Protection Policy and Child Protection Code of Conduct • the appointment of senior staff members as the College's Child Protection Officers who act as "<i>Child Protection Champions</i>" and are tasked with the overall responsibility for embedding an organisational culture of child protection in the College • each staff member, Direct Contact Volunteer and Direct Contact Contractor having to complete Child Protection Training which provides information with respect to key risk indicators of child abuse and reporting procedures • establishing clear guidelines for reporting child abuse, neglect and grooming concerns • creating an environment supportive of children and young people from culturally diverse backgrounds and children with disabilities.

MSAS 3	Not required	A child protection policy	Red Bend Catholic College has developed and implemented a Child Protection Policy that describes the key elements of our approach to child protection as well as an overarching set of principles guiding the development of policies and procedures to protect children and young people from child abuse, neglect or grooming behaviours. Our Child Protection Policy is published through various mediums including our public website.
MSAS 4	Not required	A child protection code of conduct	Red Bend Catholic College has created a plain English Child Protection Code of Conduct which specifies appropriate standards of behaviour for adults towards students in all College environments, including outside of school hours.
MSAS 5 MSAS 6, SSE 3 and SSE 4	Not required All persons engaged in child-related work at the College have a working with children check clearance The College maintains evidence of working with children check clearances for all persons in child-related work at the College	Staff and volunteer management practices Contractor management practices	Red Bend Catholic College has created child safe human resources practices including those relating to: <ul style="list-style-type: none"> • Child Safe Recruitment Practices • Working with Children Checks • Child Protection Training • Management of Staff, Direct Contact Volunteers and Direct Contact Contractors

MSAS 7, SSE 2, SSE 5 and SSE 6	<p>Requirements to notify and investigate allegations of reportable conduct are made known to staff</p> <p>The College responds to reportable matters in accordance with legislative requirements</p> <p>All staff who are mandatory reporters are informed annually of their obligations and the process that the College has in place in relation to mandatory reporting</p>	Responding to and reporting allegations of suspected child abuse	<p>Red Bend Catholic College has established simple and accessible procedures for anyone to report a child protection concern internally to one of the College's Child Protection Officers.</p> <p>Red Bend Catholic College has developed and implemented procedures for staff, Direct Contact Volunteers and Direct Contact Contractors for responding to allegations and disclosures of child abuse, neglect or grooming or suspected child abuse, neglect or grooming, including procedures for support following a disclosure by a student. Refer to our Procedures for Responding to and Reporting Allegations of Child Protection Incidents.</p> <p>Reporting procedures for Indirect Contact Volunteers, Indirect Contact Contractors, External Education Providers, parents/carers and other community members are included in our Child Protection Policy which is available on our public website.</p> <p>Age-appropriate reporting procedures for students are developed through our pastoral care program.</p>
MSAS 8	Not required	Strategies to identify and reduce or remove risks of child abuse	<p>The College has adopted a risk management approach to child safety. Key risk indicators of child abuse are documented in our Child Protection Program and also included in our Child Protection Training.</p> <p>The College has developed a number of strategies, policies and procedures to create a risk-based approach to child safety and protection. Refer to Child Protection Risk Management.</p>
MSAS 9	Not required	Strategies to promote child empowerment and participation	Red Bend Catholic College has developed strategies to promote the participation and empowerment of children and young people including policies and procedures related to age-appropriate pastoral care and supporting children and young people with disabilities and children and young people from culturally diverse backgrounds .
MSAS 10	Not required	Catholic Church protocols and requirements	<p>Red Bend Catholic College is committed to ensuring that relevant Catholic Church requirements are incorporated into our Child Protection Program.</p> <p>The College provides training for all personnel in any Catholic Church-determined policies, protocols or procedures that may be additional to other legal requirements or obligations they may be subject to.</p> <p>Red Bend Catholic College cooperates with offices and agencies of the Catholic Church which have responsibilities with respect to child protection.</p>

MSAS 11	Not required	Marist protocols and requirements	Red Bend Catholic College has developed and implemented our Child Protection Program in accordance with the MSA Child Protection Standards. Additionally, the College has developed policies and procedures to ensure compliance with the various reporting and notification requirements in relation to child protection compliance and risk management in our Marist Child Protection Reporting section of our Child Protection Program.
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[Red Bend Catholic College](#) > [Child Protection Program](#) > **Creating and Maintaining Child Safe Environments**

[CompliSpace Staff Sign In](#)

[< Marist Schools Australia Child Protection Standards](#)

[Child Safe Human Resources Practices >](#)

Creating and Maintaining Child Safe Environments

Red Bend Catholic College has adopted several key strategies as controls for identifying and removing child protection risks and to promote the participation and empowerment of children and young people to ensure that students feel safe and supported in all College environments. These are as follows:

Child Safe Human Resources Practices

- **Child Safe Recruitment Practices**
- **Working with Children Checks**
- **Child Protection Training**
- **Our Child Safe Culture**

Participation and Empowerment of Children and Young People

- **Pastoral Care - Child Protection**
- **Students with a Disability**
- **Cultural Diversity**

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[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > **Child Safe Human Resources Practices**

[CompliSpace Staff Sign In](#)

[< Creating and Maintaining Child Safe Environments](#)

[Child Safe Recruitment Practices >](#)

Child Safe Human Resources Practices

Red Bend Catholic College only engages people who are suitable to work with students at the College and has developed and implemented child safe human resources practices accordingly.

In addition to ensuring Working with Children Checks are completed in accordance with our legal obligations, the College is committed to ensuring that newly recruited and existing staff, MSA Association Council councillors, **Direct Contact Volunteers** and **Direct Contact Contractors** understand the importance of child safety, are aware of all relevant policies and procedures, and are trained to minimise the risk of child abuse, neglect and grooming.

This is done through various human resources work systems, practices, policies and procedures designed to protect children and young people from abuse, neglect and grooming and create a child safe culture. This includes:

Child Safe Recruitment Practices

Working with Children Checks

Child Protection Training

Management of Staff, Direct Contact Volunteers and Direct Contact Contractors

Our Child Safe Culture

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > [Child Safe Human Resources Practices](#) > [Child Safe Recruitment Practices](#)

[CompliSpace Staff Sign In](#)

[< Child Safe Human Resources Practices](#)

[Working with Children Checks >](#)

Child Safe Recruitment Practices

At Red Bend Catholic College we are committed to ensuring that our recruitment practices create safe and supportive College environments for our students. To this end, we have established policies and procedures for recruiting staff, Direct Contact Volunteers and Direct Contact Contractors, and for assessing their suitability to work with children and young people.

Our recruitment processes are designed to select appropriate staff, Direct Contact Volunteers and Direct Contact Contractors, and discourage inappropriate people from working within the College.

Each job description for staff involved in child-related work has a clear statement that sets out the requirements, duties and responsibilities regarding child protection for those in that role and the occupant's essential qualifications, experience and attributes in relation to child protection. The job descriptions are regularly reviewed for ongoing performance improvement.

Duty statements for Direct Contact Volunteers and Direct Contact Contractors are more concise than a staff member's job description, and include a description of the role and the expectation to provide a safe and supportive environment for children and young people, and to comply with the College's **Child Protection Policy**, **Child Protection Code of Conduct** and **Staff and Student Professional Boundaries** policy.

All applicants for child-related work at the College are informed about these requirements and the College's child protection practices prior to commencing work at the College.

It is our policy that all new staff and Direct Contact Contractors undergo screening including:

- a Working with Children Check clearance status
- personal identity verification and background checking
- verification of professional or other qualifications relevant to the job
- an examination of their history of child-related work
- reference checking that addresses the person's suitability for the job and working with children and young people.

Direct Contact Volunteers

With the exception of parents/carers volunteering in an activity that their child is participating in, all of the College's **Direct Contact Volunteers** undergo the following screening prior to their engagement by the College:

- personal identity verification and background checking
- verification of professional and other qualifications if relevant to their role
- an examination of their history of child-related work
- reference checking that addresses the person's suitability for the job and working with children and young people.

In line with the College's risk-based approach to child safety and protection, where parent volunteers are volunteering at large off-site activities, such as overnight excursions or camps, the College requires that these parent volunteers undergo a Working with Children Check clearance as a matter of best practice.

All staff, Direct Contact Volunteers and Direct Contact Contractors are also subject to rigorous interview procedures.

All new staff members, Direct Contact Volunteers and Direct Contact Contractors are regularly supervised to ensure their behaviour towards children is appropriate and to monitor their compliance with the College's Child Protection Program.

Performance and development reviews are regularly undertaken for all staff and include consideration of performance against the College's **Child Protection Code of Conduct** and the requirements of the Child Protection Program. For example, ensuring that a staff member has not breached any of the College's reporting procedures or the Child Protection Code of Conduct.

Third Party Contractors

Where a Third Party Contractor will engage in child-related work as part of providing their services at the College they will require a WWC Check. These persons are normally Direct Contact Contractors but in some cases, may also be Indirect Contact Contractors.

Refer to **Third Party Contractors' Responsibilities** and **Working with Children Checks**.

Child Safe Recruitment and Other Legislation

Child safe recruitment practices are subject to state and federal anti-discrimination legislation (see our **Equal Employment Opportunity and Anti-Discrimination** policy) and the requirements of the Privacy Act 1988 (Cth) when obtaining, using, disclosing, and storing information from applicants and referees (see our **Privacy Program**).

Working with Children Checks

Source of Obligation

The Child Protection (Working with Children) Act 2012 (NSW) (the Act) and the Child Protection (Working with Children) Regulation 2013 (NSW) (the Regulation) aim to protect children and young people from harm by providing a high standard of compulsory national criminal record checking for people wishing to do paid, unpaid, or volunteer child-related work in NSW. These background checks are referred to as Working with Children Checks (WWC Checks).

The College, our staff, Direct Contact Volunteers, Direct Contact Contractors and others have a number of responsibilities and obligations under the Act and the Regulations which are outlined in this policy.

Who Needs a WWC Check?

Subject to the exemptions referred to below, any worker who engages in child-related work that involves direct contact (physical or face-to-face contact) with a child* or children*, where that contact is a usual part of and more than incidental to the work, must undergo a WWC Check.

*Under the Act, a child is defined as a person who is under the age of 18 years.

Who is a 'Worker'?

A worker means any person who is engaged in work, as:

- an employee
- a self-employed person
- a contractor or subcontractor (Third Party Contractor)
- a Volunteer
- a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience)
- a minister, priest, rabbi, mufti or other like religious leader, or spiritual officer of a religion, or another member of a religious organisation.

What is Child-Related Work?

Under the Act and of relevance to the College, child-related work is work for, or in connection with, any of the following:

- mentoring and counselling services for children
- direct provision of child health services
- disability services for children with a disability
- clubs, associations, movements, societies or other bodies (including bodies of a cultural, recreational or sporting nature) providing programs or services for children
- education and care services, child care centres, nanny services and other child care
- sporting, cultural or other entertainment venues used primarily by children and entertainment services for children
- justice services such as detention centres
- any religious organisation where children form part of the congregation
- private coaching or tuition to children
- boarding houses or other residential services for children and overnight camps for children
- transport services especially for children, including College bus services and taxi services for children with a disability and supervision of College road crossings.

Under the Regulation:

- (section 16A) a cleaner providing cleaning services at the College is child-related work, and
- (section 16D) a worker providing ongoing, counselling, mentoring or distance education using any form of communication that does not primarily involve direct contact (physical or face-to-face contact, where that contact is a usual part of and more than incidental to the work).

What is Not Considered to be Child Related Work?

Under the Regulation, the following types of work are not considered to be child-related:

- work as a referee, umpire, linesperson, other sporting official or grounds person is not child-related work, if the work does not ordinarily involve contact with children for extended periods without other adults being present, and
- providing food or equipment at or for a sporting, cultural or other entertainment venue.

Who Does Not Need a WWC Check?

People engaged in the following types of work are not required to have a WWC Check:

- administrative, clerical or maintenance work, or other ancillary work, that does not ordinarily involve contact with children for extended periods
- work with minimal direct contact or unsupervised contact with children, done for no more than five days in a calendar year
- volunteering by a parent or close relative:
 - of a child in activities for the child's school, early education service or other educational institution - except where the work is part of a formal mentoring program or involves the intimate personal care of children with a disability
 - with a team, program or other activity in which their child usually participates or is a team member - except where the work is part of a formal mentoring program or involves the personal care of children with a disability
- a visiting speaker, adjudicator, performer, assessor or other similar visitor at a school or other place where child-related work is carried out if the work of the person at that place is for a one-off occasion and is carried out in the presence of one or more other adults
- work by an interstate visitor:
 - in a one-off event such as a jamboree, sporting or religious event or tour, if the event is the only child-related work carried out by the worker in NSW in that calendar year and the period of work does not exceed 30 days
 - who holds an interstate working with children check, or is exempt from the requirement to have such a check in his or her home jurisdiction, whose child-related work in NSW is for no more than 30 days in any calendar year
- people under the age of 18.

It is an offence to work with children without a valid WWC Check. It is also illegal for the College to engage a worker in child-related work who does not hold a valid WWC Check.

To apply for a WWC Check, or to renew your clearance, visit the [NSW Office of the Children's Guardian website](#) and follow the prompts to either apply, renew or update your details.

How to Apply for a WWC Check

A worker who engages in child related work is responsible for applying for his or her own WWC Check. The College, as an employer, cannot apply on behalf of a worker.

WWC Checks are valid for five years unless cancelled or suspended prior.

To apply for a WWC Check, or to renew your clearance, visit the [NSW Office of the Children's Guardian website](#) and follow the prompts to either apply, renew or update your details.

The College does not reimburse this fee for staff, Direct Contact Volunteers or Direct Contact Contractors.

What is Checked?

The WWC Check obtains applicants' national criminal histories including:

- convictions (spent or unspent)
- charges (whether heard, unheard or dismissed)
- juvenile records
- findings of misconduct (e.g. sexual misconduct or serious physical assault of a child) by a government agency
- notifications relating to misconduct made by the NSW Ombudsman.

Outcome of the WWC Check

There are two key results for a WWC Check: a clearance to work with children or a bar against working with children.

Clearance:

Where the outcome is a **clearance**, the applicant will be provided with a WWC Check number.

The WWC Check is valid for five years and may be used for any child-related work (paid or voluntary) in NSW. Cleared applicants will be subjected to ongoing monitoring for relevant new records which could lead to a bar and the clearance being revoked before the five-year expiry date.

Bar Against Working with Children:

Where a **bar** is being considered, the NSW Office of the Children's Guardian will call and write to the applicant to inform them of the proposed decision. Applicants will be invited to submit information to support their application, and the NSW Office of the Children's Guardian will take this information into account when making their final decision.

If the outcome is a bar, applicants must not engage in any child-related work. The barred applicant will receive a letter (either via post or email) from the NSW Office of the Children's Guardian notifying them of the decision and an explanation of the appeals process, should they wish to make an appeal with the NSW Administrative Decisions Tribunal.

The online verification process may produce the following other results:

- application in progress
- interim barred
- not found.

Refer to the guidance available on the [NSW Office of the Children's Guardian's website](#) for more information about the meaning of these results.

Staff Obligations

Upon receiving clearance, it is compulsory that the staff member provides their WWC Check number to the College, along with their full name and date of birth, for online verification.

College staff are responsible for renewing their own WWC Check as necessary. They will receive a reminder to renew their WWC Check three months before it expires.

Staff must renew their WWC Check 10 weeks prior to the expiry date due to the typical processing time of 6-8 weeks. Without a verified WWC Check teachers will be unable to perform their duties until it is verified.

The College's Obligations

The College must:

- register online as a child-related employer on the [NSW Office of the Children's Guardian website](#) by completing the form
- before engaging a new worker, verify and record that each worker who carries out, or is to carry out, child-related work for the College is the holder of a WWC Check clearance that authorises their work or that they have made a current application to the NSW Office of the Children's Guardian for a WWC Check. The only way to verify a status is using the [online verification system](#). Paper evidence must not be accepted of a clearance or an application from the worker because they may have been barred. A record must be made of the WWC Check details
- **verify** a worker's WWC Check clearance, within five working days after the WWC Check clearance expires at the end of every five-year period
- remove any barred or unauthorised persons from child-related work
- notify the NSW Office of the Children's Guardian if a staff member, Direct Contact Volunteer or Direct Contact Contractor is subject to an adverse finding in relation to an allegation of misconduct that is the subject of a Mandatory Reporting and/or a Reportable Conduct notification. This notification will trigger a risk assessment by the NSW Office of the Children's Guardian and a review of the individual's WWC.

Discipline for Breach of Policy

Where a staff member, Direct Contact Volunteer or Direct Contact Contractor breaches this policy the College may take appropriate action, including disciplinary action in the case of staff breaches, including, in the case of serious breaches, dismissal.

Confidentiality and Privacy

For the College's confidentiality and privacy obligations relating to WWC Checks, refer to [Confidentiality and Privacy](#).

Record Keeping Obligations

There are two methods of keeping records of WWC Checks at Red Bend Catholic College: one for staff and one for Volunteers.

Staff

Prior to the commencement of any appointment, staff must provide their WWC Check Number to the school and have a WWC Check Clearance.

Using the NSW Office of Children's Guardian Working with Children Check employer log in, the Assistant to the Principal and Deputy Principal.

The Assistant to the Principal and Deputy Principal stores them in individual staff members' files. In addition, the following information for each staff member is recorded electronically in a consolidated register:

- first name
- family name
- date of birth
- verification date
- WWC number
- result status
- time until expiry
- expiry date of the WWC Check
- result of the verification (full text).

The Assistant to the Principal and Deputy Principal is responsible for monitoring the WWC Check status of all staff members. Every 6 months the Assistant to the Principal and Deputy Principal checks the status of all staff members' WWC Checks and provides notifications to staff prior to their expiry date. The consolidated register and the process for maintaining and monitoring it are evidence of the College's maintenance of WWC Checks.

These records are retained by the College for a period of seven years.

Volunteers

Prior to the commencement of any volunteer work for the College, volunteers must provide their WWC Check Number to the College and have a WWC Check Clearance.

Using the NSW Office of Children's Guardian Working with Children Check employer log in, the Principal is responsible for the initial verification of all staff WWC Checks.

Results of the verification process are recorded in the volunteer's file. If the volunteer does not have a file, one is created.

Every 6 months a report is sent to the Principal informing them of any volunteers whose WWC Check Number is due to expire within a month.

These records are retained by the College for a period of seven years.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > [Child Safe Human Resources Practices](#) > [Child Protection Training](#)

[CompliSpace Staff Sign In](#)

[< Working with Children Checks](#)

[Management of Staff, Direct Contact Volunteers and Direct Contact Contractors >](#)

Child Protection Training

Red Bend Catholic College recognises that without training and education of our staff, Direct Contact Volunteers and Direct Contact Contractors our policies and procedures will not operate to effectively keep our students safe and protect them from abuse.

Red Bend Catholic College staff, Direct Contact Volunteers and Direct Contact Contractors receive child protection training when they first commence their role at the College and are required to complete ongoing training on child protection issues at least annually.

All staff, Direct Contact Volunteers and Direct Contact Contractors are required to undertake role-appropriate training through our Child Protection Training course which consists of the following modules:

Module 1 - An Overview of Our Child Protection Program

Module 2 - The Marist Schools Australia Child Protection Standards

Module 3 - The Meaning of Child Abuse and Key Risk Indicators

Module 4 - The Legal and Regulatory Framework for Child Protection in NSW

Module 5 - Our Child Protection Policy and Child Protection Code of Conduct

Module 6 - Responding to a Child Protection Incident Internally

Module 7 - Child Protection Reporting to External Agencies

Module 8 - Working with Children Checks

Module 9 - Staff and Student Professional Boundaries

The College's **Child Protection Officers**, and other selected staff, undertake additional training as considered appropriate to their roles.

Child Protection Training Record Keeping

Through the College's online child protection training course, the College creates and maintains electronic records of child protection training completed by staff, Direct Contact Volunteers and Direct Contact Contractors. For more information refer to the **Child Protection Record Keeping** of this Program.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Child Safe Human Resources Practices > Management of Staff, Direct Contact Volunteers and Direct Contact Contractors](#)

[CompliSpace Staff Sign In](#)

[< Child Protection Training](#)

[Our Child Safe Culture >](#)

Management of Staff, Direct Contact Volunteers and Direct Contact Contractors

The College has implemented the following procedures and work practices to ensure the ongoing suitability of our staff, **Direct Contact Volunteers** and **Direct Contact Contractors** to work with children and young people, or in child-related work.

Induction Procedures

The College's induction procedures for staff, Direct Contact Volunteers and Direct Contact Contractors include comprehensive training on the College's policies and procedures, such as the College's child protection obligations and Child Protection Program. See our **Child Protection Training** section of this Program for more information about child protection induction training for staff, Volunteers and Third Party Contractors.

Supervision

Staff members regularly undertake performance appraisals which include:

- reviewing the skill sets of staff members relating to child protection, safety and wellbeing
- identifying additional training needs relevant to the staff member's role
- setting goals in relation to issues which impact the safety and wellbeing of children and young people. For example, identifying ways to support staff members to perform the duties and skills contained within their job description. This may include setting a target number of hours per week spent on the child protection issues relevant to their role.

Performance and Development Reviews

Performance and development reviews are regularly undertaken for all staff, Direct Contact Volunteers and Direct Contact Contractors and include consideration of performance against the College's Child Protection Code of Conduct and the requirements of the Child Protection Program.

This also includes ensuring that a staff member has not breached any of the College's reporting procedures, the Child Protection Code of Conduct or the Staff and Student Professional Boundaries policy.

Disciplinary Procedures

Where a staff member or Direct Contact Contractor breaches any obligation, duty or responsibility under our Child Protection Program, the College may take disciplinary action, including in the case of serious breaches, dismissal.

Where any other member of the College community, including Direct Contact Volunteers, breaches any obligation, duty or responsibility within our Program, the College will take appropriate action.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > [Child Safe Human Resources Practices](#) > [Our Child Safe Culture](#)

[CompliSpace Staff Sign In](#)

[< Management of Staff, Direct Contact Volunteers and Direct Contact Contractors](#)

[Participation and Empowerment of Children and Young People >](#)

Our Child Safe Culture

At Red Bend Catholic College we believe that the safety of children is dependent on the existence of a child safe culture within our College community.

We have developed the following work systems, practices, policies and procedures designed to create a child safe culture including:

- a holistic approach to child protection through this **Child Protection Program**
- the appointment of the College's **Child Protection Officers**
- establishing key child protection values and principles in our **Child Protection Policy**
- establishing clear expectations for appropriate behaviour with students through our **Child Protection Code of Conduct** and **Staff and Student Professional Boundaries** policy
- educating our staff, Direct Contact Volunteers and Direct Contact Contractors through our **Child Protection Training**
- clear procedures for **reporting** alleged or suspected incidents of child abuse, neglect or grooming
- welcoming involvement from children's and young people's families and the broader College community through our **Family and Community Communication and Support** policy
- recognition that children and young people from **culturally diverse backgrounds** have the right to special care and support including Aboriginal and Torres Strait Islander children and young people
- recognition that children who have **any kind of disability** have the right to special care and support
- clearly defining the **roles and responsibilities** of personnel involved in protecting children and young people.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > **Participation and Empowerment of Children and Young People**

[CompliSpace Staff Sign In](#)

[< Our Child Safe Culture](#)

[>](#)

Participation and Empowerment of Children and Young People

Children and young people often do not report abuse, neglect or grooming because they:

- feel uncomfortable doing so, or
- do not recognise behaviours as abuse, neglect or grooming behaviours, or
- do not know how to raise their concerns or make a report.

The College recognises that in order to achieve a child safe environment at the College that meets students' intellectual, physical, social, emotional and moral needs, students need to be involved in the creation and maintenance of such an environment.

It is our policy that we have simple and accessible processes in place to assist children and young people (including those from diverse cultural backgrounds and those with a disability) to develop appropriate knowledge and skills to identify and communicate when they do not feel safe.

It is our policy that relevant staff members are trained on methods of empowering children and young people and encouraging their participation.

This is done through various work systems, practices, policies and procedures. This includes:

Pastoral Care - Child Protection

Students with a Disability

Cultural Diversity

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Participation and Empowerment of Children and Young People > Pastoral Care - Child Protection](#)

[CompliSpace Staff Sign In](#)

[< Participation and Empowerment of Children and Young People](#)

[Students with a Disability >](#)

Pastoral Care - Child Protection

Pastoral care is the support given to students for their development as a person. It relates to the total care of students and involves tending to both the academic and non-academic needs of students including spiritual, emotional and social wellbeing. Red Bend Catholic College's complete Pastoral Care Policy can be found [here](#).

Red Bend Catholic College is committed to providing a safe, supportive and social environment where students feel nurtured as they learn.

To this end, we have developed, and continue to develop, a comprehensive range of pastoral care policies and procedures that are designed to promote the social and emotional wellbeing of our students, and to deliver age appropriate education to all students about:

- healthy and respectful relationships
- child abuse, neglect and grooming awareness and their right to be safe
- their right to make decisions about their body and their privacy
- how they can raise concerns about abuse, neglect or grooming
- resilience and coping with adversity
- the fact that any concerns they do raise will be taken seriously and responded to appropriately
- our **Child Protection Policy** and **Child Protection Code of Conduct**
- standards of behaviour for students.

We are committed to ensuring that child abuse reporting procedures are age-appropriate, simple, and accessible for all children and young people including those from culturally diverse backgrounds and those with a disability.

Students are encouraged to provide feedback about child safety and protection issues at the College and the College conducts student focus groups and organises student surveys about various safety issues at the College, including child protection. The College takes all student contributions seriously and actively looks for ways to implement improvements to its Child Protection Program to reflect these contributions.

Information about these topics, as well as other child safety and wellbeing topics, is made available to all students through various age-appropriate pastoral care initiatives. Child safety and wellbeing topics are also incorporated into the College's curriculum.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Participation and Empowerment of Children and Young People > Students with a Disability](#)

[CompliSpace Staff Sign In](#)

[≤](#)

[Cultural Diversity >](#)

Students with a Disability

The College has an obligation to students with a disability to ensure that they are afforded the same level of educational and pastoral care as any other student at the College. The College considers how each policy and procedure we develop and implement may affect students with a disability.

The College is committed to ensuring that we fulfil our legal obligations including those related to discrimination and disability standards (refer to our **Disability Discrimination** policy).

The College recognises that students with a disability will not only require additional assistance to participate and engage in College activities in a safe and supportive manner, but also that there are specific child protection risks that arise in relation to students with a disability. This may include for example, stricter screening procedures and training for staff who assist students who require help with personal activities such as toileting or dressing.

The College has implemented specific risk controls in relation to the safety of students with disabilities. These include:

- specific screening and training for staff and volunteers who will have direct contact with students with a disability
- written guidelines for staff and Volunteers working with students with a disability
- express, written permission from the parent/carer of a student with a disability where physical contact is required as part of their care
- alternative reporting avenues to suit the needs of students with a disability at the College.

Students with a disability at the College may also require varied reporting avenues or systems to students without a disability, and the College has considered this when creating and implementing its procedures for **Procedures for Responding to and Reporting Suspected Child Protection Incidents**.

When supporting a student with a disability who has been impacted by child abuse, neglect or grooming, it is critical that the College considers:

- the chronological age, developmental age and cognitive function of the student in order to tailor developmentally appropriate support strategies
- the student's vulnerability to on-going abuse when considering the need to make a further report and/or implement further risk mitigation strategies.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Participation and Empowerment of Children and Young People > Cultural Diversity](#)

[CompliSpace Staff Sign In](#)

[< Students with a Disability](#)

[Child Protection Risk Management >](#)

Cultural Diversity

Children from culturally diverse backgrounds are children and young people who identify as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.

They include children of Aboriginal or Torres Strait Islander descent who identify as being Aboriginal or Torres Strait Islander.

The College values and respects the racial and cultural diversity of our students and is committed to ensuring that the backgrounds of all students are sensitively recognised, catered for, celebrated and valued so that racial and cultural differences do not compromise a student's safety and wellbeing.

It is our policy that:

- we identify children and young people from culturally diverse backgrounds when they are enrolled in the College
- we employ appropriate strategies to ensure the safety of these children and young people as required
- we encourage participation and empowerment of these children and young people in the development of these strategies
- we consider these children and young people when developing and implementing policies and procedures related to child protection at the College
- we educate our staff about these cultural differences and the strategies and procedures we have employed.

When supporting students from culturally diverse backgrounds, including Aboriginal or Torres Strait Islander students, or those who identify as Aboriginal or Torres Strait Islander, it is critical that the College provides culturally appropriate support. Where possible the College will work with relevant cultural support groups, ensure that confidentiality of the family is maintained and engage an interpreter when communicating with the student's family.

Students from refugee backgrounds who have been impacted by abuse may also be experiencing trauma, dislocation and loss. Sensitive consideration should be given when determining how to support the student and their family.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > **Child Protection Risk Management**

[CompliSpace Staff Sign In](#)

[< Cultural Diversity](#)

[Procedures for Responding to and Reporting Suspected Child Protection Incidents >](#)

Child Protection Risk Management

The College takes a proactive approach to identifying risks of child abuse in all College environments.

The College has adopted a proactive risk management approach to child protection by developing and implementing strategies to identify and mitigate our child protection risks based on:

- the nature of all College environments – physical and online
- the activities students undertake at the College (including the provision of services by contractors or outside the College's physical environment)
- physical and online environments that exist at the College
- the characteristics and needs of all of our students.

Risk Management Strategies

Red Bend Catholic College has implemented the following risk mitigation strategies to ensure that the College maintains a proactive approach to our duty of care to protect children from harm and complies with our legal and regulatory obligations:

- this Child Protection Program with policies and procedures to deter and facilitate the detection of abuse, neglect and grooming behaviours, including our **Child Protection Policy** and our **Child Protection Code of Conduct**
- a comprehensive **Staff and Student Professional Boundaries** policy, implemented through training and communicated publicly
- induction and ongoing **training** provided to staff, Direct Contact Volunteers and Direct Contact Contractors, at least annually, about identifying risks of child abuse, neglect and grooming in all College environments, their obligations and responsibilities for managing these risks, how to report and respond to child protection incidents, and the College current child safety standards
- the appointment of the College's **Child Protection Officers** who are "Child Protection Champions" at the College and receive specialised, additional training to ensure that any concerns about child safety and protection in any College environment held by students, staff, Volunteers, Third Party Contractors and parents/carers may be discussed in a safe and supportive environment
- extensive policies and procedures relating to **excursions and camps** ensuring that child protection risks specific to excursions and overnight stays are identified and controls are put in place
- the creation of child safe premises through ongoing, periodic reviews of all physical College environments to eliminate physical isolation risks, such as solid classroom doors or rooms with no windows, or implement procedural controls where elimination is not possible
- specific procedures for verifying and recording the Working with Children Check status of all **External Education Providers** and Third Party Contractors, who may have direct contact (physical or face-to-face contact, where that contact is a usual part of and more than incidental to the work) contact with students, to ensure that students remain safe in all College environments both internal and external to the College grounds

- identifying and recording all risks of child abuse in all College environments in a child protection risk register, and assessing the risks with regard to the likelihood of the risk event occurring and the potential consequences if it was to occur
- a system of assurance through which risks of child abuse, neglect and grooming, and actions taken to reduce or remove these risks (risk controls), are recorded. The system is also used to monitor risk controls and to evaluate their overall effectiveness on a regular basis.

Red Bend Catholic College's Assurance System

The College has developed and implemented CompliSpace Assurance as one strategy to manage the risk of child abuse, neglect and grooming in all College environments.

CompliSpace Assurance is an online risk and compliance workflow management tool that integrates with our Child Protection Program to provide a system of risk management, compliance and continuous improvement based on international standards.

Through this system, key risks and compliance obligations are captured, documented and converted into plain-English questions that are assigned via email to responsible individuals for action. Each individual is provided with a calendar view of their compliance performance via an online browser. Unactioned tasks are escalated and reported to allow the College to monitor and record its compliance performance in real-time. The College also uses this risk management system as a method of evaluating and reviewing the ongoing effectiveness of the implementation of its risk measures and controls.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents](#)

[CompliSpace Staff Sign In](#)

[< Child Protection Risk Management](#)

[Managing Your Initial Response to a Child Protection Incident >](#)

Procedures for Responding to and Reporting Suspected Child Protection Incidents

Child abuse, neglect and grooming can take many forms. The abuser or perpetrator may be a parent, carer, staff member, Volunteer, another adult or even another child. Unfortunately, the nature of child abuse, neglect and grooming is complex. The abuse, neglect or grooming may occur over time and potential risk indicators are often difficult to detect. Even our legal obligations for reporting allegations of child abuse, neglect and grooming can vary depending on the circumstances of the incident.

The College will take appropriate, prompt action in response to **all** allegations or disclosures of abuse, neglect, grooming, inappropriate behaviour, and any other concerns about child safety, by reporting all matters to Family and Community Services (FACS), or the Police, depending on the allegation or disclosure made.

The College has established simple and accessible procedures for anyone to report a child abuse, neglect or grooming concern internally to one of the College's **Child Protection Officers**.

The College has developed and implemented procedures for staff, Volunteers and Third Party Contractors for responding to allegations and disclosures of child abuse, neglect or grooming, or suspected child abuse, neglect or grooming, including procedures for support following a disclosure by a student.

Reporting procedures for External Education Providers, parents/carers and other community members are also included in our **Child Protection Policy** which is available on our public website.

Age-appropriate reporting procedures for students are developed through our **pastoral care program**.

This section describes our work systems, practices, policies and procedures for responding to and reporting allegations of child abuse, neglect or grooming both internally and externally. This includes:

Managing Your Initial Response to a Child Protection Incident

Responding to an Emergency

Reporting Child Protection Incidents Internally

Mandatory Reporting

Voluntary Reporting

Reportable Conduct of Staff, Volunteers and Others

Crimes Act: Failure to Reduce or Remove Risk of Child Abuse

Sharing Information Relating to a Child's or Young Person's Safety, Welfare or Wellbeing

Family and Community Communication and Support

Support for Students Interviewed at the College

Making Additional Reports

Child Protection Complaints Management

Confidentiality and Privacy

Child Protection Record Keeping

Marist Child Protection Reporting

The College's policies and procedures for responding to and reporting allegations of suspected child abuse, neglect or grooming are made available to staff, students, parents/carers and the wider College community through our staff intranet and by request.

All of the College's procedures for reporting and responding to allegation of child abuse, neglect or grooming are designed and implemented considering the diverse characteristics of the College community.

A summary of these procedures is available in our **Child Protection Policy** on the [schoolCAPS]'s public website.

The College will respond to all allegations of child abuse, neglect or grooming in an appropriate manner including:

- informing the appropriate authorities and fully cooperating with any resulting investigation
- protecting any child or young person connected to the allegation until it is resolved and providing ongoing support to those affected
- taking particular measures in response to an allegation that concerns a culturally diverse child or young person or a child or young person with a disability
- securing and retaining records of the allegation and the College's response to it.

Documenting Your Observations and Actions

It is critical that all staff, Volunteers, Third Party Contractors and External Education Providers keep clear and comprehensive notes relating to incidents, disclosures and allegations of child abuse, neglect or grooming. This information may be sought at a later date if the matter is the subject of court proceedings. Your notes may also assist you later if you're required to provide evidence to support your decisions regarding the handling of child protection incidents.

For more information about how to record observations, disclosures or allegations refer to the **Child Protection Record Keeping** section of this Program.

Preserving Evidence

When an incident of suspected child abuse, neglect or grooming occurs at the College, consider all of the following:

- environment: do not clean up the area and preserve the sites where the alleged incident occurred
- clothing: take steps to ensure that the person who has allegedly committed the abuse and the child or young person who has allegedly been abused remain in their clothing. If this is not possible, ensure the clothes are not washed, handled as little as possible and stored in a sealed bag
- other physical items: ensure that items such as weapons, bedding and condoms are untouched
- potential witnesses: reasonable precautions must be taken to prevent discussion of the alleged incident between those involved.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident](#)

[CompliSpace Staff Sign In](#)

[< Procedures for Responding to and Reporting Suspected Child Protection Incidents](#)

[Witnessing a Child Protection Incident >](#)

Managing Your Initial Response to a Child Protection Incident

Responding to an Emergency

All staff, Volunteers, Third Party Contractors and External Education Providers must act as soon as they witness a child protection incident or form a reasonable suspicion or belief that a child or young person has been or is at risk of being abused, neglected or groomed.

If a child is at immediate risk of harm you must ensure their safety by:

- separating alleged victims and others involved
- administering first aid
- calling 000 for urgent medical assistance or Police assistance to address immediate health and safety concerns
- informing the Principal as soon as possible.

Where a staff member forms a belief on reasonable grounds that neglect or abuse may be occurring the **Mandatory Reporter Guide (MRG)** will be used to determine whether or not those concerns reach the suspected Risk of Significant Harm (ROSH) threshold. If they do reach that threshold, the concerns are then reported either by using the FACS Child Protection Helpline (132 111) or to the Head of Agency (HOA).

At Red Bend Catholic College, the HOA is the *Principal/Headmaster/Headmistress*, however, should the allegation involve the *Principal/Headmaster/Headmistress*, the report is to be made to the *Alternate Head of Entity*.

The following sections outline the six ways that you may become aware that a child or young person may be experiencing abuse, neglect or grooming, along with strategies for managing each situation and supporting and assisting children and young people involved in the disclosure or report.

Witnessing a Child Protection Incident

Observation of Risk Indicators

Private Disclosure by a Child or Young Person

Public Disclosure by a Child or Young Person

Third Party Disclosure

Disclosure by a Former Student

Support Following Disclosure

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Witnessing a Child Protection Incident](#)

[CompliSpace Staff Sign In](#)

[< Managing Your Initial Response to a Child Protection Incident](#)

[Observation of Risk Indicators >](#)

Witnessing a Child Protection Incident

If you witness an incident where you believe a child or young person has been subject to abuse, neglect or grooming, you must take immediate action to protect the safety of the child or young person involved.

Where there is an immediate risk to the health and/or safety of a child or young person, follow the steps outlined in the **Responding to an Emergency** section of this Program.

The College's **Procedures for Responding to and Reporting Suspected Child Protection Incidents** should be followed after the health and safety of the child or young person involved is ensured.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Observation of Risk Indicators](#)

[CompliSpace Staff Sign In](#)

[< Witnessing a Child Protection Incident](#)

[Private Disclosure by a Child or Young Person >](#)

Observation of Risk Indicators

The different types of child abuse, neglect and grooming and their key risk indicators are set out in detail in the earlier section of this Program **Child Abuse - Definitions and Key Risk Indicators**.

The process of identifying child abuse, neglect or grooming purely through observation of risk indicators can be complex and may occur over time. The complexity is magnified by the fact that many of the key risk indicators described may also occur as a result of other factors, not related to child abuse, neglect or grooming.

If you form a concern that a child or young person is being abused, neglected or groomed, you should make written notes of your observations recording both dates and times. You should also **report the matter internally** to a College **Child Protection Officer**, and the Principal.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Private Disclosure by a Child or Young Person](#)

[CompliSpace Staff Sign In](#)

[< Observation of Risk Indicators](#)

[Public Disclosure by a Child or Young Person >](#)

Private Disclosure by a Child or Young Person

If a student discloses a situation of abuse, neglect or grooming to you privately, you should stay calm and not display expressions of panic or shock.

You should reassure and support the student. You can do this by:

- stating clearly that the abuse, neglect or grooming is not their fault
- reassuring them that you believe them
- telling them that disclosing the matter is the right thing to do.

You should be patient, and allow the student to talk at their own pace. When responding you should use their own language and vocabulary.

Sometimes a student may try to elicit a promise from you that you will not tell anyone about the allegation. You **must not** make this promise, as you are responsible for reporting the matter.

Finally, remember that your role is not to investigate the allegation. You should not interrogate the child and pressure them to tell you more than they want to.

Once a disclosure is made you must report the matter in accordance with the College's **Procedures for Responding to and Reporting Suspected Child Protection Incidents**, and internally to a College **Child Protection Officer** and the Principal as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.

Following a disclosure of abuse, neglect or grooming by a student, staff should follow the steps set out in the College's **Support Following Disclosure** policy.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Public Disclosure by a Child or Young Person](#)

[CompliSpace Staff Sign In](#)

[< Private Disclosure by a Child or Young Person](#)

[Third Party Disclosure >](#)

Public Disclosure by a Child or Young Person

Public disclosure occurs where you observe a student disclosing abuse, neglect or grooming to another student or group of students.

In this circumstance, you should use a strategy of “protective interrupting”.

The aim of “protective interrupting” is to prevent a student from disclosing details of abuse, neglect or grooming in front of others, whilst at the same time providing the student with the opportunity to disclose later, in a safe and confidential manner.

You can do this by:

- asking them if you can talk privately, and
- moving them away from other students to a quiet space,

and then following the guidelines with respect to **managing a private disclosure** and the College’s **Procedures for Responding to and Reporting Suspected Child Protection Incidents**.

Following a disclosure of abuse, neglect or grooming by a student, staff should follow the steps set out in the College’s **Support Following Disclosure** policy.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Third Party Disclosure](#)

[CompliSpace Staff Sign In](#)

[< Public Disclosure by a Child or Young Person](#)

[Disclosure by a Former Student >](#)

Third Party Disclosure

A third party such as a friend of the child or young person, a relative or another parent/carer may provide you with information relating to child abuse, neglect or grooming.

In this situation you should:

- listen to the person's concerns seeking clarification where required
- thank the person for raising their concern
- advise the person that we have procedures for dealing with situations like this
- advise the person that you will discuss their concerns with the relevant authorities.

As with **Private Disclosure**, you should reassure and support the person providing the information.

Sometimes a person may try to elicit a promise from you that you will not tell anyone about the allegation. You **must not** make this promise, as you are responsible for reporting the matter.

Finally, remember that your role is not to investigate the allegation. You should not interrogate the third party and pressure them to tell you more than they want to.

Once a third party disclosure is made must report the matter in accordance with the College's **Procedures for Responding to and Reporting Suspected Child Protection Incidents**, and internally to a College **Child Protection Officer** as soon as possible. You should also make written notes of the circumstances of the disclosure recording both dates and times.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Disclosure by a Former Student](#)

[CompliSpace Staff Sign In](#)

[< Third Party Disclosure](#)

[Support Following Disclosure >](#)

Disclosure by a Former Student

A former student of the College may come forward to a current staff member, or Volunteer, and disclose past abuse or grooming behaviour from their time at the College. If you receive a disclosure from a former student about historical abuse, you must act.

If the former student is still of schooling age in NSW and currently attending a NSW school, you must follow the **Procedures for Responding to and Reporting Suspected Child Protection Incidents** in this Program, specifically the obligations you may have under the following policies:

- **Mandatory Reporting**
- **Reportable Conduct of Staff, Volunteers and Others.**

If the former student is no longer of schooling age or attending a school in NSW, you must still act.

If you are aware of an incident of past serious abuse of someone who is now an adult, the incident can be reported to the Police by calling the Police Assistance Line on 13 14 44. Please note that the Police will usually require a statement from the victim, and some people may be uncomfortable or not ready to do this. It is important that you direct the former student to support and counselling services available through NSW Health.

All disclosures by former students must be reported to a College **Child Protection Officer** and the Principal as soon as possible. The College will then determine the appropriate authority to report the matter to.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Managing Your Initial Response to a Child Protection Incident > Support Following Disclosure](#)

[CompliSpace Staff Sign In](#)

[< Disclosure by a Former Student](#)

[Reporting Child Protection Incidents Internally >](#)

Support Following Disclosure

You should take the following steps to support and assist a child or young person after a disclosure of child abuse, neglect or grooming is made.

The range of measures employed will depend on:

- the degree of severity of the situation
- the risk of harm to the child or young person
- the capability and willingness of the parent to protect the child or young person from harm.

After a disclosure is made:

- do not promise the child or young person that you will not tell anyone about the allegation
- reassure the child or young person that it was the right thing to do to tell an adult
- tell the child or young person what you plan to do next
- do not confront the person believed to be the perpetrator
- report the matter to one of the College's **Child Protection Officers** and the Principal who will be able to assist you in developing additional support strategies
- whenever there are concerns that a child or young person is in immediate danger the Police should be called on 000.

Support for Staff and Volunteers

Witnessing a child protection incident or receiving a disclosure or allegation of abuse, neglect or grooming can be a stressful experience for staff and Volunteers involved. The College provides support to impacted staff and Volunteers to access necessary support.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Reporting Child Protection Incidents Internally](#)

[CompliSpace Staff Sign In](#)

[< Support Following Disclosure](#)

[Mandatory Reporting >](#)

Reporting Child Protection Incidents Internally

Child abuse, neglect and grooming situations can be very complex, not only from the perspective of ascertaining whether abuse has occurred but also in understanding what steps to take to protect a child or young person.

It is important to remember at all times that the safety and welfare of children and young people are paramount.

Therefore, if you have a concern that a child or young person may be experiencing abuse, neglect or grooming, whether or not you have formed a belief or suspicion on reasonable grounds that the abuse, neglect or grooming has occurred, and whether or not you have witnessed any harm occurring, you should immediately raise your concerns with one of the College's **Child Protection Officers** and the Principal. The College's Child Protection Officers will be able to assist you in clarifying your concerns and managing the next steps.

Contact details for our Child Protection Officers are set out [here](#).

Where a staff member forms a belief on reasonable grounds that neglect or abuse may be occurring the Mandatory Reporter Guide (MRG) will be used to determine whether or not those concerns reach the suspected Risk of Significant Harm (ROSH) threshold. If they do reach that threshold, the concerns are then reported either by using the Family and Community Services (FACS) Child Protection Helpline (132 111) or to the Head of Agency (HOA).

At Red Bend Catholic College, the HOA is the Principal, however, should the allegation involve the Principal, the report is to be made to Marist Schools Australia.

You may at any time report any concern for a child's or young person's safety, welfare or wellbeing to the Child Protection Helpline on 132 111.

Please note that reporting the matter internally does not release you from other legal and regulatory reporting obligations you may have, namely those under our:

- **Mandatory Reporting** policy
- **Reportable Conduct of Staff, Volunteers and Others** policy.

In addition, these reporting obligations apply even if the Principal or a Child Protection Officer advises you not to proceed with reporting suspected abuse.

Mandatory Reporting

Source of Obligation	<p>Section 27 of the Children and Young Persons (Care and Protection) Act 1998 (NSW) imposes Mandatory Reporting obligations on all persons who, in the course of their professional, paid employment, deliver health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children in NSW.</p> <p>These obligations also extend to persons who hold a management position in an organisation that has direct responsibility for, or direct supervision of, the provision of healthcare, education, children's services, residential services, or law enforcement, wholly or partly, to children.</p> <p>The Memorandum of Understanding (MOU) between the Department of Family and Community Services (FACS), Catholic Schools NSW and the Association of Independent Schools of NSW (AISNSW) prescribes additional Mandatory Reporting procedures.</p> <p>The MOU introduces centralised reporting procedures for non-government schools coordinated and represented by the CECNSW or AISNSW and those procedures are referenced in this policy.</p>
Who is a Mandatory Reporter at the College?	<p>At Red Bend Catholic College, the following persons are taken to be mandatory reporters under the Children and Young Persons (Care and Protection) Act:</p> <ul style="list-style-type: none">• the Principal• the College's Executive Management Team• teachers, including casual or temporary teachers• all other paid employees at the College who interact with students• the College nurse• Third Party Contractors who provide services to students• External Education Providers engaged by the College.

What to Report

Mandatory reporters at the College must report abuse, neglect and grooming to the Principal and FACS as soon as practicable where they have a reasonable suspicion that a child at the College is at risk of significant harm.

For the purposes of Mandatory Reporting, a child is defined as a person under 16 years of age. Students aged 16 years and older are not subject to Mandatory Reporting.

All suspicions on reasonable grounds, that a student is at risk of significant harm as a result of the following types of abuse, must be reported:

- physical abuse
- sexual abuse
- serious emotional or psychological harm
- neglect
- exposure to family violence.

If a mandatory reporter suspects on reasonable grounds that a child is being groomed, they must report their suspicion, as grooming conduct may put the child at risk of being sexually abused and therefore at risk of significant harm.

Refer to **Child Abuse - Definitions and Key Risk Indicators** for more information about the different types of abuse and how to recognise key indicators of abuse, neglect and grooming.

Additional grounds for making a mandatory report, which are not included in the Children and Young Persons (Care and Protection) Act 1998 (NSW), are listed in the **New South Wales Mandatory Reporter Guide** (MRG), being 'Danger to Self or Others', 'Relinquishing Care' and 'Unborn Child'. Refer to the website for more information on these grounds for making a mandatory report.

In accordance with the terms of the MOU, where a mandatory reporter forms a reasonable belief that a child is at risk of significant harm, they must report either directly to FACS, or to the Head of Agency (HOA). At Red Bend Catholic College the HOA is the *Principal/Headmaster/Headmistress*, however should the allegation involve the *Principal/Headmaster/Headmistress*, the report is to be made to the *Alternate Head of Entity*.

Either the *Principal/Headmaster/Headmistress* or the *Alternate Head of Entity* is obligated to provide feedback to the mandatory reporter that a report to FACS has been made. Mandatory reporters are encouraged to follow up with the *Principal/Headmaster/Headmistress* if a reasonable time has passed and they haven't received such feedback.

Nothing in the MOU precludes any person at the College, including mandatory reporters, from making a report directly to FACS.

Students Over the Age of 16

Whilst Mandatory Reporting legislation in NSW relates only to children under the age of 16, for the purposes of this policy, any belief or suspicion of abuse, neglect or grooming, or a risk of abuse, neglect or grooming, irrespective of the age of the student, should be reported to FACS as soon as practicable.

Knowledge or suspicions of sexual abuse of a student aged 18 years or older is to be reported to the Principal and NSW Police if appropriate.

What Constitutes 'At Risk of Significant Harm'?

A child or young person is at 'risk of significant harm' if the circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person are present to a **significant extent**.

Significant means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

Significant harm is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or wellbeing. Significance can result from a single act or omission or an accumulation of these.

The concept of 'reasonable grounds' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

Where a staff member forms a belief on reasonable grounds that neglect or abuse may be occurring the MRG will be used to determine whether or not those concerns reach the suspected Risk of Significant Harm (ROSH) threshold. If they do reach that threshold, the concerns are then reported either by using the FACS Child Protection Helpline (132 111) or to the Head of Agency (HOA).

At Red Bend Catholic College, the HOA is the *Principal/Headmaster/Headmistress*, however, should the allegation involve the *Principal/Headmaster/Headmistress*, the report is to be made to the *Alternate Head of Entity*.

Mandatory Reporter Guide (MRG) and Child Protection Hotline

The MRG assists in providing mandatory reporters with the most appropriate reporting decision. It is not designed to determine whether the matter constitutes a ROSH. The MRG websites advises that it is important for mandatory reporters to note that a decision by the Child Protection Helpline that a report does not meet the ROSH threshold does not necessarily mean the report should not have been made. Ultimately, reporting a suspicion that a child or young person, or class of children or young people, is at ROSH is in their best interests.

How is a Report Made?

Concerns that require immediate attention should be reported by calling the Child Protection Helpline on 132 111.

When preparing to make a report, information on all circumstances upon which the decision to report the matter is based, as well as the following information, should be made readily available to assist FACS:

- full name, date of birth (or approximate age), address and phone number of the child or children you are concerned about
- full name (including any known aliases), approximate age, address and phone number of the parents/carers
- a description of the child and their current whereabouts
- why you suspect the child is at risk of significant harm (what you have seen, heard or been told)
- whether a language or sign interpreter may be required
- cultural identity, including whether the child identifies as Aboriginal or Torres Strait Islander
- whether support is required for a person with a disability or an Aboriginal agency is involved
- your name and contact details.

As a minimum, FACS needs to be able to identify and locate the child.

Additionally, information about the child reaction to the report should also be provided to enable the FACS to take into account any view or wish expressed by the child including their opposition to the report being made.

Red Bend Catholic College is registered to lodge eReports via the FACS eReport Portal. Please contact the **Principal** should you wish to lodge an eReport.

Concerns that do not require immediate attention, can be reported using an **eReport**.

What Happens After a Report is Made?

The Child Protection Helpline will assess the information that is provided, along with information that may be known to FACS, to determine whether the child is actually at ROSH.

Reporters will be informed of the action that will be taken by FACS in writing, including whether the report made met the threshold of significant harm and/or whether no further action was recommended.

Even after a report to the Child Protection Helpline has been made, reporters must continue to **respond to the needs** of the child or young person within the terms of their work role. This may include providing a report to the NSW Police and/or arranging for medical care.

Record Keeping

The Principal is responsible for keeping all child protection related records, including records of allegations, investigations and findings made under this policy, up-to-date and secure. Records are located in **the Principal's office**.

Refer to **Child Protection Record Keeping**.

Staff/Volunteer/Others Misconduct

Where a matter that is subject to Mandatory Reporting also involves an allegation against a staff member or any person engaged by the College to provide services to children, including Volunteers and Third Party Contractors, it must also be reported to the NSW Ombudsman.

Refer to the **Reportable Conduct of Staff, Volunteers and Others** section of this Program for information about how to report misconduct.

Confidentiality and Privacy

For information about the confidentiality and privacy matters relating to Mandatory Reporting refer to the **Confidentiality and Privacy** section of this Program.

Allegations Against Staff

Where there is a reasonable belief, allegation, disclosure of child abuse or a child protection incident at the College that relates to a member of the College's staff, or a Volunteer, Third Party Contractor or External Education Provider, the College must notify the MSA Regional Director as soon as reasonably practicable, and in any event within 12 hours.

Record Keeping Obligations

For the College's record keeping obligations relating to child protection incidents, refer to **Child Protection Record Keeping**.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Voluntary Reporting](#)

[CompliSpace Staff Sign In](#)

[< Mandatory Reporting](#)

[Reportable Conduct of Staff, Volunteers and Others >](#)

Voluntary Reporting

Anyone who suspects, on reasonable grounds, that a child or young person is at risk of being abused, neglected or groomed should report it to Family and Community Services (FACS). You do not need to prove that the abuse, neglect or grooming has taken place.

If you make a report in good faith, you cannot be held legally liable - regardless of the outcome of the report (refer to the **Confidentiality and Privacy** section of this Program).

If you need to report an offence that requires immediate Police attention, call the Police on 000.

If you suspect on reasonable grounds that a child is suffering abuse or neglect or you wish to discuss your concerns about a child or young person, call the Principal on (02) 6852 2000 or the Child Protection Helpline on 132 111 or 1800 212 936 (24 hours a day, 7 days a week).

For more information, support or advice on reporting you can contact a College Child Protection Officer, the Principal, or the **National Child Abuse Helpline** on 1800 99 10 99 (Monday to Friday, 9am-5pm AEST).

For record keeping obligations, refer to **Child Protection Record Keeping**.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Reportable Conduct of Staff, Volunteers and Others](#)

[CompliSpace Staff Sign In](#)

[< Voluntary Reporting](#)

[Crimes Act: Failure to Reduce or Remove Risk of Child Abuse >](#)

Reportable Conduct of Staff, Volunteers and Others

Source of Obligation The Ombudsman Act 1974 (NSW) (the Ombudsman Act) requires the College to investigate and report to the NSW Ombudsman all allegations of reportable conduct that are made against employees at the College or any conviction of an offence involving reportable conduct as defined by the Ombudsman Act.

Definition of Employee For the purposes of the Ombudsman Act, "employee" is defined as:

- any employee of the College, whether or not employed in connection with any work or activities of the College that relates to children, and
- any individual engaged by the College to provide services to children (including in the capacity of a volunteer).

Child is defined in the Ombudsman Act as a person under the age of 18 years.

For the purposes of this policy only, "staff" or "staff member" is to include:

For the purposes of this policy only, "staff" or "staff member" is to include:

- the Principal
- staff members
- Direct Contact Volunteers
- Indirect Contact Volunteers
- Third Party Contractors
- External Education Providers.

The NSW Ombudsman provides the following examples of persons who would be an employee at the College:

- contractors
- students on placement at the College
- instructors of religion
- volunteers.

What is Reportable Conduct?

Section 25A of the Ombudsman Act defines reportable conduct as:

- any sexual offence or sexual misconduct, committed against, with or in the presence of a child (including child pornography offences or an offence involving child abuse material) including **grooming behaviours**
- any assault, ill-treatment or neglect of a child
- any behaviour that causes psychological harm to a child (whether or not, in any case, with the consent of the child).

What is Not Reportable Conduct?

The Ombudsman Act makes it clear that **reportable conduct does not extend to:**

- conduct that is reasonable for the purpose of discipline, management or care of children, having regard to age, maturity, health or other characteristics of the children and any relevant codes of conduct or professional standards, or
- the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures.

Some examples of conduct that would not constitute reportable conduct include touching a child to get their attention, guide them or comfort them, a teacher raising their voice to attract attention or restore order in a classroom, and conduct that is established to be accidental.

Reportable Conduct and Mandatory Reporting

In some cases, conduct that is reportable conduct which must be reported to the NSW Ombudsman must **also** be reported to the Department of Family and Community Services (FACS) and/or the Police in accordance with Mandatory Reporting procedures under the Children and Young Persons (Care and Protection) Act 1998 (NSW).

However, it is important to understand that the reportable conduct obligation covered in this policy is separate and distinct from the Mandatory Reporting obligation under the Children and Young Persons (Care and Protection) Act 1998 (NSW) (refer to **Mandatory Reporting**).

The reportable conduct threshold is much lower than the Mandatory Reporting threshold, so any matter involving a staff member that requires Mandatory Reporting must also be reported to the NSW Ombudsman under this policy.

A failure to make a report in accordance with this policy may amount to an offence under the Crimes Act 1900 (NSW).

Key Definitions

The NSW Ombudsman has provided guidance on the meaning of key terms used in the definition of reportable conduct. Those terms are:

- sexual offence
- sexual misconduct
- assault
- ill-treatment
- neglect
- behaviour that causes psychological harm.

The definitions are provided by the NSW Ombudsman for the purposes of the reportable conduct scheme and they should not affect similar definitions provided in **Child Abuse - Definitions and Key Risk Indicators** or **Mandatory Reporting**.

Sexual Offence

A sexual offence is any criminal offence involving a sexual element that is committed against, with or in the presence of a child. Such offences include, but are not limited to:

- indecent assault
- sexual assault
- aggravated sexual assault
- sexual intercourse and attempted sexual intercourse
- possession/dissemination/production of child pornography or child abuse material
- using children to produce pornography
- grooming or procuring children under the age of 16 years for unlawful sexual activity
- deemed non-consensual sexual activity on the basis of special care relationships (special care relationships as defined by the Crimes Act 1900 (NSW) including student/teacher relationships).

Sexual Misconduct

For sexual misconduct to constitute reportable conduct, the alleged conduct must have been committed against, with or in the presence of a child. The NSW Ombudsman identifies common forms of sexual misconduct as including, but not limited to:

- crossing professional boundaries
- sexually explicit comments and other overtly sexual behaviour
- grooming behaviour.

Crossing Professional Boundaries:

For more information about professional boundaries and expected appropriate behaviours of employees at the College, refer to our **Staff and Students Professional Boundaries Policy** which applies to a broad range of people as required by the definition of employee in the Ombudsman Act.

Sexually Explicit Comments and Overtly Sexual Behaviour:

This may include, for example:

- sexualised behaviour including sexual exhibitionism
- inappropriate conversations of a sexual nature
- unwarranted and inappropriate physical contact with a child
- sexualised, romantic or otherwise personal correspondence and communications including via emails, social media, web forums and 'sexting'
- exposure of children to sexual behaviour including the display of pornography
- watching children undress in circumstances where supervision is not required and clearly inappropriate.

Grooming Behaviour:

For more information about the indicators of grooming behaviours refer to **Child Abuse - Definitions and Key Risk Indicators**.

Assault

The following types of conduct may, depending on the circumstances, amount to assault which constitutes reportable conduct:

- actual physical force – the intentional or reckless application of physical force against another person without their consent. For example: hitting, pushing or shoving, or
- apprehension of physical force – intentional or reckless conduct that causes another person to apprehend imminent physical force without their consent. For example, using words or gestures that lead the child to apprehend physical force.

The context in which actual physical force and apprehension of physical force occurs is crucial for determining whether in fact these types of conduct amount to assault. Injury is not an essential element of assault, and, alternatively, the existence of an injury does not necessarily mean that there was an assault.

For more information about the elements of assault, refer to the NSW Ombudsman's fact sheet **Defining assault for the purposes of the reportable conduct scheme**.

Ill-Treatment

Ill-treatment is a term used to describe the circumstances where a person treats a child in an unreasonable and seriously inappropriate, improper, inhuman or cruel manner.

Examples of ill-treatment include:

- disciplining or correcting a child in an unreasonable and seriously inappropriate or improper manner
- making excessive and/or degrading demands of a child
- hostile use of force towards a child
- a pattern or hostile or unreasonable and seriously inappropriate, degrading comments or behaviour towards a child.

Neglect

Neglect includes either action or inaction by a person who has care responsibilities towards a child. In the College context, when considering whether a child has been neglected for the purposes of reportable conduct reporting, you must consider the person's responsibilities for the child and assess their action, or inaction, against their responsibilities.

The NSW Ombudsman identifies four categories of neglect:

- Supervisory Neglect
- Carer Neglect
- Failure to Protect a Child from Abuse
- Reckless Acts (or a Failure to Act).

Supervisory Neglect:

- an intentional or reckless failure to adequately supervise a child that results in the death of, or significant harm to, a child, or
- an intentional or reckless failure to adequately supervise a child, or a significantly careless act or failure to act that:
 - involves a gross breach of professional standards, and
 - has the potential to result in the death of, or significant harm to, a child.

Carer Neglect: grossly inadequate care that involves depriving a child of the basic necessities of life, for example food and drink, clothing, shelter and medical care/treatment.

Failure to Protect a Child from Abuse: an obviously or very clearly unreasonable failure to respond to information strongly indicating actual or potential serious abuse of a child.

Reckless Acts (or a Failure to Act): a reckless act, or failure to act, that:

- involves a gross breach of professional standards, and
- has the potential to result in the death of, or significant harm to, a child.

Behaviour that Causes Psychological Harm

Behaviour that causes psychological harm is conduct that is obviously or very clearly unreasonable and results in significant emotional harm or trauma to the child. Psychological harm can include the exacerbation or aggravation of an existing psychological condition, such as anxiety or depression.

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

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

When and How Are Reportable Conduct Matters Reported to the Ombudsman?

The NSW Ombudsman must be notified of all reportable allegations and reportable convictions against College employees.

- *Reportable allegation* means an allegation of reportable conduct against a person or an allegation of misconduct that may involve reportable conduct.
- *Reportable conviction* means a conviction (including a finding of guilt without the court proceeding to a conviction) in NSW or elsewhere, for an offence involving reportable conduct.

Any allegation of staff misconduct must be immediately reported to the Head of Agency (HOA). At Red Bend Catholic College the HOA is the Principal, however should the allegation involve the Principal, the report is to be made to the MSA Regional Director.

Prior to making a report, Red Bend Catholic College may call the NSW Ombudsman on the **Employment-Related Child Protection line on 02 9286 1021** for guidance on how to manage the reporting process.

There are two stages of reporting.

The NSW Ombudsman must be notified:

- as soon as practicable after becoming aware of the allegation or conviction by lodging **Notification Form Part A** and
- of the findings of the investigation (see below), as soon as possible once the internal investigation has been finalised by lodging **Notification Form Part B**.

To maintain confidentiality, the forms must only be sent by registered mail, hand delivery, or courier to:

Attention – Employment Related Child Protection Division
NSW Ombudsman
Level 24
580 George Street
Sydney NSW 2000

Disclosure to the NSW Ombudsman of Information About Reportable Conduct

The Principal or other employee of the College may also disclose to the NSW Ombudsman, or an officer of the NSW Ombudsman, any information that gives the Principal or other employee reason to believe that reportable conduct by an employee of the College has occurred.

Internal Investigation of Allegations of Misconduct or Convictions

Once a reportable allegation or conviction (which does not require reporting to the Department of Family and Community Services under the **Mandatory Reporting Obligations**) has been brought to the Principal's attention and the NSW Ombudsman has been notified, an internal investigation, led by the Principal, will be conducted in such a manner as the particular circumstances demand. The Principal will conduct a risk assessment. Refer to **Risk Management: Risk Assessments** below.

It is important to note that an internal investigation must not be conducted in relation to an allegation that is the subject of Mandatory Reporting until clearance to do so is given by the Department of Family and Community Services or the Police, as this may compromise their investigations.

When conducting an internal investigation principles of procedural fairness must be followed.

Internal investigations have the potential to create conflicts of interest. Conflicts may arise between an investigator's official duties and their private interests, which could influence the performance of the official duties. Investigators should be objective and impartial, and be seen as such. The College manages actual or reasonably perceived conflicts of interest through our **Conflicts of Interest Policy**.

The NSW Ombudsman may intervene in an internal investigation or ask for further information during the course of the investigation.

Internal Investigation Processes Outline

To ensure that a person who is the subject of the reportable allegation knows what to expect during the College's investigation processes, the following key steps must be taken.

Information Gathering:

The first step in an investigation is to gather all relevant information. This can be obtained from a range of sources:

- direct evidence can be obtained by speaking with those involved in the alleged incident (e.g. the child, witnesses or the employee)
- physical evidence can be obtained by collecting documents (e.g. rosters, emails), securing and inspecting objects (e.g. mobile phones, computers) and inspecting locations to check the relevant positions of parties and witnesses to the alleged incident (e.g. playgrounds, classrooms). This process may include taking photographs and making drawings or diagrams of the location
- expert evidence can be obtained from people who have specialised knowledge in a specific field that the general public do not have, for example a medical practitioner may be relevant if they had examined a child or young person.

Where the Police or FACS have been involved, requests for information from, and the provision of information to, these agencies will be made in accordance with Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 (NSW).

Employee Response:

The point at which an employee is told about the allegation and given an opportunity to respond can be critical to the success of an investigation and can affect the degree and duration of stress experienced by the employee.

If the Police and/or FACS wish to interview the employee, the College must consult with the relevant agency about what should be disclosed to the employee.

When all relevant information has been obtained, the allegation will be formally put to the employee and the employee will be given an opportunity to respond, either at an interview or in writing. At an interview, the employee may wish to have a support person there, who may observe only and must not interrupt. The interview will be recorded verbatim where possible, and all records will be verified as a true record of the interview by being signed and dated by all involved.

It may be necessary to re-interview the employee if new information or allegations come to light during the investigation.

Key Considerations:

To ensure that an investigation is properly conducted:

- everyone involved in the investigation should be reminded of the importance of confidentiality
- the parents/carers of any child involved should be advised and asked for permission to interview their child, if appropriate
- all interviews should be recorded verbatim as possible, and records should be verified, signed and dated by all involved
- any other allegations that emerge during the investigation process should be documented, together with details of any action taken by the College
- all relevant parties should be advised of the outcome of the investigation.

Risk Management: Risk Assessments

The Principal is responsible for assessing the risk that the employee poses to students at three separate stages:

- after a reportable allegation is made
- during the investigation
- at the end of the investigation.

Stage One: After a reportable allegation is made

Immediately following an allegation, the Principal will conduct a risk assessment which considers:

- the nature and seriousness of the allegation/s
- the vulnerability of the children who the employee would be in contact with while at the College – considering their age, communication skills etc
- the nature of the position occupied by the employee including the level of contact and interaction they have with children
- the level of supervision available for the employee
- the availability of support for the employee on a day-to-day basis if their duties are unchanged
- the employee's disciplinary history
- other possible risks to the investigation.

These factors will assist the Principal to make a decision about whether to move the employee into indirect contact work, or suspend them from work during the investigation. The decision the Principal makes after the first risk assessment should not influence the final findings of the investigation.

Stage Two: During the investigation

New risks may emerge during the investigation into an allegation and it is important that such risks are managed. As part of managing the investigation, Principal should ensure that appropriate support is provided for:

- the child(ren) who were the subject of the allegation
- the employee who was the subject of the allegation
- other relevant parties, including parents/carers.

Stage Three: At the end of the investigation

Refer to the **Making a Finding of Reportable Conduct** section of this policy.

Making a Finding of Reportable Conduct

Once the Principal has concluded their investigation, the Principal, as the decision-maker, should assess the evidence regarding the allegations of reportable conduct against the employee, as well as any conclusions or recommendations made by others involved in the investigation, and make a finding in relation to each allegation.

The Principal's finding will inform the College's child protection risk assessment and any future action taken to mitigate ongoing risks.

When deciding whether the reportable allegation amounts to a finding of reportable conduct at the conclusion of their investigation, the Principal must consider:

- the reliability of all evidence collected
- the relevancy of all evidence collected to the alleged conduct
- whether accounts of the alleged conduct are consistent over time and consistent with other evidence
- whether the evidence collected is plausible
- any other evidence that corroborates or contradicts the allegation.

Caution should be exercised when reaching a sustained finding of reportable conduct where the matter involves a criminal allegation, such as an allegation of sexual assault. The Principal must take care to base their decision on clear and cogent evidence, rather than guesswork, suspicion or rumour. The more serious the alleged wrongdoing, the more care the Principal should exercise in making their decision as to whether they are satisfied the alleged conduct has occurred.

For more information about evidentiary thresholds and examples of thresholds in each of the reportable conduct categories, refer to the NSW Ombudsman's fact sheet **Child Protection: Notifying and identifying reportable conduct**.

Findings to Be Made by the Principal

There are five possible findings that the Principal can make following an investigation of a reportable allegation. These are:

- Sustained: finding that the alleged conduct did indeed occur
- Not Sustained: Insufficient Evidence: finding that there is some, but insufficient, evidence available to reasonably establish that the alleged conduct did occur
- Not Sustained: Lack of Evidence of Weight: finding that the evidence available is of such poor probative value, or lacking weight, that on the balance of probabilities the conduct did not occur
- False: finding that the alleged conduct did not occur
- Not Reportable Conduct: finding that the alleged conduct was not reportable – for example, conduct that was reasonable in the circumstances or accidental. This may also include ‘misconceived’ matters where allegations were made in good faith, however it was based on a misunderstanding of what occurred, and therefore the conduct is not reportable.

Disclosing Information about Reportable Conduct to Affected Children, Parents and Carers

Information can often be provided to the parent/carer of the child affected by reportable conduct allegations without the need to consider legal impediments. Section 25GA of the Ombudsman Act affords legal protection to the Head of Agency (HOA), the Principal, and any person acting at the direction of, and with specific knowledge of, the Principal.

The following information can be disclosed by Red Bend Catholic College or the NSW Ombudsman to the child who was allegedly the subject of the reportable conduct and/or any parent, legal guardian or authorised carer of the child:

- information about the progress of an investigation
- the findings of an investigation
- any action taken in response to those findings.

Section 25GA removes legal impediments to disclosure but does not provide a list of information that may or may not be disclosed to the above parties. It is ultimately a matter of discretion whether a disclosure of information is appropriate in the circumstances.

For more information about matters to consider when disclosing information, refer to the NSW Ombudsman's fact sheet **Providing advice about reportable conduct investigations to children, parents and carers**.

Impact on Working with Children Check

Where the investigation has led to findings against the staff member, depending upon the seriousness of the allegations, the Principal will also need to notify the NSW Office of the Children's Guardian in relation to **Working with Children Checks**.

The NSW Ombudsman may also disclose information to the NSW Office of the Children's Guardian in relation to **Working with Children Checks**.

Record Keeping

When a reportable allegation is made, it is important that the following information is documented:

- the allegation
- the College's initial response to the person making the allegation, the alleged victim(s) and the employee who is the subject of the allegation
- any communication with the Police or other authorities
- a plan detailing how the investigation is to be carried out including any notifications to Police or other authorities
- the Stage One risk assessments conducted by the Principal and outlined above
- all interviews including details of questions and responses. Details should also include the location of the interview, who was present and start and finish times
- any decision made, either during or at the conclusion of the investigation, including the rationale, the position and name of the person making the decision and the date the decision was made
- any personal contact, discussions or emails with anyone about the matter (including dates, details of discussions, questions, advice, outcomes, the name and position of the person making the contact, and, where appropriate, the reason for the contact)
- a summary report that details the allegation, the investigation process, the findings in relation to each allegation (including the rationale for the finding), the final risk assessment (see **Making a Finding of Reportable Conduct**) (which includes any final decision about the employee and the factors that have been considered) and any subsequent action that is to be or has been taken.

Where possible, records should be verbatim and verified, signed and dated by all involved.

All records created in accordance with this policy, including of all allegations, outcomes of internal investigations and decisions to make or not make a reportable conduct report are maintained by the Principal and located in the Principal's office.

Staff Responsibilities

All staff are responsible for ensuring:

- reports of employee misconduct are made as soon as possible to the Principal or a College Child Protection Officer
- the Principal or a College Child Protection Officer is notified of any convictions which relate to reportable conduct
- cooperation in any internal investigation
- confidentiality is maintained throughout the process
- records of all verbal and written communications are maintained and stored securely.

Crimes Act 1900 (NSW) Offences

There are various offences under the Crimes Act 1900 (NSW) (Crimes Act) which relate to the unique relationship between a student and persons who may be considered staff members and “employees” under this policy.

Those offences include:

- Section 66EB: Grooming a person for unlawful sexual activity with a child under the person’s authority.
- Section 73A: Sexual touching – young person between 16 and 18 under special care.

The terms “under the person’s authority” and “under special care” are defined differently under the Crimes Act:

- under the person’s authority: means under the care, or under the supervision or authority, of the other person
- under special care includes:
 - a member of the teaching staff (a teacher, the Principal or deputy Principal or any other person employed at the College who has students at the College under their care or authority) of the College at which the victim is a student, or
 - a person with an established personal relationship with the student in connection with the provision of religious, sporting, musical or other instruction to the student.

Where the investigation has led to findings against the employee, which may constitute offences under the Crimes Act, the Principal will need to notify the Police as a priority over the College’s own internal investigation.

Allegations Against Staff

Where there is a reasonable belief, allegation, disclosure of child abuse or a child protection incident at the College that relates to a member of the College’s teaching staff, non-teaching staff, or a Volunteer, Third Party Contractor or External Education Provider, the College must notify the MSA Regional Director as soon as reasonably practicable, and in any event within 12 hours.

Record Keeping Obligations

For the College’s record keeping obligations relating to child protection incidents, refer to **Child Protection Record Keeping**.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Crimes Act: Failure to Reduce or Remove Risk of Child Abuse](#)

[CompliSpace Staff Sign In](#)

[< Reportable Conduct of Staff, Volunteers and Others](#)

[Sharing Information Relating to a Child's or Young Person's Safety, Welfare or Wellbeing >](#)

Crimes Act: Failure to Reduce or Remove Risk of Child Abuse

The following two offences under the Crimes Act 1900 (NSW) impose duties on persons at the College to act in relation to a risk of child abuse occurring or if they have information that a child abuse offence has been committed. A person's failure to:

- make a report to the Child Protection Helpline or Department of Family and Community Services, or
- notify the NSW Ombudsman of reportable conduct,

may result in the commission of offences under these provisions.

Section 43B: Failure to reduce or remove risk of child becoming victim of child abuse

A person commits an offence if:

- the person is an adult (person who is of or above the age of 18 years) who carries out work for an organisation, whether as an employee, contractor, volunteer or otherwise (a **position holder**), and
- the organisation is the employer of an adult worker who engages in **child-related work**, and
- there is a serious risk that the adult worker will commit a child abuse offence against a child (a person under the age of 18 years) who is, or may come, under the care, supervision or authority of the organisation, and
- the position holder knows the that the risk exists, and
- the position holder, by reason of their position, has the power or responsibility to reduce or remove that risk, and
- the position holder negligently fails to reduce or remove that risk.

"Serious risk" and "knows" are undefined in the legislation.

Child-related work has the meaning given in the Child Protection (Working with Children) Act 2012 (NSW) and includes education or religious services work that involves direct contact (physical contact or face-to-face contact) by the worker with the child or children, where that contact is a usual part of and more than incidental to the work.

Worker has the meaning given in the Child Protection (Working with Children) Act 2012 (NSW) and includes an employee, a contractor or subcontractor, a volunteer, a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience), and a minister, priest, rabbi, mufti or other like religious leader or spiritual officer of a religion or other member of a religious organisation.

Refer to **Working with Children Checks** for more information about the Child Protection (Working with Children) Act 2012 (NSW).

The list of **child abuse offences** that are captured by this provision is extensive and includes rape, sexual abuse, sexual touching, production of child abuse material and grooming offences, as well as attempts to commit those offences.

Section 316A: Concealing child abuse offence

It is an offence under the Crimes Act 1900 (NSW) to conceal a child abuse offence. Under section 316A an adult (person who is of or above the age of 18 years):

- who knows, believes or reasonably ought to know that a **child abuse offence** has been committed against another person, and
- who knows, believes or reasonably ought to know that they have information that might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for that offence, and
- who fails without reasonable excuse to bring that information to the attention of a member of the Police as soon as it is practicable to do so,

is guilty of an offence.

A person will have a “reasonable excuse” for failing to tell the Police if:

- they believe, on reasonable grounds, that the Police already know the information, or
- they have made a mandatory report under Mandatory Reporting laws or believe on reasonable grounds that another person has done so, or
- they have reported the information to the NSW Ombudsman under reportable conduct laws or believe on reasonable grounds that another person has done so, or
- they have reasonable grounds to fear for the safety of the person or any other person (other than the offender) if the information were to be reported to the Police, or
- the information was obtained by the person (by the person receiving it or otherwise becoming aware of it) when they were under the age of 18 years, or
- the alleged victim was an adult at the time that the information was obtained by the person and the person believes on reasonable grounds that the alleged victim does not wish the information to be reported to Police.

The list of **child abuse offences** that are captured by this provision is extensive and includes rape, sexual abuse, sexual touching, production of child abuse material and grooming offences, as well as attempts to commit those offences.

The reporting of an offence under section 316A by a person in good faith does not constitute unprofessional conduct or a breach of professional ethics and does not make the person subject to any civil liability (including liability for defamation).

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Sharing Information Relating to a Child's or Young Person's Safety, Welfare or Wellbeing](#)

[CompliSpace Staff Sign In](#)

[< Crimes Act: Failure to Reduce or Remove Risk of Child Abuse](#)

[Family and Community Communication and Support >](#)

Sharing Information Relating to a Child's or Young Person's Safety, Welfare or Wellbeing

The College can share information relating to the safety, welfare or wellbeing of children and young persons (Information) with:

- other entities who are “prescribed bodies” under Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 (NSW) (Care and Protection Act)
- the Department of Family and Community Services (FACS) under section 248 of the Care and Protection Act.

Chapter 16A prioritises the provision of Information to ensure the protection and wellbeing of children over the protection of an individual's privacy and confidentiality. The operation of Chapter 16A allows a broad array of information to be shared, including information about the support or educational needs of students and information about the risk of sexual abuse posed by teachers and other staff.

The College may share Information under Chapter 16A without the consent of the child, young person or their family. However it is our policy, at enrolment, to inform parents/carers that information about children and young people may be, or is, provided to other organisations.

Who is Authorised to Share Information?

At the College, the Principal is authorised to exchange information on behalf of the College. Any request for Information received by a member of staff must be directed to the Principal for consideration. Information can be shared verbally or in writing.

Who Are Prescribed Bodies?

The College is a “prescribed body” and it can share Information with various other prescribed bodies including:

- NSW Police
- a Public Service agency or public authority
- a government or non-government school
- a TAFE establishment
- a public health organisation
- a private health facility
- the Family Court of Australia
- the Federal Circuit Court of Australia
- the Commonwealth Department of Human Services
- the Commonwealth Department of Immigration and Border Protection
- nurses
- medical practitioners
- midwives
- psychologists
- occupational therapists
- speech pathologists eligible for membership of Speech Pathology Australia
- any organisation whose duties include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly to children.

Provision of Information by the College

Under section 245C, the College may provide Information to another prescribed body if it reasonably believes that the provision of the Information would assist the recipient of the Information to:

- make any decision, assessment or plan or to initiate or conduct any investigation, or to provide any service, relating to the safety, welfare or wellbeing of the child or young person, or class of children or young persons, or
- manage any risk to the child or young person (or class of children or young persons) that might arise in the recipient's capacity as an employer or designated agency.

The College may provide Information under section 245C regardless of whether the College has been requested to provide the Information.

Provision of Information Upon Request

A prescribed body may request another prescribed body to provide it with any Information held by the other body.

Under section 245D(3), if the College receives a request from a prescribed body to provide it with Information, the College is required to comply with the request if it reasonably believes, after being provided with **sufficient information** by the requesting prescribed body to enable the College to form that belief, that the Information may assist the requesting prescribed body to:

- make any decision, assessment or plan or to initiate or conduct any investigation, or to provide any service, relating to the safety, welfare or wellbeing of the child or young person, or class of children or young persons, or
- manage any risk to the child or young person (or class of children or young persons) that might arise in the recipient's capacity as an employer or designated agency.

"Sufficient information" is not a defined term. For guidance as to what information would be regarded as sufficient for the purposes of responding to an information request received under section 245D, refer to **How to Request Information Under the Children and Young Persons (Care and Protection) Act**.

Exceptions to sharing Information exist under section 245D(4). Under that section, the College **does not** have to provide any requested Information if it reasonably believes that to do so would:

- prejudice the investigation of a contravention (or possible contravention) of a law in any particular case, or
- prejudice any care proceedings, or
- contravene any legal professional or client legal privilege, or
- enable the existence or identity of a confidential source of information in relation to the enforcement or administration of a law to be ascertained, or
- endanger a person's life or physical safety, or
- prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention (or possible contravention) of a law, or
- not be in the public interest.

Responding to an Information Request

When an Information sharing request is received, the following steps must be followed:

- if the request is received by a person other than the Principal, the request must be forwarded to the Principal
- the Principal must determine if **sufficient information** has been given by the prescribed body:
 - if **sufficient information** has not been given the Principal may decline the request
 - if **sufficient information** has been given the Principal will make an assessment to:
 - comply with the request and provide the Information to the prescribed body in accordance with section 245D(3), or
 - decline to comply with the request to provide the Information to the prescribed body if grounds for an exemption under section 245D(4) apply.

If the College refuses to provide Information in response to a request made under section 245D, it must provide the requesting prescribed body with reasons in writing for refusing the request.

How to Request Information Under the Children and Young Persons (Care and Protection) Act

If the College wishes to request Information from a prescribed body under section 245D, it should first try to contact the prescribed body by phone before making the request to discuss the College's Information needs and ensure the request is well targeted. The College should then follow up in writing by providing the following information:

- the **identity** of the person who is the subject of the Information request and, if it is not a child or young person, identify the subject's relationship to the child or young person and provide any particular identifying information so that the prescribed bodies can be sure that they are talking about the same person
- an **explanation of how** the request for Information relates to the safety, welfare or wellbeing of the child or young person (or class of children or young people)
- an **explanation of how** the information will assist the College to make a decision, assessment or plan, or to initiate or conduct an investigation, or to provide any service, or to manage any risk to the child or young person
- a sufficient level of **detail** to assist the other prescribed body to understand the purpose of the request and to locate the relevant information in an efficient manner
- the **background** to the request, including whether or not the College has informed a child, young person or parent that the information has been sought and, if not, why not (e.g. where there are safety concerns)
- an indication of the **time period** for which the information is sought (e.g. for the last six months, three years) and the type of information sought
- a **realistic time frame** for the prescribed body to provide the information noting that communicating/negotiating a due date is best practice as it promotes collaboration and can ensure urgent matters are prioritised (unless the information is for court proceedings where a more limited time frame may be required).

Restriction on Use of Information

If any Information is provided to the College under Chapter 16A, the College must not, except as otherwise required or permitted by any law, use or disclose the Information for any purpose that is not associated with the safety, welfare or wellbeing of the child or young person (or class of children or young persons) to whom the information relates.

Protection from Liability

If any person, acting in good faith, provides Information in accordance with Chapter 16A, that person is not liable to any civil or criminal action, or any disciplinary action, for providing such Information. The person cannot be held to have breached any code of professional etiquette or ethics or to have departed from any accepted standards of professional conduct.

Sharing Information with the Department of Family and Community Services (FACS)

Under section 248 of the Care and Protection Act, the Secretary of FACS may furnish the College with Information and/or direct the College to furnish it with Information. If requested to provide FACS with Information, the College must "comply promptly" with the requirements of the direction. The protection from liability provisions apply to the furnishing of Information to FACS under section 248.

Information Sharing and the Reportable Conduct Scheme

The information sharing provisions in Chapter 16A complement the operation of the reportable conduct scheme established under the Ombudsman Act 1974 (NSW). Refer to the **Reportable Conduct of Staff, Volunteers and Others** section of this Program for information about the disclosure of information by the NSW Ombudsman and the College under the reportable conduct scheme.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Family and Community Communication and Support](#)

[CompliSpace Staff Sign In](#)

[< Sharing Information Relating to a Child's or Young Person's Safety, Welfare or Wellbeing](#)

[Support for Students Interviewed at the School >](#)

Family and Community Communication and Support

Red Bend Catholic College acknowledges that our Child Protection Program will be most effective if it is communicated to all people in the College community, and those people feel supported to discuss, address and respond to child protection issues at the College.

Communication of Our Child Protection Program

The College makes our **Child Protection Policy** and **Child Protection Code of Conduct** available on the College's public website to ensure that they are readily accessible to all members of the community. Hard copies of these documents are also available on request.

Copies of the College's other child protection policies and procedures are available on request.

Red Bend Catholic College's Child Protection Program is also communicated in the following ways:

- the College's induction training for staff members, Direct Contact Volunteers and Direct Contact Contractors
- regular information sessions for staff members and parents/carers about specific child protection issues at the College
- the provision of child protection training sessions at least annually for staff members, Direct Contact Volunteers and Direct Contact Contractors, including during professional development days
- the provision of child protection information, including reporting procedures, in College newsletters and direct parent/carer communications.

Contacting Parents/Carers of Affected Students

In many cases of suspected child abuse or grooming, or where it is suspected that a child is at risk of being abused or groomed, it is critical that the child's or young person's parents/carers are notified as soon as is practicable after a notification has been made to the appropriate external authority. This enables the child's or young person's parents/carers to take steps to:

- prevent or limit their child's exposure to further abuse or grooming
- ensure that their child receives the support that is needed.

It is the College's policy that any notification made to parents/carers of a child or young person suspected to have been abused or groomed, or to be at risk of being abused or groomed, is made by the Principal or a College Child Protection Officer after a notification to either Family and Community Services (FACS) or the Police has been made.

Before contacting parents/carers the College's Principal or a Child Protection Officer must seek advice from FACS or the Police, depending on who the report was made to. The Principal or Child Protection Officer will be advised by an external authority not to contact the parents in circumstances where:

- the parents/carers are alleged to have engaged in the abuse
- a disclosure to the parents/carers may subject the child to further abuse
- the child or young person is a mature minor (assessed to be sufficiently intelligent and mature to make such decisions on their own behalf) and has requested that the parents/carers not be contacted
- the notification is likely to have an adverse effect on an ongoing investigation into the incident.

Support: Reporters

Red Bend Catholic College provides child protection training to staff members, Direct Contact Volunteers and Direct Contact Contractors who are required to deal with issues such as child protection concerns and dealing with disclosures or suspicions of harm or abuse to ensure that they receive appropriate information for responding to these issues.

The College has also appointed a number of Child Protection Officers, including a **Senior Child Protection Officer**, who can assist staff members, Direct Contact Volunteers and Direct Contact Contractors in responding to child protection issues and disclosures of abuse, neglect or grooming.

Support: Students and Families

Experiences of child abuse, neglect or grooming can cause trauma and significantly impact on the mental health and wellbeing of children and young people. In addition to reporting and referral to the relevant authorities, the College plays a central role in addressing this trauma and have a duty of care to ensure that the students feel safe and supported at College.

If a student is impacted by abuse, neglect or grooming, Child Protection Officers will work with the student and their family to develop a Student Support Plan and engage external support services which specialise in supporting children impacted by abuse, neglect or grooming.

Students and parents/carers are also able to **contact** one of the College's **Child Protection Officers** to access support.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Support for Students Interviewed at the School](#)

[CompliSpace Staff Sign In](#)

[< Family and Community Communication and Support](#)

[Making Additional Reports >](#)

Support for Students Interviewed at the College

The College has certain obligations when a request is made by the Police or Family and Community Services (FACS) workers to interview students regarding child protection incidents at the College. Students to be interviewed may include victims, witnesses or those alleged to have perpetrated the abuse, neglect or grooming.

Support for Students

All students interviewed by the Police or FACS at the College must be supported. Where possible, the student's parents/carers should be present for any interview. Where this is not practicable, one of the following persons may provide support to the student during the interview, as appropriate:

- the Principal
- a College Child Protection Officer
- in the case of Police interviews, an independent support person over the age of 18 who is not connected with the College, for example, a social worker or non-College nurse.

Consideration should be given to whether there may be a conflict of interest between the independent supportive adult and the student being interviewed. For example, a situation may arise where the Principal or a Child Protection Officer is related to the alleged perpetrator or the student, or the Principal or a Child Protection Officer is the alleged perpetrator.

General Protocols

It is the Principal's responsibility to:

- facilitate interviews requested by the Police or FACS workers
- advise students of their right to have an independent supportive adult, parent or carer present at such an interview
- arrange for the student to choose an independent supportive adult to be present
- balance their obligation to protect the rights of students with their obligation to assist the Police and FACS in their exercise of duty
- ensure there is someone acting as an independent supportive adult for students interviewed at the College by the Police or FACS workers
- observe confidentiality at all times in the management of a Mandatory Reporting or criminal case.

Contacting Parents/Carers

Before contacting a student's parents/carers, the Principal must seek advice from the Police or FACS to determine if parents/carers should be present at the interview.

Where appropriate, parents/carers must be advised of the scheduling of an interview with the Police. Parents/carers should also be advised of interviews that have been scheduled with FACS where it is deemed to be appropriate. However, FACS may conduct interviews with students without parental/carer knowledge or consent in exceptional circumstances.

Student as a Victim/Witness

When the Principal allows interviews involving students who may be victims or witnesses, they should:

- support and encourage the student to provide as much information as possible, and
- inform the student that a note of the circumstances and the content of the interview will be made and communicated to their parents/carers as soon as possible unless doing so would cause a risk of abuse.

Student as a Suspect

If Police need to speak with a student who has allegedly abused another child or student at the College, this should preferably be done in the presence of the student's parents/carers, or another independent supportive adult.

Complying with Court Orders

A subpoena or witness summons is a court order that compels the College to produce documents or attend court and give evidence, or both. The Principal or a staff member will usually be issued with a subpoena or witness summons because a party to legal proceedings believes that the College, the Principal or a staff member has information or documents that are relevant to the proceeding.

The College will seek external legal advice and support relating to complying with subpoenas or witness summons.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Making Additional Reports](#)

[CompliSpace Staff Sign In](#)

[< Support for Students Interviewed at the School](#)

[Child Protection Complaints Management >](#)

Making Additional Reports

There are some circumstances in which you will be required to make an additional report to an appropriate external authority.

Reporting Further Grounds for Belief or Suspicion

If you hold a reasonable belief that a child or young person has been, or is at risk of being, abused, neglected or groomed, you must make a report to the relevant external authority about the child or young person, even if:

- FACS or the Police have previously been involved or are currently involved with the child or young person and/or their family, or
- you are aware that another party, such as another staff member or Volunteer, or family member, has raised concerns with the relevant authorities.

Every report is critical to protecting a child or young person by building evidence and enabling external authorities to gain a clear understanding of the risks posed to the child or young person.

Another Person Has Made a Report

There may be times when two or more staff members at the College (e.g. the Principal and a Child Protection Officer) form a belief about the same child on the same occasion and based on the same information.

In this situation, it is sufficient that only one of the staff members make a report to the relevant external authority, as the belief is based on the same information. However, the other staff member, who does not make the report, is obliged to ensure that the report is made and that all grounds for their own belief are included in the report made to the authority.

If staff members do not agree on what should be reported, for example, a staff member does not agree with the Principal's decision to make a report to an external authority, both staff members are legally obliged to make a report.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Child Protection Complaints Management](#)

[CompliSpace Staff Sign In](#)

[< Making Additional Reports](#)

[Confidentiality and Privacy >](#)

Child Protection Complaints Management

The College has developed a **Complaints Handling Program** to ensure that any child protection-related feedback, comments or complaints from College community members and relevant stakeholders are captured, analysed and acted upon where appropriate.

This may include feedback about certain staff members, Volunteers or Third Party Contractors, or the College's Child Protection Program.

When a complaint is made to the College it is important for the College to consider whether the complaint raises any concerns about unreported abuse, neglect or grooming, or a risk of abuse, neglect or grooming, at the College.

All staff including the Principal, Volunteers, Third Party Contractors and External Education Providers must follow the College's **Procedures for Responding to and Reporting Suspected Child Protection Incidents** if any information received with a complaint leads to new grounds for a reasonable belief or suspicion that a student may be subject to, or at risk of, unreported abuse, neglect or grooming.

Where there is a reasonable belief, allegation, disclosure of child abuse, neglect or grooming, or a child protection incident, at the College that relates to a member of the College's teaching staff, non-teaching staff or a Volunteer, Third Party Contractor or External Education Provider, the College must notify the MSA Regional Director as soon as reasonably practicable, and in any event within 12 hours.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Confidentiality and Privacy](#)

[CompliSpace Staff Sign In](#)

[< Child Protection Complaints Management](#)

[Child Protection Record Keeping >](#)

Confidentiality and Privacy

Confidentiality of Information Relating to Child Protection Matters

Anyone who has access to information regarding a case of suspected child abuse, neglect or grooming must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

You must not provide undertakings that are inconsistent with your reporting obligations in the College's Child Protection Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to **disciplinary action**.

Protection of Reporter's Identity

Reports made to Family and Community Services (FACS) are confidential and the reporter's identity is generally protected by law.

It is important to note however that NSW Police may be granted access to the identity of the reporter if this is needed in connection with the investigation of a serious offence against a child or young person. The request must come from a senior NSW Police officer and the reporter must be informed that their identity is to be released, unless informing them of the disclosure will prejudice the investigation.

Reporter Liability

A person who makes a mandatory report in accordance with the Children and Young Persons (Care and Protection) Act 1998 (NSW) will not be held liable for the eventual outcome of any investigation.

If a report is made in good faith, it does not constitute a breach of professional ethics on the part of the reporter and the reporter cannot be held legally liable in respect of the report.

Protection of Staff's WWCC Status

The College will only be informed of whether an individual passes or fails the Check. None of the information gathered for the Check, such as criminal or professional records, will be passed on to Red Bend Catholic College.

Protection of Personal Information

How Red Bend Catholic College handles the information we collect about individuals (referred to in the Privacy Act 1988 (Cth) as personal information) is very important, as the people we deal with expect us to handle their personal information properly and we have a legal obligation to do so. Personal information is information, or an opinion, about an identified individual, or an individual who is reasonably identifiable:

- whether the information, or opinion, is true or not, and
- whether the information, or opinion, is recorded in a material form or not.

The Privacy Act 1988 (Cth) only applies to personal information that is captured in a record. For more information about how the College handles and stores personal information in accordance with the Privacy Act, see our **Privacy Program**.

Requests for Information

If you receive a request from the Police or FACS for information relating to a student who has been impacted (or is suspected to have been impacted) by child abuse, neglect or grooming, you should:

- obtain the request for information in writing, and
- ensure that the written request includes:
 - the name of the Police or FACS Officer, the organisation they work for and their contact details
 - a description of the information and/or documents being sought
 - the reasons why the information and/or documents are being sought
 - the basis upon which the officer or the organisation believes that they are entitled to access the requested information and/or documents.

When information and/or documents are requested in this way, you may be permitted to share the information. However, you are not compelled to do so.

Information Sharing with the College Community

The College takes great care to assess the relevance and appropriateness of sharing information about a child protection incident before providing any information about child abuse or grooming to the College community because even the confirmation of an incident or allegation can lead to the identification of a victim.

Record Keeping Obligations

For the College's record keeping obligations relating to child protection incidents, refer to **Child Protection Record Keeping**.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Child Protection Record Keeping](#)

[CompliSpace Staff Sign In](#)

[< Confidentiality and Privacy](#)

[Marist Child Protection Reporting >](#)

Child Protection Record Keeping

Documenting a Suspicion or Belief of Abuse

Where a staff member, Direct Contact Volunteer or Direct Contact Contractor forms a suspicion on reasonable grounds that a student is at risk of significant harm as a result of abuse, neglect or grooming, written and dated notes of their observations and concerns should be recorded to assist in a referral/report of child abuse, neglect or grooming.

All verbal and written communications regarding child protection matters (including notes of observations, student disclosures, meetings and telephone calls) must be properly documented. The documented records should include dates and times and enough detail to record key conversations, especially those relating to the student's disclosure.

For the purposes of any current or future internal or external investigations into abuse, neglect or grooming allegations, the College maintains records of any and all evidence or notes relating to the allegations made. This may include:

- notes taken during a meeting with a staff member who is the subject of an allegation
- reports made by a staff member about the behaviour of a colleague
- notes taken during a disclosure by a student of abusive, neglectful or grooming behaviour
- copies of any reports made to the Police or external bodies about the matter
- any digital copies of correspondence between the student and the staff member who is the subject of the allegation, if the allegation includes claims of inappropriate online activity.

The Principal is responsible for keeping all child protection related records up-to-date. Records are located in the Principals' office.

All records relating to child protection must be stored securely and maintained indefinitely. Refer to our [Records Management Policy](#) for information on how we store records.

How to Record Observations, Disclosures or Allegations of Abuse

The College requires all members of the College community, including staff, Volunteers, Third Party Contractors and External Education Providers to ensure that, where possible, the following information is recorded:

- whether the child or young person needed first aid, and if so who administered it and whether follow up medical care was/is required
- the child's or young person's information including: name, age, gender, address and parent/carer information
- whether the child or young person has any disabilities, or mental or physical health issues
- the child's or young person's history including any known previous history of suspected abuse
- the child's or young person's family background, including cultural/linguistic background
- the reporter's grounds for the suspicion that a child or young person has been abused, or is at risk of abuse, including behavioural and physical indicators
- any details of the person alleged to have committed the abuse (if known)
- who the matter was reported to (internally and externally)
- any action that has resulted from the internal/external report
- whether the child's or young person's parents/carers have been contacted.

It is important to note that it is not your role to quiz the child or young person, or other person making the disclosure or allegation – you should only record the information offered during the disclosure or allegation and then be sure to report the matter to a Child Protection Officer or the Principal, and any relevant external agencies, in line with your legal obligations.

All notes and records made regarding child protection incidents are to include, where possible, the information above, and should be given to the Principal or a College Child Protection Officer. The College maintains records of these forms indefinitely. Child protection records are only disposed of subject to law or policy.

The documentation relating to child protection incidents is maintained by the Principal and located in the Principal's office.

The College maintains records of these forms indefinitely. Child protection records are only disposed of subject to law or policy.

Working with Children Check Documentation

It is the responsibility of the Executive Assistant to the Principal and Deputy Principal to verify and record the status of all College staff, non-parent Volunteers and other persons who require a Working with Children Check (WWC Check). WWC Check details will only be correctly verified if they accord with the information on the working with children register as at the date the record is made by the College. The Executive Assistant to the Principal and Deputy Principal is also responsible for ensuring these records are up-to-date.

Parents who volunteer for child-related work at the College do not need a WWC check if their child is participating in the activity or normally participates in the activity.

In line with the College's risk-based approach to child safety and protection, where parent volunteers are volunteering at large off-site activities, such as overnight excursions or camps, the College requires that these parent volunteers undergo a WWC Check as a matter of best practice.

Red Bend Catholic College maintains records (electronic or hard copy format) of child-related workers including:

- full name
- date of birth
- WWC number (or application number)
- the start date and outcome of the online Check verification
- the expiry date of the WWC Check, being the date the WWC Check ceases to have effect
- whether the person is a paid worker or a volunteer.

Records must be readily available if required for audit and monitoring purposes. Records are retained by the College in electronic form indefinitely and closely monitored to ensure that all clearances are current for employed workers and volunteers at the College.

The documentation relating to WWC Checks is maintained by Executive Assistant to the Principal and Deputy Principal and located in their office.

Records are retained by the College in electronic form indefinitely and closely monitored to ensure that all clearances are current for employed staff and volunteers at the College.

Recording Child Protection Actions

Section 6F of the Civil Liability Act 2002 (NSW) imposes a duty of care on the College to take reasonable precautions to prevent an individual associated with the College from perpetrating physical or sexual abuse of a child in connection with the College's responsibility for the child. If the College is involved in a negligence proceeding under the Civil Liability Act, the College is presumed to have breached its duty of care unless it establishes that it took reasonable precautions to prevent the abuse.

Whether or not the College took reasonable precautions will be assessed by a court in accordance with considerations set out in the Civil Liability Act and case law. The effective implementation of the College's risk management strategies in **Child Protection Risk Management** is an example of taking reasonable precautions to prevent the physical or sexual abuse of a child.

It is critical that the College maintains accurate and comprehensive records of these policies, procedures, work systems and strategies should the courts ever call on such evidence in relation to a negligence claim against the College for damages in respect of child abuse.

For more information about the College's record keeping procedures refer to our **Records Management Policy**.

Training and Induction Records

It is the responsibility of **Deborah Wheeldon, Director of Teaching and Compliance** to ensure that records are maintained of attendance by, and participation of, staff members, Direct Contact Volunteers and Direct Contact Contractors at, and participation in, Red Bend Catholic College training and induction.

Marist Child Protection Record Keeping

The College maintains records of all child protection incident notifications made to the MSA Regional Director. For more information refer to **Marist Child Protection Reporting**.

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[Red Bend Catholic College > Child Protection Program > Creating and Maintaining Child Safe Environments > Procedures for Responding to and Reporting Suspected Child Protection Incidents > Marist Child Protection Reporting](#)

[CompliSpace Staff Sign In](#)

[< Child Protection Record Keeping](#)

[Disciplinary Procedures >](#)

Marist Child Protection Reporting

In addition to the College's legal and regulatory obligations regarding responding to and reporting child protection incidents, as a member school of MSA, the College is required to report certain information to MSA, and notify MSA of certain incidents, with regards to child protection.

Child Protection Incident Notification

The College is required to notify the MSA Regional Director as soon as practicable, and in any event within 12 hours, of the College becoming aware of any child protection incident (either current or historical) that relates to abuse, or potential abuse, by:

- a staff member including Marist Brothers
- the Principal
- a Volunteer
- a Third Party Contractor
- a staff member or volunteer of an External Education Provider.

The College notifies the MSA Regional Director:

- verbally within 12 hours of becoming aware of the incident by telephoning the Regional Director, and
- in written form within 72 hours to record the notification and further details from the conversation with the Regional Director.

Both the MSA Regional Director and the College maintain a register of all child protection incidents and notifications made by the College.

Annual Risk Assessment

The College engages in an annual risk assessment of the overall effectiveness of its Child Protection Program, in accordance with our **Child Protection Risk Management** policies, procedures and strategies, and the methods prescribed by MSA.

The College must submit the risk assessment to the MSA Regional Director and maintain a copy as a record of the assessment.

Attestation of Compliance

The College is required to provide an annual Attestation of Compliance with the MSA Child Protection Standards to the MSA Regional Director. It is the College's policy that the Principal is to prepare and sign the Attestation.

Management Reports

The College provides regular management reports to the MSA Regional Director to evidence and assure the Marist Schools Australia Professional Standards Committee that the College is continuously complying with its child protection obligations and that the College is effectively managing risks of child protection at the College.

Compliance Audits

It is the College's policy to submit to and actively cooperate with any audit, internal or external, directed by MSA.

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[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > **Disciplinary Procedures**

[CompliSpace Staff Sign In](#)

[< Marist Child Protection Reporting](#)

[Continuous Review and Improvement >](#)

Disciplinary Procedures

Where a staff member breaches any obligation, duty or responsibility under this Program, Red Bend Catholic College may take disciplinary action, including, in the case of serious breaches, dismissal.

Where any other member of the College community breaches any obligation, duty or responsibility within this Program, College may take appropriate action.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > **Continuous Review and Improvement**

[CompliSpace Staff Sign In](#)

[< Disciplinary Procedures](#)

[Additional Resources >](#)

Continuous Review and Improvement

Red Bend Catholic College is committed to continuous improvement in all its operations including this Child Protection Program.

It is the responsibility of the **Executive** to regularly review our Child Protection Program to ensure that it is working in practice and that the College is meeting its legal and regulatory obligations relating to child protection.

Document current as at 18 November 2019. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Red Bend Catholic College](#) > [Child Protection Program](#) > [Creating and Maintaining Child Safe Environments](#) > **Additional Resources**

[CompliSpace Staff Sign In](#)

[< Continuous Review and Improvement](#)

[College's Boarding Program >](#)

Additional Resources

Working with Children Checks

- Office of the Children's Guardian, **Working with Children Check website**.

Reportable Conduct Scheme

- NSW Ombudsman, **Reportable Conduct Scheme**, 2016