



KOROWAL SCHOOL
Human-centred education • Kindergarten to HSC

KOROWAL SCHOOL LIMITED

CHILD ABUSE AND NEGLECT, IDENTIFY AND RESPOND POLICY

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1. DOCUMENT CONTROL

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2. POLICY STATEMENT

Children have a fundamental right to be safe and to grow and develop in environments that are free from violence, exploitation and harm. The safety and protection of children requires a commitment from all members of the community. At the same time, the community has clear expectations that children will be protected from all forms of harm including sexual, physical and psychological harm as well as ill-treatment and neglect. Korowal is supportive of these expectations and strives to promote the safety and protection of children.

3. PURPOSE

The purpose of this Policy is to:

- Assist employees to understand their broader responsibilities and those of the School in the area of identifying and responding to child abuse and neglect issues.
- Notify employees that they are “mandatory reporters” and thus have a legal obligation to report to Family and Community Services (through the Child Protection Helpline) any reasonable suspicions that a child is at risk of significant harm. Notwithstanding laws regarding mandatory reporting, the School is committed to responding appropriately and supportively to any concerns about children at risk.
- Demonstrate the School’s commitment to the principles of a Child Safe organisation, including that students will be listened to and their concerns responded to by employees. The School is guided in its decisions on child safety, welfare, well-being and protection strategies by the objects and principles within NSW legislation, consistency with the *United Nations Convention on the Rights of the Child* and the Child Safe Standards arising from the Royal Commission Final Report into Institutional Responses to Child Sexual Abuse.

4. SCOPE

This policy applies to all employees as defined in the Child Protection Framework.

5. RELATED POLICIES

This policy is part of the *Child Protection Framework* and should be read in unison with that document. This policy is also related to the School’s other policies including but not limited to:

- *Child Protection Records and Information Exchange Policy*
- *Employee Code of Conduct*
- *Promote Child Safety in the Workplace Policy*
- *Protected Disclosures Policy*

6. LEGISLATION

This Policy has been drafted to comply with the following documents and legislation:

- *Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Ombudsman’s Act 1974* (NSW)
- *Child Protection (Working with Children) Act 2012* (NSW)
- Child Safe Standards Final Report: Royal Commission into Institutional Responses to Child Sexual Abuse

7. DEFINITIONS

Term	Definition
Employees	This includes all employees, contractors, volunteers, work experience participants and student placements who are engaged by the School in working with children.
Child	Any person who is under 16 years of age.
Young Person	Any person who is 16 or 17 years of age.
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.
Mandatory Reporter	Mandatory reporting describes the legal obligation of certain professionals and community members in NSW to report incidents of child abuse and/or neglect. These people are called mandatory reporters and they MUST report to the Child Protection Helpline if they believe on reasonable grounds that a child is at risk of significant harm and in need of protection. Mandatory reporters include people who deliver education to children or hold a management position in an organization delivering education to children.
Mandatory Reporter Guide (MRG)	The MRG supports mandatory reporters in NSW to: determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child or young person; and identify alternative supports for vulnerable children, young people and their families.

7.1 Identifying Abuse and Neglect Issues

While children may be at risk due to a range of factors, the School identifies the following circumstances as involving possible abuse or neglect and requiring a response in accordance with this policy and associated procedures:

- a. The child's basic physical or psychological needs are not being met or are at risk of not being met.
- b. The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care.
- c. The child has been, or is at risk of being, physically or sexually abused or ill-treated (Note: physical or sexual abuse may include an assault and can exist despite the fact that consent has been given).
- d. The child 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.
- e. A parent, other caregiver or another child has behaved in such a way towards the child that the child has suffered or is at risk of suffering serious psychological harm.
- f. The child was the subject of a pre-natal reporting of risk and the birth mother of the child did not engage successfully with support services to eliminate, or minimize to the lowest level reasonably practical, the risk factors that gave rise to the report.
- g. In the case of a child who is required to attend school in accordance with the law – the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education (Note: as a guide a child is to be regarded as habitually absent if they are absent for 30 days within the last 100 days).

A child may be at risk of harm from abuse and neglect as a result of a single act or omission or to a series of acts or omissions outlined above.

8. PRINCIPLES

The School adheres to the following principles:

- **Safe and Supportive Environments**

This Policy supports the commitment by the School to create safe and supportive environments for students. A safe environment is one where the risk of significant harm is minimised and students and employees feel safe and secure. Harm relates not only to dangers in the physical environment but also refers to violence, physical threats, verbal abuse, threatening gestures, neglect, emotional or psychological harm, sexual harassment and abuse, grooming behaviour and racial vilification.

- **Enhanced development for Students**

A supportive environment facilitates and enhances the social, academic, physical and emotional development of students, employees and all those involved with the work of the School.

- **Protection of Students**

The School is committed to fostering the wellbeing of students and to protecting them from any form of exploitation, abuse or neglect.

- **Culture of Safety**

The School is committed to maintaining practices that create a culture of safety within which students and employees are supported and protected.

- **Participation and Empowerment of Students**

The School is committed listening and responding to children and developing avenues for their effective participation in the work of the School.

9. RESPONSIBILITIES

9.1 Reasonable Grounds for Consultation

Employees must consult with the Principal when they have reasonable grounds to suspect that a child is at risk of harm from abuse or neglect.

An employee may have reasonable grounds to suspect a child is at risk of harm from abuse or neglect when:

- a. A child tells the employee that he/she has been abused.
- b. Someone else informs the employee (for example, a relative, friend, acquaintance or sibling of the child) that a child is being abused.
- c. A child tells the employee that he/she knows someone who has been assaulted (often a child may be referring to himself/herself in this scenario).
- d. The employee's observations of a particular child's behavior may lead them to suspect the child is being abused.
- e. The employee becomes aware that a child is in the care of an alleged offender.

9.2 Mandatory Reporting of Abuse and Neglect to child protection authorities

Mandatory reporting relates to the legal requirement to report certain types of concerns involving the abuse and/or neglect of children to the Child Protection Helpline. The concerns must arise during the course of or from a person's work.

The table below sets out what must be reported to the Child Protection Helpline.

Notwithstanding the fact that certain concerns will not require a report to the Child Protection Helpline, it is the School's expectation that all concerns which constitute abuse or neglect as identified in 7.1, will be documented and will receive an appropriate response from the School in accordance with this policy.

The Principal (or delegate) will make all reports to the Child Protection Helpline.

The person making the report is required to record the information provided to the Child Protection Helpline, including the reference number of the report, in a confidential file relating to the student. A printout of the outcome of the NSW Mandatory Reporting Guide should also be kept on file.

If the incident relates to a child who is not currently enrolled in the School, but whom the employee became aware of during the course of or from their work, or is a former pupil of the School, all relevant documentation should be forwarded to the Principal who will maintain a central file.

What must be reported	Threshold requirements for reporting
Physical abuse Sexual abuse Emotional / psychological abuse Neglect (including educational neglect) Exposure to domestic violence	<ul style="list-style-type: none"> • Reasonable grounds to suspect that a child is at risk of significant harm; and • Those grounds arise during the course of or from the person's work • A child or young person "is at risk of significant harm" if current concerns exist for the safety, welfare or wellbeing of the child or young person because of the presence, "to a significant extent", of basic physical or psychological needs not being met, physical or sexual abuse or ill-treatment and serious psychological harm. • In making a decision about whether an incident reaches the threshold for significant harm, all staff should refer to the Online Mandatory Reporting Guide (MRG) found at the Keep Them Safe website at http://www.keepthemsafe.nsw.gov.au/reporting_concerns/mandatory_reporter_guide

9.3 Protection of Persons who make Reports

In the event an employee reports in good faith that they suspect a child is at risk of harm, their identity is protected from disclosure. In addition, provided the report is made in good faith, the employee will not be liable in any civil, criminal or administrative proceeding.

9.4 Response from Family and Community Services

On receipt of a report that a child is suspected of being at risk from abuse or neglect, the Child Protection Helpline may make such investigations and assessment as they consider necessary to determine whether the child or young person is at risk of significant harm, and what action should occur. The Child Protection Helpline may decide to take no further action if, on the basis of the information provided, they consider there is insufficient reason to believe that the child is at risk of significant harm or the information does not reach the reporting threshold.

If no response has been received from the Child Protection Helpline within 5 days, the Principal should contact the Child Protection Helpline again to obtain information in regard to the status of the report.

Where the abuse or neglect concern involves reportable conduct by a School employee please refer to the *Promoting Child Safety in the Workplace Policy*. Consideration should also be given to making a report of the concerns to the Police.

9.5 Concerns that fall below the threshold for mandatory reporting

In deciding whether a child is at risk of harm from abuse or neglect, the employee should first discuss the matter with the Principal.

If the decision is that the concern does not require a mandatory report, the School must consider what steps and actions should be taken to provide the child and/or their family/ with additional assistance in relation to the identified concerns, either by school programs or through referral and collaboration with external agencies. The Principal can be contacted to give advice and assistance on these matters. The School regards child protection as a whole of community responsibility and is committed to finding support for children and families in need of our assistance.

To facilitate the provision of services to children and their families, the School may seek to exchange information or be requested to exchange information related to the safety, welfare or well-being of children and young people. Employees should consult the *Child Protection Records and Information Exchange Policy* on how and when to do this.

Any child protection concerns must be recorded on the student's confidential file, including the decisions made about how to respond to the concern, making sure that any relevant actions, timeframes and persons responsible are noted and monitored for implementation.

9.6 Supporting Children

Whether or not a report is made to the Child Protection Helpline in respect of a student, the School has a significant role to play in providing ongoing support and assistance to students who are at risk (and their families) particularly where there is an ongoing relationship between the School and the student.

Employees of the School have the capacity to build trust and are well placed to observe changes in circumstances which may impact on a child's safety, welfare or wellbeing.

Employees of the School should consider what steps and actions could be taken to provide the student and/or their family or with additional assistance in relation to any identified concerns, either within school programs or through referral and collaboration with other agencies or services.

To facilitate the provision of services to students and their families, information may need to be exchanged with other agencies. If this is necessary it must be carried out in accordance with the *Child Protection Records and Information Exchange Policy*.

Where students and their families face complex difficulties and/or there are a number of agencies involved, it can be helpful to have an interagency or care team meeting. Bringing representatives of the agencies together can promote sharing of information and avoid duplication. It is preferable to involve students and their families in interagency meetings as they tend to respond better where there is trust and transparency. It also avoids difficulties with privacy when information sharing is done with consent.

It is important to identify and document strategies for support. Having a written plan with clearly stated outcomes that can be reviewed/tracked, time frames and allocation of responsibility ensures accountability in addressing child protection and wellbeing concerns. It is also important to identify an appropriate person who will exercise case management responsibilities.

10. FURTHER INFORMATION

Should you require further information about this Policy, please contact the Principal.