



KOROWAL SCHOOL

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Korowal School Limited

**Child Protection Records
and Information Exchange Policy**

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1. Document Control

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2. Policy Statement

Korowal School Ltd (the “School”) acknowledges that the risks facing vulnerable children, young people, and families are often multi-dimensional in nature and cannot be satisfactorily addressed by any one School or other agency working in isolation. We recognise that the current legal framework for child protection in NSW supports collaboration between schools and other agencies in the provision of services to vulnerable children, young people and their families by establishing a structure for the sharing of information between agencies relating to the safety, welfare and well-being of children and young people.

We also recognise that cumulative harm may be identified through maintaining accurate records and sharing information about safety, welfare and well-being concerns for children and young people between such agencies. The School is committed to ensuring the suitability of employees and others who are engaged to provide services to children and young people in the School. In this respect the School also acknowledges the importance of maintaining records relating to recruitment and employment screening, actions taken to address allegations of inappropriate behaviour by employees towards children, young people, or others, and training provided to employees in the areas of child protection and professional standards.

3. Purpose

The purpose of this Policy is to:

- Ensure the maintenance of records that may be needed at a later date for the safety and protection of children and young people.
- Allow the sharing of information regarding the safety, welfare and well-being of children and young people to government and other agencies, in certain circumstances.
- Allow the School to seek information from and share information with other agencies to prevent an issue from occurring or escalating, to identify whether a child or young person has been harmed, or whether they are at risk of significant harm.
- Promote a collaborative approach between agencies in the safety and protection of children and young people.
- Protect the privacy and confidentiality of students where possible, whilst also promoting their safety, welfare and well-being through sharing information which may be relevant for that purpose.
- Assist employees to understand what records need to be kept relating to the safety and protection of children and young people, how those records should be kept to respect privacy and confidentiality, and the circumstances in which information may be lawfully exchanged with other agencies for child protection purposes.

4. Scope

This Policy applies to all employees. Under this Policy, this includes all full-time and part-time staff, contractors and volunteers who are engaged by the School, and work with children/young people or decisions or records relating to children/young people.

5. Related Policies

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

- *Promoting Child Safety in the Workplace Policy*
- *Identify and Respond to Child Abuse and Neglect Policy*
- *Employee Code of Conduct*
- *Protected Disclosures Policy and Procedures*

6. Legislation And Related Documents

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

- *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
- *Children's Guardian Act 2019 (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

For a full list of definitions please see the School's *Definitions Register*:

https://www.korowal.nsw.edu.au/imagesDB/wysiwyg/0.Definitions_2022.pdf

Term	Definitions
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.

Term	Definitions
Student	Any person enrolled to receive education services at the school whether above or below 18 years of age.
Records	The information, regardless of format or media, electronic or physical, which is created, received, or maintained by employees of the School.
Business Manager	Manager of the business and financial affairs of the School.

8. Principles

The School adheres to the following principles:

- Records**
 The School is committed to maintaining accurate and detailed records relevant to safety and protection of students in our care.
- Collaboration**
 The School acknowledges the importance of collaborating with other agencies to enable us to provide a better service for our students.
- Involving Students**
 The School is committed to involving students in discussions regarding the exchange of information about them, as well as their parents/caregivers, where it is determined that this is not likely to impact their safety, welfare, or well-being.
- Sensitivity**
 Given the sensitive nature of these and other issues that our students face, the School is committed to managing information in a sensitive way, and where possible informing students early in their relationship with the School that information about them might be requested from or provided to other organisations for the purpose of ensuring their safety, welfare, and well-being.

9. Pre-Employment Screening

9.1. What child protection information is recorded?

In this Policy “child protection information” is any information that relates to:

- A child/young person or children/young people involved in the School’s programs;
- Any concern regarding the safety, welfare or well-being of a child or young person, whether or not the concern has been reported to the Department of Communities and Justice;
- Any concern regarding the inappropriate behaviour of an employee or visitor to the School towards any child or young person;

- d. Recruitment and employment screening records in relation to the suitability of that person to work with children or young people; and/or
- e. Training records relating to the induction and training of employees in relation to child protection and professional standards.

9.2. Record Keeping Guidelines

It is known that adequate and appropriate assessments and the subsequent decisions relating to the safety and protection of a child/young person or group of children/young people depends, in part, on the quality and accuracy of information gathered, recorded, and reviewed.

In addition, in certain circumstances, records may be subject to scrutiny by external authorities or other organisations in accordance with provisions relating to the sharing of information (see Section 9.7 below).

It is therefore important that records relating to the safety, welfare, and well-being of children and young people are accurate, objective, up to date, of a high quality and contain all relevant information.

All records must be kept in accordance with the Privacy Act 1988 (Cth), and the Australian Privacy Principles.

9.3. Records relating to children/young people who are students at the School

Student records may include, but are not limited to the following information:

- a. Identity (name, date of birth etc.),
- b. Details of living situation,
- c. Health and medical information,
- d. Education, vocation, training and development,
- e. Emotional and behavioural development,
- f. Social skills, peer relationships and recreation,
- g. Living skills and self-care skills, and
- h. Legal information.

The School maintains relevant documents relating to its students in a systematic manner, with Administration being responsible for the maintenance of these records.

9.4. Records relating to the safety, welfare or well-being of a child/ young person

Records relating to the safety, welfare or well-being of a child or young person may include:

- a. Diagrams, drawings, photos, screenshots,
- b. Any writing in any form by a child or young person such as stories, emails, letters, statements, social media pages,
- c. Records of interview, meeting minutes, file notes,

- d. Reports, forms, plans, medical reports,
- e. Court reports,
- f. Notes of disclosures by children/young people,
- g. Formal records/documents associated with local mandatory reporting requirements,
- h. Critical incident forms,
- i. Records of decisions made and management action,
- j. Records related to information sharing with other agencies or professionals, and/or
- k. Records of referrals.

Records relating to the safety, welfare, and well-being of children and young people are highly sensitive and must be treated with the strictest confidentiality, and in accordance with the Australian Privacy Principles. This includes storing such records securely and protecting them from unauthorised access, use or disclosure. The Principal is responsible for maintaining and safeguarding these records.

9.5. Records relating to the employment of both paid and unpaid employees working with children (and young people)

The School maintains on the employee file:

- a. Records of their Working with Children Check, its expiry date, and a record of verification,
- b. Their resume,
- c. File notes from the referee checks conducted in accordance with the Promoting Child Safety in the Workplace Policy
- d. Their contract of employment, contract of services or volunteer agreement,
- e. Records relating to any complaints or grievances against employees
- f. Personal information including their full name, date of birth, and address.

Any confidential records relating to professional standards matters, including investigation records and reports to external agencies, are maintained under confidential, secure and restricted access by the Principal.

9.6. Records relating to child protection training of the School's employees

Records of all child protection and/or professional standards training and induction programs delivered to employees are kept by the School. This record includes the date of delivery, and the signatures of all attendees indicating they attending the training, as well as a copy of the training package/s. The Business Manager is responsible for maintaining these records.

9.7. Sharing and receiving information

The mechanism through which information can be shared between prescribed bodies is outlined under the Children and Young Persons (Care and Protection) Act 2012 (NSW), specifically under Chapter 16A.

Following a request for information under the Children and Young Persons (Care and Protection) Act 2012 (NSW), the Principal is responsible for the management of the request, including seeking professional advice as required, to determine whether the information sought can be shared under the Act.

Further, the Principal is the person responsible for the management of a request for information to another body under the Children and Young Persons (Care and Protection) Act 2012 (NSW).

The Principal may delegate this responsibility on a case-by-case basis. Further, at their discretion, they may seek independent legal advice to ensure the discharge of their duties or responsibilities under law.

10. Further Information

Should further information be required about this Policy please contact the Principal.