

Child Protection Policy and Procedures

Prepared by: Principal
Reviewed by: Principal & Compliance Officer
Monitored by: Principal & Compliance Officer
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Related documentation: <ul style="list-style-type: none"> • Student Safe and Supportive Environment Policy • Staff Code of Conduct • Volunteer Code of Conduct • Work Health and Safety Statement • Discrimination, Harassment and Bullying Statement • Complaints or Grievance Policy • Anti Bullying Policy

Version Control

Version/Date last revised	Dates	Changes
ORIGINAL	Initial Release	
2024	27/11/2024	Change 'Education Director' and 'ED' to 'Principal'
V3	26/02/2025	Update procedures (Section 7) Update Appendix 7 - Child Protection Training Procedure Summary – Quick Reference Add Appendix 8 – Disclosure Form
2026	03/03/2026	Update 'Project Manager' to 'Compliance Officer' Update 'Business Manager' to 'Compliance Officer' or, 'Principal' or, 'Head of Faculty' Update 'Finance and Payroll Officer' to 'Head of Faculty' Update 'Student Welfare Policy' to 'Student Safe and Supportive Environment Policy' Update Appendix 1 Update Appendix 9 and 10 to change Head of Faculty EC 'Rosy McGrath' to 'Joanne McDermott' Update 'AISNSW' to 'ISNSW' Update file location

1. Introduction

1.1. Purpose and scope

This policy sets out staff responsibilities for child protection and processes that staff must follow in relation to child protection matters. This policy applies to all staff members, which includes employees, contractors, parents working for fees (WFF) and volunteers. Staff members who fail to adhere to this policy may be in breach of their terms of employment.

Key legislation

There are four key pieces of child protection legislation in New South Wales:

- the *Children and Young Persons (Care and Protection) Act 1998* (“Care and Protection Act”);
- the *Child Protection (Working with Children) Act 2012* (“WWC Act”);
- the *Children’s Guardian Act 2019* (“Children’s Guardian Act”); and
- the *Crimes Act 1900* (“Crimes Act”).

1.2. Related policies

There are a number of other Armidale Waldorf School policies that relate to child protection that staff members must be aware of and understand including (but not limited to):

- Student Safe and Supportive Environment
- Staff Code of Conduct - sets out information about the standards of behaviour expected of all staff members;
- Work Health and Safety Statement - identifies the obligations imposed by work health and safety legislation on the School and staff members;
- Discrimination, Harassment and Bullying Statement - summarises obligations in relation to unlawful discrimination, harassment and bullying;
- Complaints or Grievance Policy – provides the steps taken by the School in addressing complaints; and
- Anti Bullying Policy.

1.3. Compliance and records

The Principal monitors compliance with this policy and securely maintains school records relevant to this policy, which includes:

- Working with Children Check (WWCC) clearance verifications;
- Mandatory reports to the Department of Communities and Justice (DCJ) previously known as Family and Community Services; and
- Reports of reportable conduct allegations, the outcome of reportable conduct investigations, and/or criminal convictions.

2. Child Protection

The safety, protection and welfare of students is the responsibility of all staff members and encompasses:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students which could reasonably have been foreseen; and
- obligations under Child Protection legislation.

2.1. Children protection concerns

There are different forms of child abuse. These include neglect, sexual, physical and emotional abuse.

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

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 are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.

Physical abuse is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver 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 and female genital mutilation.

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

Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.

Emotional abuse can result in serious psychological harm, where the behaviour of their parent or caregiver 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.

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

2.2. Child wellbeing concerns

Child wellbeing concerns are safety, welfare or wellbeing concerns for a child or young person that do not meet the mandatory reporting threshold of 'risk of significant harm' (defined in Section 4.1.2).

2.3. Staff member responsibilities

Key legislation requires reporting of particular child protection concerns. However, as part of the School's overall commitment to child protection all staff are required to report any child protection or child wellbeing concerns about the safety, welfare or wellbeing of a child or young person to the Principal.

If the allegation involves the Principal, a report should be made to the Chair of the Board.

2.4. Training

The School provides all staff members with a copy of this policy and will provide all staff members with the opportunity to participate in child protection training annually.

All new staff members must read the Child Protection policy and sign the acknowledgement that they have read and understood it.

All staff members must participate in annual child protection training and additional training, as directed by the Principal. The training compliments this policy and provides information to staff about their legal responsibilities related to child protection and school expectations, including:

- mandatory reporting
- reportable conduct
- working with children check, and
- professional boundaries.

The procedures for child protection training for all staff and volunteers are outlined in the PROCEDURES section of this policy (7.1 Child Protection Training Procedures).

3. Working with Children

The WWC Act protects children by requiring a worker to have a working with children's check clearance or current application to engage in child related work. Failure to do so may result in a fine or imprisonment.

The Office of the Children's Guardian (OCG) is responsible for determining applications for a Working With Children Check Clearance (WWCC clearance). It involves a national criminal history check and review of reported workplace misconduct findings. The result is either to:

- grant a WWCC clearance (generally valid for 5 years)
- refuse a WWCC clearance (further applications cannot be made for 5 years)

In addition, the OCG may impose an interim bar on engaging in child related work for both applicants and WWCC clearance holders.

WWCC clearance holders are subject to ongoing monitoring by the OCG.

3.1. Responsibilities for working with children checks

3.1.1. Staff members

Staff members who engage in child-related work (including contractors) and eligible volunteers (including those volunteers working at overnight camps) are required to:

- hold and maintain a valid WWCC clearance;
- not engage in child-related work at any time that they are subjected to an interim bar or a bar;
- report to the Principal if they are no longer eligible for a WWCC clearance, the status of their WWCC clearance changes or are notified by the OCG that they are subjected to a risk assessment; and
- notify the Children's Guardian of any change to their personal details within 3 months of the change occurring. Failure to do so may result in a fine.

It is an offence for an employee to engage in child-related work when they do not hold a WWCC clearance or if they are subject to a bar.

All volunteers are required to:

- to be aware and follow the expectations of conduct expressed in the School Volunteer Code of Conduct.
- must have a current volunteer WWCC clearance unless they are a parent or carer. However, parents and carers attending overnight camps are still required to obtain a WWCC.
- upgrade their WWCC from volunteer to paid if commencing paid work.

3.1.2. The School

The School is required to:

- verify online and record the status of each staff member and volunteer conducting child-related work;
- only employ or engage child-related workers or eligible volunteers who have a valid Check; and
- advise the OCG of the findings they have made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault must be referred to the OCG's Working with Children Check Directorate (WWCC Directorate)

It is an offence for an employer to knowingly engage a child-related worker when they do not hold a WWCC clearance or who has a bar.

3.2. Working with children check clearance

A WWCC clearance is authorisation under the WWC Act for a person to engage in child-related work.

3.2.1. Child-related work

Child-related work involves direct contact by the worker with a child or children and that contact is a usual part of and more than incidental to the work. Child related work includes, but is not limited to work in the following sectors:

- early education and child care including education and care service, child care centres and other child care;
- schools and other educational institutions and private coaching or tuition of children;
- religious services;
- residential services including boarding schools, homestays more than three weeks, residential services and overnight camps;
- transport services for children including school bus services, taxi services for children with disability and supervision of school road crossings; and
- Counselling, mentoring or distance education not involving direct contact.

Any queries about whether roles/duties engage in child-related work should be directed to the Principal.

3.2.2. Application/Renewal

An application or renewal can be made through Service NSW or its replacement agency. The process for applying for and renewing a WWCC clearance with the OCG involves a national police check and a review of findings of misconduct. If the OCG grants or renews a WWCC clearance the holder will be issued with a number which is to be provided to the School to verify the status of a staff member's WWCC clearance.

3.2.3. Refusal/Cancellation

The OCG can refuse to grant a working with children check clearance or cancel a WWCC clearance. The person is then restricted from engaging in child-related work and not able to apply for another clearance for five years. Employers are notified by the OCG and instructed to remove such persons from child-related work.

3.2.4. Interim bar

The OCG may issue an interim bar, for up to 12 months, to high-risk individuals to prevent them from engaging in child-related work while a risk assessment is conducted. If an interim bar remains in place for six months or longer, it may be appealed to the Administrative Decisions Tribunal.

Not everyone who is subject to a risk assessment will receive an interim bar; only those representing a serious and immediate risk to children.

3.2.5. Disqualified person

A disqualified person is a person who has been convicted, or against whom proceedings have been commenced for a disqualifying offence outlined in Schedule 2 of WWC Act. A disqualified person cannot be granted a working with children check clearance and is therefore restricted from engaging in child related work.

3.3. Ongoing monitoring

The OCG will continue to monitor criminal records and professional conduct findings of all WWCC clearance holders through a risk assessment process.

A risk assessment is an evaluation of an individual's suitability for child-related work.

The OCG will conduct a risk assessment on a person's suitability to work with children when a new record is received which triggers a risk assessment. This may include an offence under Schedule 1, pattern of behaviour or offences involving violence or sexual misconduct representing a risk to children, findings of misconduct involving children.

The procedures relating to WWCC clearances is outlined in the PROCEDURES section of this policy (7.2 Working with Children Check Procedures).

4. Mandatory Reporting

The Care and Protection Act provides for mandatory reporting of children at risk of significant harm. A child is a person under the age of 16 years and a young person is aged 16 years or above but who is under the age of 18, for the purposes of the Care and Protection Act.

Under the Care and Protection Act mandatory reporting applies to persons who:

- in the course of their employment, deliver services including health care; welfare, education, children's services and residential services, to children; or
- hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, education, children's services and residential services, to children, are mandatory reporters.

All teachers are mandatory reporters. Other staff members may also be mandatory reporters. Any queries about whether other staff members are mandatory reporters should be directed to the Principal.

4.1. Reports to Communities and Justice

A mandatory reporter must, where they have reasonable grounds to suspect that a child (under 16 years of age) is at risk of significant harm, report to the Department of Communities and Justice (DCJ) as soon as practicable. The report must include the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

In addition, the School may choose to make a report to DCJ where there are reasonable grounds to suspect a young person (16 or 17 years of age) is at risk of significant harm and there are current concerns about the safety, welfare and well-being of the young person.

In the independent school sector a mandatory reporter will meet their obligation if they report to the Principal in the School. This centralised reporting model ensures that a person in the School has all of the information that may be relevant to the circumstances of the child at risk of significant harm and addresses the risk of the School not being aware of individual incidences that amount to cumulative harm.

4.1.1. Reasonable grounds

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:

- first hand observations of the child, young person or family
- what the child, young person, parent or another person has disclosed
- what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' does not mean a person is required to confirm their suspicions or have clear proof before making a report.

4.1.2. Significant harm

A child or young person is 'at risk of significant harm' if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:

- 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 other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- in the case of a child or young person who is required to attend school in accordance with the Education Act 1990 —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 in accordance with that Act,
- 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 caregiver 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,
- the child was the subject of a pre-natal report under section 25 of the Care and Protection Act and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

What is meant by 'significant' in the phrase 'to a significant extent' is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is significant 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 well-being.

The significance can result from a single act or omission or an accumulation of these.

The procedures for mandatory reporting are outlined in the PROCEDURES section of this policy (7.3 Process for Mandatory Reporting).

5. Reportable Conduct

Section 29 of the Children’s Guardian Act 2019 requires the Heads of Entities, including non-government schools in New South Wales, to notify the OCG of all allegations of reportable conduct and convictions involving an 'employee' and the outcome of the School's investigation of these allegations. Under the Children’s Guardian Act 2019, allegations of child abuse only fall within the reportable conduct jurisdiction if the involved individual is an employee of the relevant entity at the time when the allegation becomes known by the Head of Entity.

Reportable Conduct:

- involves a child (a person under the age of 18 years) at the time of the alleged incident; and
- involves certain defined conduct as described in the Act (see below).

The OCG:

- must keep under scrutiny the systems for preventing reportable conduct by employees of non-government schools and the handling of, or response to, reportable allegations (including allegations which are exempt from notification) or convictions;
- must receive and assess notifications from non-government schools concerning reportable conduct or reportable convictions;
- is required to oversee or monitor the conduct of investigations by non-government schools into allegations of reportable conduct or reportable convictions;
- must determine whether an investigation that has been monitored has been conducted properly and whether appropriate action has been taken as a result of the investigation;
- may directly investigate an allegation of reportable conduct or reportable conviction against an employee of a non-government school, or the handling of or response to such a matter (e.g. arising out of complaints by the person who is the subject of an allegation); and
- may investigate the way in which a relevant entity has dealt with, or is dealing with, a report, complaint or notification, if the OCG considers it appropriate to do so.

5.1. Reportable conduct

Under the Children’s Guardian Act 2019, *reportable conduct* is defined as:

- a sexual offence;
- sexual misconduct;
- an assault against a child;
- ill-treatment of a child;
- neglect of a child;

- an offence under section 43B (failure to protect) or section 316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child.

Reportable conduct does not extend to:

- conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- the use of physical force that, in all the circumstances, is trivial or negligible and the circumstances in which it was used have been investigated and the result of the investigation has been recorded in accordance with appropriate procedures; or
- conduct of a class or kind exempted from being reportable conduct by the Children’s Guardian Act under section 30.

5.1.1. Definitions

The following definitions relate to *reportable conduct*:

- **Sexual offence:** an offence of a sexual nature under a law of the State, another State, a Territory, or the Commonwealth, committed against, with or in the presence of a child, such as:
 - sexual touching of a child;
 - a child grooming offence;
 - production, dissemination or possession of child abuse material.

Definitions of ‘grooming’, within child protection legislation, are complex. Under the Crimes Act, grooming or procuring a child under the age of 16 years for unlawful sexual activity is classed as a sexual offence. The Crimes Act (s73) also extends the age of consent to 18 years when a child is in a ‘special care’ relationship. Under Schedule 1(2) of the WWC Act, grooming is recognised as a form of sexual misconduct. The Children’s Guardian Act 2019 and this Child Protection Policy reflect these definitions within the context of the Reportable Conduct Scheme (Division 2).

An alleged sexual offence does not have to be the subject of criminal investigation or charges for it to be categorised as a reportable allegation of sexual offence.

- **Sexual misconduct:** conduct with, towards or in the presence of a child that is sexual in nature (but not a sexual offence). The Act provides the following (non-exhaustive) examples:
 - descriptions of sexual acts without a legitimate reason to provide the descriptions;
 - sexual comments, conversations or communications;
 - comments to a child that express a desire to act in a sexual manner towards the child, or another child.

Note – crossing professional boundaries comes within the scope of the scheme to the extent that the alleged conduct meets the definition of sexual misconduct. That is, the conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence).

- **Assault:** an assault can occur when a person intentionally or recklessly (i.e.. knows the assault is possible but ignores the risk):
 - applies physical force against a child without lawful justification or excuse – such as hitting, striking, kicking, punching or dragging a child (actual physical force); or
 - causes a child to apprehend the immediate and unlawful use of physical force against them – such as threatening to physically harm a child through words and/or gestures regardless of whether the person actually intends to apply any force (apprehension of physical force)
- **Ill-treatment:** is defined as conduct towards a child that is:
 - unreasonable; and
 - seriously inappropriate, improper, inhumane or cruel.

Ill-treatment can include a range of conduct such as making excessive or degrading demands of a child; a pattern of hostile or degrading comments or behaviour towards a child; and using inappropriate forms of behaviour management towards a child.

- **Neglect:** defined as a significant failure to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for a child that causes or is likely to cause harm - by a person who has care and/or has responsibility towards a child.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child's physical or psychological needs, or a single significant incident where a caregiver fails to fulfill a duty or obligation, resulting in actual harm to a child where there is the potential for significant harm to a child. Examples of neglect include failing to protect a child from abuse and exposing a child to a harmful environment.

- Behaviour that causes significant **emotional or psychological harm** to a child is conduct that is intentional or reckless (without reasonable excuse), obviously or very clearly unreasonable and which results in significant emotional harm or trauma to a child.

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

- An obviously or very clearly unreasonable or serious act or series of acts that the employees knew or ought to have known was unacceptable, and
- 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, and

- An alleged causal link between the employee's conduct and the significant emotional or psychological harm to the child.
- **Reportable allegation** is an allegation that an employee has engaged in conduct that may be reportable conduct.
- **Reportable conviction** means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.
- **Employee** of an entity includes:
 - an individual employed by, or in, the entity
 - a volunteer providing services to children
 - a contractor engaged directly by the entity (or by a third party) where the contractor holds, or is required to hold, a WWCC clearance for the purposes of their work with an entity; and
 - a person engaged by a religious body where that person holds, or is required to hold, a WWCC clearance for the purposes of their work with the religious body.
- **ESOA** (Employee Subject Of the Allegation).

5.2 Risk management throughout an investigation of a reportable conduct allegation

Risk management means identifying the potential for an incident or accident to occur and taking steps to reduce the likelihood or severity of its occurrence.

The Principal is responsible for risk management throughout the investigation and will assess risk at the beginning of the investigation, during and at the end of the investigation.

5.2.1. Initial risk assessment

Following an allegation of reportable conduct against an employee the Principal conducts an initial risk assessment to identify and minimise the risks to:

- the child(ren) who are the subject of the allegation;
- other children with whom the employee may have contact;
- the ESOA (Employee Subject Of the Allegation);
- the School, and
- the proper investigation of the allegation.

The factors which will be considered during the risk assessment include:

- the nature and seriousness of the allegations;
- the vulnerability of the child(children) the ESOA has contact with at work;
- the nature of the position occupied by the ESOA;
- the level of supervision of the ESOA; and
- the disciplinary history or safety of the ESOA and possible risks to the investigation.

The Principal will take appropriate action to minimise risks. This may include the ESOA being temporarily relieved of some duties, being required not to have contact with certain students, being asked to take paid leave, or being suspended from duty. When taking action to address any risks identified, the School will take into consideration both the needs of the child(children) and the ESOA.

A decision to take action on the basis of a risk assessment is not indicative of the findings of the matter. Until the investigation is completed and a finding is made, any action, such as an employee being suspended, is not to be considered to be an indication that the alleged conduct by the employee did occur.

5.2.2. Ongoing risk assessment

The Principal will continually monitor risk during the investigation including in the light of any new relevant information that emerges.

5.2.3. Findings

At the completion of the investigation, a finding will be made in relation to the allegation and a decision made by the Principal regarding what action, if any, is required in relation to the ESOA, the child(ren) involved and any other parties.

5.2.4. Information for the ESOA

The ESOA will be advised:

- that an allegation has been made against them (at the appropriate time in the investigation); and
- of the substance of the allegation, or of any preliminary finding and the final finding.

The ESOA does not automatically have the right to:

- know or have confirmed the identity of the person who made the allegation; or
- be shown the content of the OCG notification form or other investigation material that reveals information provided by other employees or witnesses.

The WWC Act enables a person who has a finding referred to the OCG under the Act to request access to the records held by the School in relation to the finding of misconduct involving children once final findings are made. The entitlements of a person to request access to information in terms of section 46 of the WWC Act is enlivened when a finding of misconduct involving children has been made.

5.2.5. Disciplinary action

As a result of the allegations, investigation or final findings, the School may take disciplinary action against the ESOA (including termination of employment).

In relation to any disciplinary action the School will give the ESOA:

- details of the proposed disciplinary action; and
- a reasonable opportunity to respond before a final decision is made.

5.2.6. Confidentiality

It is important when dealing with allegations of reportable conduct that the matter be dealt with as confidentially as possible.

The School requires that all parties maintain confidentiality during the investigation including in relation to the handling and storing of documents and records.

Records about allegations of reportable conduct against employees will be kept [in a secure area] and will be accessible by (the Head of Entity or with the Head of Entity's express authority).

No employee may comment to the media about an allegation of reportable conduct unless expressly authorised by the Principal to do so.

Staff members who become aware of a breach of confidentiality in relation to a reportable conduct allegation must advise the Principal.

The procedures for mandatory reporting are outlined in the PROCEDURES section of this policy (7.4 Process for reporting of reportable conduct allegations or convictions).

6. Criminal offences

In 2018 the Crimes Act was amended to adopt recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse*. The new offences are designed to prevent child abuse and to bring abuse that has already occurred to the attention of the police.

6.1. Failure to protect offence (Crimes Act 1900 – NSW)

An adult working in a school, therefore all staff members, will commit an offence if they know another adult working there poses as serious risk of committing a child abuse offence and they have the power to reduce or remove the risk, and they negligently fail to do so either by acts and/or omissions.

This offence is targeted at those in positions of authority and responsibility working with children who turn a blind eye to a known and serious risk rather than using their power to protect children.

6.2. Failure to report offence (Crimes Act 1900 – NSW)

Any adult, therefore, all staff members, will commit an offence if they know, believe or reasonably ought to know that a child abuse offence has been committed and fail to report that information to police, without a reasonable excuse. A reasonable excuse would include where the adult has reported the matter to the Principal and is aware that the Principal has reported the matter to the police.

6.3. Special Care Relationships (Crimes Act 1900 – NSW)

It is a crime in NSW for a staff member, volunteer or contractor to have a sexual relationship with a student where there is a special care relationship. The Act provides that a young person is under an adult's special care if the adult is a member of the teaching staff of the School at which the young person is a student; or has an established personal relationship with the young person in connection with the provision of religious, sporting, musical or other instruction.

The Special Care (sexual intercourse) offence under s73 was supplemented by an additional special care offence involving sexual touching now under s73A of the Crimes Act. The new offence under s73A will expand special care offences to also apply to non-penetrative sexual touching. The offence will protect children aged 16-17 years from inappropriate sexual contact with teachers and others who have special care of the child.

7. PROCEDURES

This section outlines the procedures for child protection training (7.1), Working with Children Check clearances (7.2), mandatory reporting procedures (7.3), and staff misconduct and reportable conduct (7.4).

7.1. Child Protection Training Procedures

7.1.1. New Staff

During staff induction, the Principal will discuss child protection with the new employee. A Checklist for New Staff Induction (Appendix 1) is completed for each new employee. This ensures that no employee will commence work before completing all the correct paperwork and training.

All new staff will acknowledge in writing that they have read the Child Protection Policy and Procedures. This signed document will be collected and filed in their employee's staff file in the server room and a copy kept on the *Finance* SharePoint.

All new staff will complete the training online with ISNSW within four weeks of their commencement. Certificates will be saved in each employee's staff file on the *Finance* SharePoint. This evidence of training will also be saved on the [TAWS NESA Registers SharePoint](#) > *Register Evidence*. The Compliance Officer or their delegate will also update the WWCC Register (*TAWS Register_CPTraining_WWCC.xlsx*) and hyperlink to the evidence on this SharePoint.

7.1.2. Yearly staff training

The Principal or their delegate will arrange an update and refresher on matters pertaining to child protection and a child safe environment for all staff (ongoing and new). This refresher will address the legal responsibilities related to child protection, mandatory reporting, reportable conduct, WWC obligations, code of conduct and other relevant school expectations. This formal training will be conducted by a recognised provider (such as ISNSW) to ensure that staff have access and are compliant with current and evolving legislation. The training will be conducted on an annual basis in the first half of the year, alternating between on-site and online each year.

If the staff member is not able to attend, they must complete several online ISNSW training modules (specified under the discretion of the Principal), or meet with the Principal as required.

There will be a register of attendance to be signed by all attendees (Appendix 2). This hard copy will be stored in the School server room. The Compliance Officer or their delegate will also update staff records on the TAWS Child Protection Training and WWCC Register (*TAWS Register_CPTraining_WWCC.xlsx*) saved on the [TAWS NESA Registers SharePoint](#).

The Principal or their delegate will monitor that:

- any current staff that were not in attendance will complete the training via a separate session within four weeks of the start of term.
- all new staff employed during the year will complete the training online with IS via separate session within four weeks of their commencement. Individual Child Protection

Training Certificates will be kept on each employee's staff file, and the TAWS Child Protection Training and WWCC Register on SharePoint will be updated by the Compliance Officer or their delegate.

During the year, the Principal or their delegate may periodically review with staff aspects of the procedures and school expectations relating to child protection via the Staff Bulletin and/or Staff Meetings to ensure that the importance of Child Protection is kept at the forefront.

7.1.3. Volunteers

At the start of each year, the Principal will arrange a training session for people intending to volunteer at the School. During this session volunteers will be given a copy of the Volunteer Code of Conduct which outlines their obligations under Child Protection. All volunteers will sign a copy of the *Volunteer Agreement Form* (see *Appendix 3* for non-camps/excursions, *Appendix 4* for camps/excursions) to acknowledge their agreement. A *Checklist for Volunteer Induction (Appendix 5)* form is completed during this time. If a volunteer begins during the year, the Principal will hold a Volunteer Induction with the volunteer individually or as part of a group.

This hard copy of the *Checklist for Volunteer Induction (Appendix 5)* form will be stored in the School server room. The Compliance Officer or their delegate will update volunteer records on the TAWS Child Protection Training and WWCC Register (*TAWS Register_CPTraining_WWCC.xlsx*) saved on the TAWS NESA Registers SharePoint.

If a volunteer becomes an employee, the School will verify that the appropriate upgraded WWCCs have taken place by ensuring the *Checklist for New Staff Induction* is completed during the transition from volunteer to employee.

7.1.4. Contractors

External contractors in child related work who provide services such as tutoring and music lessons are also required to attend yearly Child Protection Training. This training can be in the form of the Training Day provided by the School, or they must provide evidence of Child Protection Training sessions with an alternative provider as applicable.

External contractors must also attend an internal training process with the Principal or their delegate. This process will address a child safe environment and a focus on school policies and procedures and the promotion of a child safe environment.

There will be a register of attendance to be signed by all attendees in the *Yearly Child Protection Training – External Contractors/Tutors* form (*Appendix 7*). This hard copy will be stored in the School server room. The sign in sheet will also be saved on the [TAWS NESA Registers SharePoint](#) > *Register Evidence*. The Compliance Officer or their delegate will update the WWCC Register (*TAWS Register_CPTraining_WWCC.xlsx*) and hyperlink to the evidence on this SharePoint.

Contractors who attend the campus regularly to provide services but not directly engage with students (e.g. IT services) will require a WWCC clearance, as well as acknowledge in

writing that they have read the Child Protection Policy and Procedures. This signed document will be collected and filed in the server room and a copy kept on the *Finance* SharePoint.

Student teacher placements. Students conducting teacher work placement at TAWS will discuss child protection during induction with the Principal or the relevant coordinator (primary or high school).

A summary of child protection training procedures for new staff, existing staff, volunteers and contractors is available in *Appendix 8. Child Protection Training Procedure Summary – Quick Reference.*

7.2. Working with Children Check Procedures

The School will not employ staff who do not hold a current Working with Children Check (WWCC) clearance. The Principal authorises the Compliance Officer or their delegate to obtain and verify the WWCC of all staff.

All staff, visitors and contractors are required to sign in at the office when they arrive. Parent(s)/carer(s) and relatives of students who are visiting the School, but not volunteering, do not require a WWCC clearance.

Any parent(s)/carer(s) and community members who wish to volunteer for overnight camps will be required to have a voluntary WWCC. This must be provided to the Compliance Officer or their delegate for verification before they will be able to be a volunteer on camps.

Staff/volunteers who do not have a current WWCC will not be permitted to continue working at the School until the matter is resolved.

If a volunteer commences paid work, their WWCC must be upgraded from a volunteer WWCC to a paid WWCC within 30 days beginning the paid work. This paid WWCC must be provided to the Compliance Officer or their delegate for verification.

WWCC verification

Prior to commencing work at the School, all new staff and non-exempt volunteers, and contractors will submit a WWCC number and Date of Birth to the Compliance Officer or their delegate. The Compliance officer or their delegate will verify these online (<https://wwccemployer.ocg.nsw.gov.au/Login>).

Evidence of verification will be stored:

- As a hard copy, kept in the staff or volunteer file and stored in the server room.
- Digitally as a screenshot, saved at the following locations:
 - in each Employee File on the *Finance* SharePoint.
 - in the [TAWS NESAs Registers SharePoint](#) > *Register Evidence*.
The Compliance Officer or their delegate will update the WWCC Register (*TAWS Register_CPTTraining_WWCC.xlsx*) and hyperlink to the evidence on this SharePoint.

WWCC expiry dates will be checked quarterly (March, June, September and December) by the Compliance Officer or their delegate to ensure that WWCC's have not expired. The Compliance Officer or their delegate will send reminder emails in advance of the expiry date to remind the relevant staff/volunteers to update their WWCC.

The Principal will report to the Board in respect of WWC checks and currency at each board meeting.

The Principal is the only person to deal with the Office of the Children's Guardian (OCG) in relation to relevant employment proceedings, the WWCC clearance or prohibited persons. The Principal will report all relevant employment proceedings to the OCG as required under legislation.

7.3. Mandatory Reporting Procedures – Care and Protection Act (1998)

All staff must inform the Principal if they have reasonable grounds to suspect a child or young person to be at significant risk of harm to (e.g. attendance, assault, ill-treatment, neglect). The staff member should provide relevant information to assist the Principal in decision making. This can be done through a verbal conversation, an email to the Principal, or by using the Disclosure Form (Appendix 8).

If the Principal is absent, the next most senior person present at the School has the responsibility for reporting. If this occurs, the Principal must be informed as soon as practicable.

If there is an immediate danger to the child or young person and the Principal or next most senior member of staff is not contactable, staff members should contact the Police (000) and/or the Child Protection Helpline (13 21 11) directly and then advise the Principal or next most senior member of staff at the School as soon as possible.

The Principal will report urgent concerns for a child or young person's safety immediately to the Police (000) and the Child Protection Helpline (13 21 11). Other concerns of suspected risk of harm must be reported to the relevant authorities within 24 hours of becoming known.

Staff have no authority to investigate any incident. Staff members are not required to, and must not, undertake any investigation of the matter. Staff members are not permitted to inform the parents or caregivers that a report to DCJ has been made.

Staff members are required to deal with the matter confidentially and only disclose it to the persons referred to above or as required to comply with mandatory reporting obligations. Failure to maintain confidentiality will not only be a breach of this policy but could incite potential civil proceedings for defamation. The Principal must be advised of any breach of confidentiality in relation to a mandatory reporting.

Mandatory Reporter Guide. In deciding as to whether a situation is one of suspected risk of significant harm the Principal will use the Mandatory Reporter Guide (MRG) at <https://reporter.childstory.nsw.gov.au/s/>.

In some situations when considering what action is to be taken or in the use of the MRG the Principal may seek:

- advice from approved agencies (e.g. ISNSW and/or Armidale DCJ) and/or
- clarifications from other staff members as applicable. Clarification is distinct from investigation and should be done with open ended questions to establish the correct course of action.

The Principal can seek information relating to safety, welfare and wellbeing concerns for children from agencies that have contact with the child, young person or their family under Section 16A of the *Children and Young Persons (Care and Protection) Act 1998*.

The Principal is responsible for reporting students believed to be at risk of harm to Department of Community and Justice (DCJ). Other senior management positions (High School, Primary and Early Childhood coordinators) can be delegated to report to DCJ in consultation with the Principal. When making this report, the Principal or their delegate:

- organises all information to ensure that important details are not omitted
- uses the information collected to make an informed decision about reporting to DCJ
- will include in the report:
 - the student's name, address and date of birth
 - the nature of the suspected risk of harm concerns
 - the information that informed the decision to report, or answers to the questions in the MRG.

The Principal is responsible for the security of documentation/records relating to mandatory reporting and maintains the documentation/records in the secure Child Protection in the *Management (M:)* drive on the School's server under *Serious Incidents and Investigations*.

While any person can make a report about a child protection concern to the relevant authority, employees must report any concerns to the Principal as per this policy and procedures.

The Principal will notify the Chair of the Board of any mandatory reporting cases where applicable, this notification will not include any specific details of the case.

Other safety, welfare and wellbeing concerns. The Care and Protection Act outlines a mandatory reporter's obligation to report to DCJ concerns about risk of significant harm. However, to ensure centralised reporting, all staff members are required to report any concern regarding the safety, welfare and wellbeing of a student to the Principal. Staff members who are unsure as to whether a matter meets the threshold of 'risk of significant harm' should report their concern to the Principal regardless.

Staff members are required to deal with all reports regarding the safety, welfare or wellbeing of a student with confidentiality and only disclose it to the Principal and any other person the Principal nominates.

Allegations against the Principal. In the case of an allegation against the Principal, which may involve mandatory reporting, or of a conviction or disciplinary action in relation to

mandatory reporting, staff must as soon as practicable inform the Chair of the Board. The Chair of the Board must be contacted preferably in writing if there is an allegation about the Principal to the Chair of the Board via the secure email board_chair@waldorf.nsw.edu.au.

7.4. Procedures for notifying, handling and investigation of staff misconduct and reportable conduct

Staff members

Any concerns about any other employee engaging in conduct that is considered inappropriate, or reportable conduct, or any allegation of inappropriate, or reportable conduct made to the employee or about the employee themselves must be reported to the Principal. Where it is uncertain if the conduct is reportable conduct but is considered inappropriate behaviour this must also be reported.

Staff members must also report to the Principal when they become aware that an employee has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving reportable conduct. This includes information relating to the employee themselves.

If the allegation involves the Principal, the staff member must report to the Chair of the Board.

Parents, carers and community members

Parents, carers and community members are encouraged to report any conduct that is in their view inappropriate, reportable or criminal conduct to the Principal or their delegate. This may involve their child or children from another family in the School.

The procedures for stakeholders raising a complaint about staff misconduct and reportable conduct are found within the School's *Complaints and Grievance Policy*. The Principal upon receiving a complaint about staff conduct will first review the complaint to see if it is staff misconduct or reportable conduct.

If it is in relation to staff misconduct the procedures from the *Complaints or Grievance Policy* will be followed. If the complaint relates to reportable conduct, then the procedures to investigate the allocation of reportable conduct found in Section 7.3 of the *Child Protection Policy* will be followed.

The School

The Principal as the Head of Entity under the Children's Guardian Act 2019, must:

- Ensure specified systems are in place for preventing, detecting and responding to reportable allegations or convictions

- Submit a 7-day notification form to the OCG within 7 business days of becoming aware of a reportable allegation or conviction against an employee of the entity (unless the Head of the Entity has a reasonable excuse),

The notification should include the following information:

- (a) that a report has been received in relation to an employee of the School, and
 - (b) the type of reportable conduct, and
 - (c) the name of the employee, and
 - (d) the name and contact details of School and the Head of Entity, and
 - (e) for a reportable allegation, whether it has been reported to Police, and
 - (f) if a report has been made to the Child Protection Helpline, that a report has been made, and
 - (g) the nature of the relevant entity's initial risk assessment and risk management action.
- The notice must also include the following, if known to the Head of Entity:
 - (a) details of the reportable allegation or conviction considered to be a reportable conviction,
 - (b) the date of birth and working with children number, if any, of the employee the subject of the report,
 - (c) the police report reference number (if Police were notified),
 - (d) the report reference number if reported to the Child Protection Helpline,
 - (e) the names of other relevant entities that employ or engage the employee, whether or not directly, to provide a service to children, including as a volunteer or contractor.
 - Maximum penalty for failure to notify within 7 business days —10 penalty units.

7.4.1. Process for investigating an allegation of reportable conduct

The Principal ensures that the following steps are taken to investigate an allegation of reportable conduct.

1. Initial steps

Once an allegation of reportable conduct against an employee is received, the Principal is required to:

- determine on face value whether it is an allegation of reportable conduct;
- assess whether DCJ or the police need to be notified (i.e., if reasonable grounds to suspect that a child is at risk of significant harm or a potential criminal offence). If they have been notified, seek clearance from these statutory agencies prior to the School proceeding with the Reportable Conduct investigation;

- notify the child's parents (unless to do so would be likely to compromise the investigation or any investigation by DCJ or police);
- notify the DCJ within 7 days of receiving the allegation;
- carry out a risk assessment and take action to reduce/remove risk, where appropriate; and
- provide an initial letter to the ESOA advising that an allegation of reportable conduct has been made against them and the School's responsibility to investigate this matter under Section 34 of the Children's Guardian Act 2019; and
- investigate the allegation or appoint someone to investigate the allegation.

2. Investigation principles

During the investigation of a reportable conduct allegation the School will:

- follow the principles of procedural fairness;
- ESOA of the substance of any allegations made against them, at the appropriate time in the investigation, and provide them with a reasonable opportunity to respond to the allegations;
- make reasonable enquiries or investigations before making a decision;
- avoid conflicts of interest;
- conduct the investigation without unjustifiable delay;
- handle the matter as confidentially as possible; and
- provide appropriate support for all parties including the child/children, witnesses and the ESOA.

3. Investigation steps

In an investigation the Principal or appointed investigator will generally:

- interview relevant witnesses and gather relevant documentation;
- provide a letter of allegation to the ESOA;
- provide the ESOA with the opportunity to provide a response to the allegations either in writing or at Interview;
- consider relevant evidence and make a preliminary finding in accordance with the OCG guidelines
- inform the ESOA of the preliminary finding in writing by the Head of Entity and provide them with a further opportunity to respond or make a further submission prior to the matter moving to Final findings;
- consider any response provided by the ESOA;
- make a final finding in accordance with the OCG guidelines ;
- decide on the disciplinary action, if any, to be taken against the ESOA;
- if it is completed, send the final report to the OCG within 30 days after having received the allegation, as per section 36 of the Children's Guardian Act 2019.

- should the final report be unfinished within 30 days, the Head of Entity must provide, at minimum, an interim report to the OCG within 30 days of having received the allegation, as per section 38 of the Children’s Guardian Act 2019.

Submission of an interim report must include;

- a reason for not providing the final report within 30 days and an estimated time frame for completion of the report.
- specific information, including (if known); the facts and circumstances of the reportable allegation; any known information about a reportable conviction; action taken since the OCG received a notification about the reportable allegation or reportable conviction; further action the Head of Entity proposes to take in relation to the reportable allegation or reportable conviction; including if the Head of Entity proposes to take no further action; the reasons for the action taken and the action proposed to be taken or the reasons for the decision to take no further action; other information prescribed by the regulations; and
- be accompanied by copies of documents in the School's possession, including transcripts of interviews and copies of evidence.

The steps outlined above may need to be varied on occasion to meet particular circumstances. For example, it may be necessary to take different steps where the matter is also being investigated by DCJ or police.

A ESOA may have an appropriate support person with them during the interview process. Such a person is there for support only and as a witness to the proceedings and not as an advocate or to take an active role.

Child Protection Policy and Procedures

Staff Acknowledgement

I _____ have read, understood and agree to comply with the terms of this Child Protection Policy and Procedures.

Signed

Dated

8. APPENDIX 1

Checklist for New Staff Induction

Employee Name:

Role:

Casual/Ongoing

1. Review of Policies

- Child Protection Overview
- Child Protection (signed copy)
- Statement of Understanding for all Policies
- ISNSW Child Protection online training

2. General

- Sign-in
- Start date
- Time sheets
- Evacuation
- Dress code expectations
- What to bring

Employee Signature:

Date: ___/___/___

Principal or Principal's Delegate Signature:

Date: ___/___/___

Paperwork checklist

1. Employee Information Paperwork (provided by Head of Faculty)

- Banking, Emergency contacts and Superannuation detail
- Tax Filer Number Declaration
- Induction Checklist
- 100 Points ID
- WWC number and date of birth
- WWC verified
- ISNSW Child Protection online training - Certificate
- Child Protection and Procedures Policy – Initialled and signed
- School Policies – Signed
- NESA Accreditation Fee Receipt – Teachers only

2. Letter of offer (signed by the Principal)

- Letter
- Position Description
- Contract
- Fair Work Information Statement
- Keys and security codes
- Computer login

Compliance Officer Signature:

Date: ___/___/___

10. APPENDIX 3

Checklist for Volunteer Induction

- Why do we have camps? Why do we need volunteers? Purpose.
- Child Protection
- Review of Volunteer Code of Conduct
 - What is expected of volunteers
 - What happens if you breach the Code of Conduct
 - Sun safety
 - Respect for people
 - Duty of Care and Work Health and Safety
 - Alcohol, Drugs and Tobacco
 - Electronic Communications and Social Media
 - Communications and Confidentiality
- Roles on camps/ Volunteers at School
 - Role models (hats, shoes, sun safety)
- Volunteer Agreement Forms
 - Review and collect forms
- Working With Children Check

Volunteer Induction Meeting	
Date	
Management attending	
Name of Volunteer	Signature

--	--

11. APPENDIX 4

Volunteer Agreement (not camps/excursions)

As a school, we welcome parent volunteers to help with craft, tuckshop, garden, library etc. Indeed, it is your generous help that enables us to run these programs. The safety and welfare of our students is very important to the School, to ensure that this is a good experience for all involved, the School informs volunteers of requirements for their conduct and the school policies that must be upheld. The teacher in charge of the program will speak to the adults accompanying them about this.

As a parent/volunteer accompanying this program:

1. I have read and understood the Volunteers Code of Conduct
2. I have read and understood the Risk Assessment (if applicable)
3. I have discussed any other areas of concern with the teacher in charge and am clear as to what is expected of me.
4. I have a current Volunteer Working with Children Check and have provided this to the School
5. I agree that I am making myself available to attend this program and will follow through with this commitment to the best of my ability

I am volunteering in	<input type="checkbox"/> Tuckshop	<input type="checkbox"/> the garden	<input type="checkbox"/> the library	
	<input type="checkbox"/> reading	<input type="checkbox"/> craft	<input type="checkbox"/> Other.....	
I.....				
will be attending on the following days,				
fromto.....inclusive, or				
dates;.....				
My WWCC number is DOB.....				
<i>I fully understand and accept my responsibilities upholding of policies and appropriate conduct. The School's requirements have been fully explained to me.</i>				
Signature			Date	

Principal or Head of Faculty

Signature Date.....

12. APPENDIX 5

Camps/Excursions Volunteer Agreement

As a school, we welcome parent volunteers on our excursions and camps. Indeed, it is your generous help that enables us to run these programs. The safety and welfare of our students is very important to the School, especially while they are away on a school event. To ensure that this is a good experience for all involved, the School informs volunteers of requirements for their conduct and the school policies that must be upheld. The teacher in charge of the excursion/camp will speak to the adults accompanying them about this.

As a parent/volunteer accompanying this excursion/camp:

1. I have read and understood the Volunteers Code of Conduct
2. I have read and understood the Risk Assessment (if attending a camp)
3. I have discussed any other areas of concern with the teacher in charge and am clear as to what is expected of me. (if attending a camp)
4. I have a current Volunteer Working with Children Check and have provided this to the School
5. I agree that I am making myself available to attend this camp and will follow through with this commitment to the best of my ability (if attending a camp)

I.....

will be attending on the following days,
fromto.....inclusive, or
dates;.....

My WWCC number is DOB

I fully understand and accept my responsibilities upholding of policies and appropriate conduct. The School's requirements have been fully explained to me.

Signature Date

14. APPENDIX 7

Child Protection Training Procedure Summary – Quick Reference

New Staff
<ul style="list-style-type: none"> • Induction with Principal • Complete <i>Checklist for New Staff Induction</i> (Appendix 1) • Sign acknowledgement, understanding and compliance with the Child Protection Policy and Procedures • Complete an online training with the ISNSW within 4 weeks of starting.

File Location	Hard copy in server room	Finance drive	TAWS NESA Register SharePoint
Induction	✓	✓	
Signed policy and procedures	✓	✓	
WWCC verification	✓	✓	✓
ISNSW certificate		✓	✓

Existing Staff
<ul style="list-style-type: none"> • Attend yearly Child Protection Training session <ul style="list-style-type: none"> ○ In-person: sign in sheet used to record attendance (Appendix 2). ○ Online ISNSW training • If not able to attend, they must complete several online ISNSW training modules or meet with Principal as required.

File Location	Hard copy in server room	Finance drive	TAWS NESA Register SharePoint
Sign in Sheet (In person training)	✓		✓
ISNSW certificate (Online training)		✓	✓

Escorted Visitors & Volunteers
<ul style="list-style-type: none"> • Sign in at Reception • Receive either <u>Escorted Visitor</u> or <u>Escorted Volunteer</u> Lanyard & meet with escorting staff member
<p>Who?</p> <ul style="list-style-type: none"> • Families on school tours • Guest speakers • Persons making deliveries • College & study groups • Parents helping in the classroom & Incursions • Visitors for admin purposes <ul style="list-style-type: none"> • Inspectors • Board members

Volunteers
<ul style="list-style-type: none"> • Volunteer Induction with the Principal or their delegate, and complete the Checklist for Volunteer Induction (Appendix 3) • Sign Volunteer Agreement (Appendix 3 or 4) & Code of Conduct • Yearly session with Principal or their delegate • Sign in at Reception & receive <u>Volunteer</u> Lanyard
<p>Who?</p> <ul style="list-style-type: none"> • Volunteers and mentors who are not students' parents and are assisting in the classroom (WWC required). • Camp volunteers • Prac Students <ul style="list-style-type: none"> • TAFE • University

File Location	Hard copy in server room	Finance drive	TAWS NESA Register SharePoint

Induction	✓	✓	✓
Volunteer Code of Conduct	✓	✓	
Volunteer Agreement	✓	✓	
WWCC verification	✓	✓	✓

Short Term Contractors & Tradespeople & Tutors

- Sign in at Reception
- Receive Escorted Contractor Lanyard & meet with escorting staff member

Who?

- Tradespeople working LESS THAN 3 consecutive days.
- Visiting academics
- Portable IT technicians making occasional short visits.
- Occupational therapists with visits independently arranged by the student's parents.

Long Term Contractors, Tradespeople & Tutors

- Induction with Principal or delegate within 4 weeks of starting
- Attend yearly Child Protection Training session (or approved external training)
- Sign in at Reception & receive Contractor Lanyard

Who:

- Music Tutors
- Portable IT technicians making scheduled regular visits.
- Approved & regular tradespeople
 - a. All tenders & quotes to include WWC. No work to begin until induction completed and paperwork filed
 - b. Subcontractors, where required, are signed off under the principal.

File Location	Hard copy in server room	Finance drive	TAWs NESA Register SharePoint
Induction	✓	✓	








ISNSW certificate		✓	✓
WWCC verification	✓	✓	✓

15. APPENDIX 8

Disclosure Form

When a student discloses information about abuse the main consideration is the student's safety. Recording what you have witnessed, or been told, is extremely important.

Below are some tips to follow when completing this form.

	LISTEN	Let the student tell you what happened in their own words. Don't ask probing questions.
	ASK OPEN QUESTIONS WHO, WHAT WHEN	Don't gather details of the incident as this is best left to experts who are trained to interview children in these kinds of matters.
	RECORD (VERBATIM)	Write down exactly what the student has told has occurred. Use their words and language, do not ask for explanations as to what they mean. This is best left for the experts that are trained to interview children.
	REASSURE	Make sure you tell the student they have done the right thing by coming to you and telling you what happened.
	ADDRESS	Always address any concerns the student may have and ensure the student is safe.
	EXPLAIN	What further action you will need to take i.e. – make a report to your principal or their delegate. Don't make any promises about what will happen next. It is important to manage student expectations and the main consideration is their safety.
	REPORT	The abuse to the Principal or their delegate as soon as possible.

1. Student Information

Name		
Date & Time	____/____/20____	____:____am/ pm
Location		

2. WHO was involved?

3. WHAT happened?

4. WHEN did this happened?

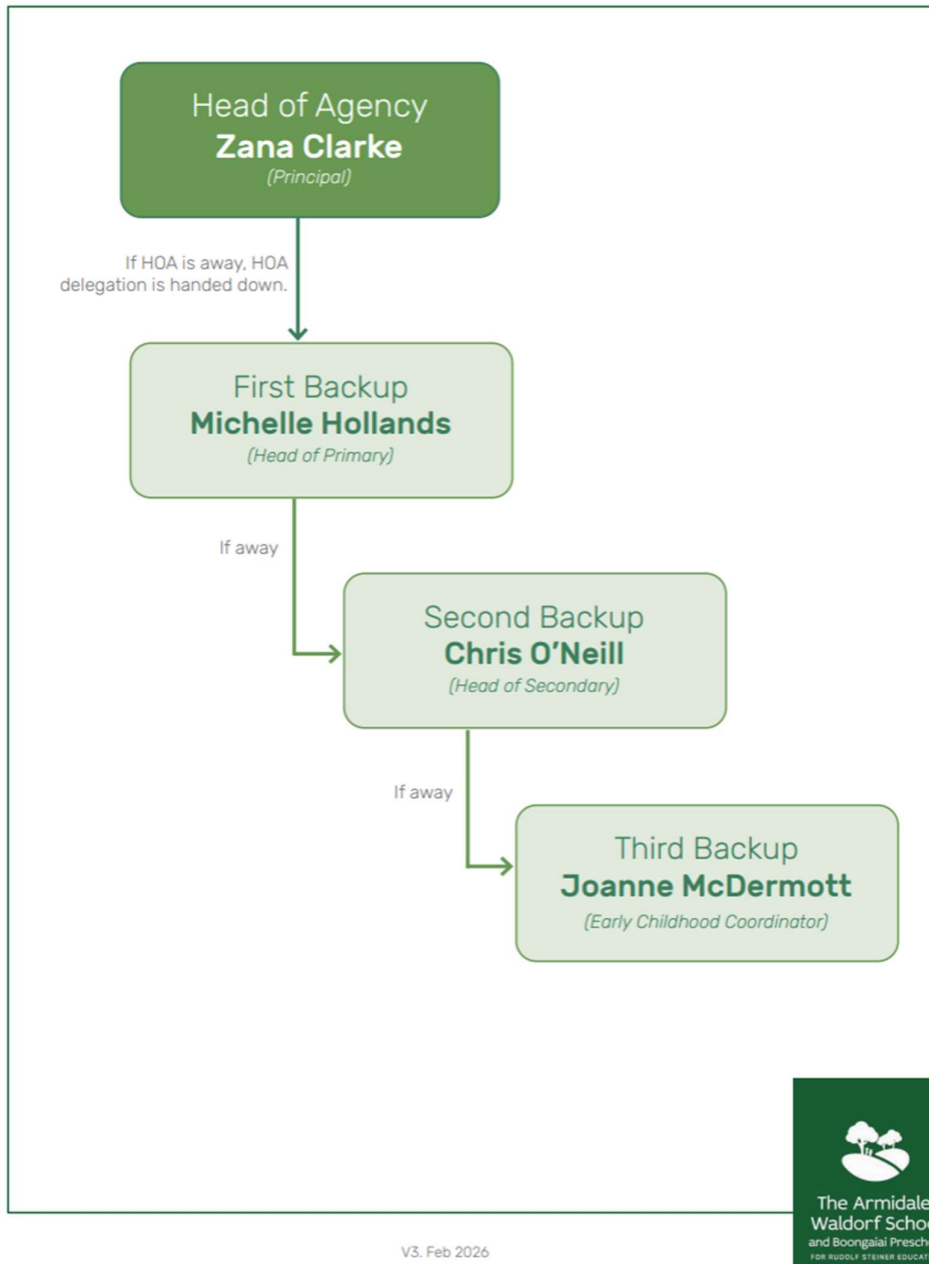
5. Staff Information

Name	
Signature	
Date	

16. APPENDIX 9

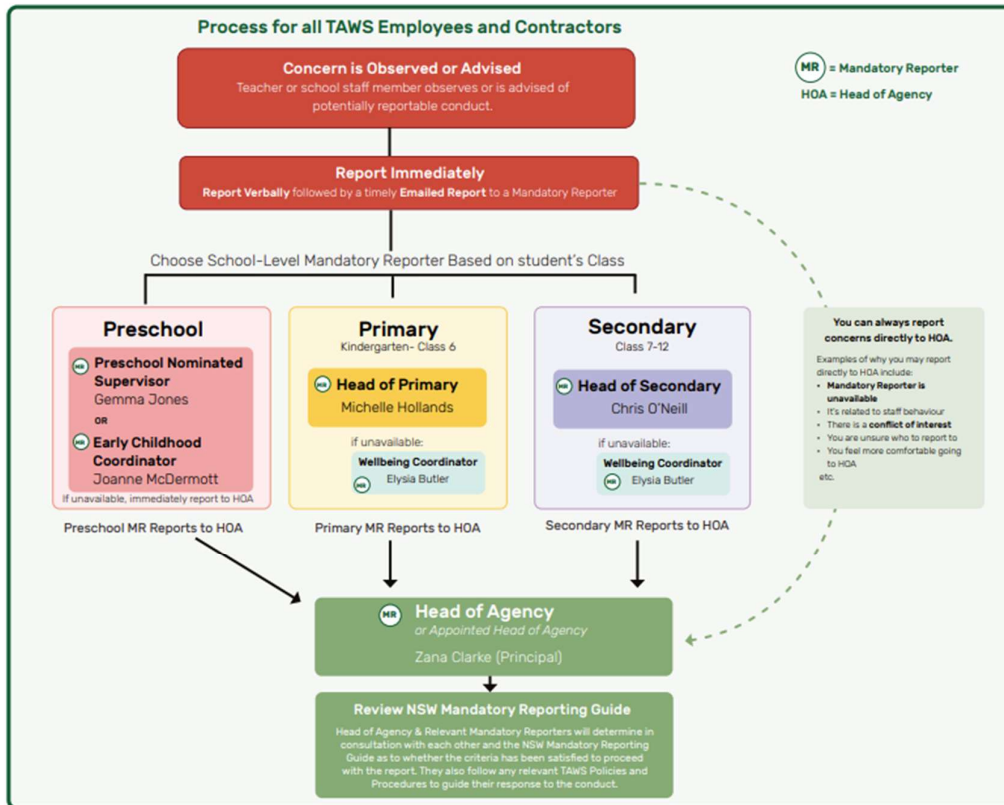
TAWS Head of Agency

This chart show the reporting lines for issues relates to higher level educational matters, behaviour, child protection, and teachers or parents/carers/families.



17. APPENDIX 10

TAWS Mandatory Reporting Action Guide



! All staff have a responsibility to recognise and respond to safety, welfare or wellbeing concerns for children and young people and inform a school mandatory reporter. Including conduct in and outside of the school setting.

Reportable Conduct
You must report any child or adult conduct that falls within these categories:

Physical Abuse	Sexual Abuse
Psychological Harm	Relinquishing Care
Neglect	Carer Concern
Danger to Self or Others	Unborn Child

You may suspect, witness, or be disclosed information that is related to conduct that makes you concerned for the safety and wellbeing of a child or young person. A report does not require evidence or proof.

Guide for Receiving Disclosures

Listen, do not ask probing questions.

Ask Open Questions (who/what/when). Do not investigate.

Record (Verbatim). Use the student's language, do not interpret or ask their meaning.

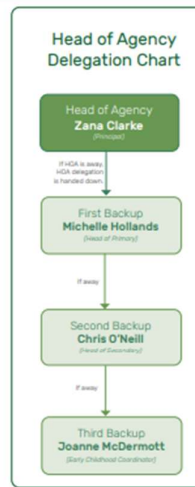
Reassure student they did the right thing by telling you what happened.

Address concerns, ensure the student is safe.

Explain what steps you will take next and that their safety is most important. Manage expectations, do not make promises.

Report Immediately to a mandatory reporter.

Maintain Confidentiality and students' trust, do not retell to colleagues/parents.



Resources

TAWS Policies and Procedures Available on the Waldorf Staff Sharepoint Site:
Waldorf Staff: Documents/Policies and Procedures/2. Student Focused Policies

Key Documents:

- Child Protection Policy
- Child Protection Procedures

Useful Websites:

- Mandatory Reporting Guide:
<https://reporter.childstory.nsw.gov.au/s/mrg>
- Reportable Conduct Fact Sheets:
<https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme/reportable-conduct-fact-sheets>

V2, Feb 2026



Example Scenarios

Scenario 1

You would be concerned for: **Neglect**

Due to these indicators:

- Basic needs are not being met
- Poor school attendance
- Poor hygiene
- Lack of Sufficient Food

Sam (10yrs) lives with his mum and his brother Billy who is in Year 1. Their attendance is poor and 2 to 3 times a week they arrive late. On several occasions this year Sam and Billy have come to school inappropriately clothed. Today Sam came to school with no socks on. Their school uniform is often dirty, and their general appearance and hair are untidy. This appears to be isolating them from their peers. The school provides extra fruit for Sam and Billy.

When the teacher asks Sam why he wasn't at school the day before, he shares that his mum didn't wake up in time. When the teacher talks to mum about this she is very apologetic and tells her she is struggling financially, and she has no family support.

Scenario 2

You would be concerned for: **Sexual Abuse**

Due to these indicators:

- Self Harm
- Suicidal Ideation
- Poor School Attendance

Emily is 12yrs old. In the last 12 months she has been self-harming and experiencing suicidal ideation. Her attendance in school has been poor.

Previously, she was achieving good grades on her assessments and was interested in school. Her parents are worried about her and they have agreed for her to access external support and the school counsellor.

Today in counselling she told the counsellor that her uncle "touched her inappropriately" when she was 10 years old. When asked by the counsellor what she meant by this, she further disclosed that he had put his hand in her underwear and touched her "private parts".

Scenario 3

You would be concerned for: **Domestic Violence**

Due to these indicators:

- Aggressive behaviour
- Emotional Dysregulation
- Reluctant or fearful to go home

Max (8yrs) lives with his sister Ava who is 4 years old and with his parents. Max has been having issues with emotional dysregulation.

On the school's playground, he has been having issues with his friends, resulting in him pushing and hitting them.

His class teacher asks him what is upsetting him and what is causing him to get into fights with his friends. Max said he doesn't want to go home.

When asked why, Max says that his dad hits his mum. He says that his mum cries and his dad yells all the time. He also said that sometimes he tries to stop his dad from hitting his mum.

Scenario 4

You would be concerned for: **Sexual Abuse**

Due to these indicators:

- Change in behaviour
- Withdrawn
- Distracted
- Teary

Jack is 13 years old, and you notice he has become withdrawn in recent months, and he seems tired all the time. His teacher's notice he is distracted and tearful.

On the last day of term he discloses that Kevin, who is 15 years old has been grabbing his genitals all the time and has stuck his finger in his bottom as he walked past.

Jack has been telling him to stop it, but Kevin won't listen and just laughs and walks away. Jack said he messaged Kevin and told him to stop it or he was going to tell everyone what his was doing. Kevin messaged him back and begged him not tell anyone.

Indicators of Significant Harm

Indicators of neglect

- Low weight for age and failure to thrive and develop
- Untreated physical problems, such as sores, serious nappy rash and urine scalds, dental decay
- Poor standards of hygiene, for example child or young person consistently unwashed
- Poor complexion and hair condition
- Child not adequately supervised for their age
- Scavenging or stealing food and focus on basic survival
- Extended stays at school, public places, other homes
- Longs for or indiscriminately seeks adult affection
- Rocking, sucking, head-banging
- Poor school attendance

Indicators of physical abuse

- Bruising to face, head or neck, other bruising and marks which may show the shape of the object that caused it eg. belt buckle, hand print
- Lacerations and welts
- Drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest head injury
- Adult bite marks and scratches
- Fractures of bones, especially in children under three years old
- Dislocations, sprains, twisting
- Burns and scalds, including cigarette burns
- Multiple injuries or bruises
- Explanation of injury offered by the child or young person is not consistent with their injury
- Abdominal pain caused by ruptured internal organs, without a history of major trauma
- Swallowing of poisonous substances, alcohol or other harmful drugs
- General indicators of female genital mutilation, such as having a 'special operation'

Danger to self or others

- Attempted, threatened or planned suicide
- Self harm
- Consume of alcohol or drugs to an extent that requires emergency medical treatment
- Deliberate injuries to oneself

Indicators of sexual abuse

- Bruising or bleeding in the genital area
- Sexually transmitted diseases
- Bruising to breasts, buttocks, lower abdomen or thighs
- Child or young person or their friend telling you about it, directly or indirectly

Indicators of sexual abuse cont...

- Describing sexual acts
- Sexual knowledge or behaviour inappropriate for the child's age
- Going to bed fully clothed
- Regressive behaviour, such as sudden return to bed-wetting or soiling
- Self-destructive behaviour, such as drug dependency, suicide attempts, self-mutilation
- Child being in contact with a known or suspected pedophile
- Anorexia or overeating
- Adolescent pregnancy
- Unexplained accumulation of money and gifts
- Persistent running away from home
- Risk taking behaviours, such as self harm, suicide attempts

Indicators of domestic violence

- Nightmares
- Withdrawal/isolation
- Lack of bowel/bladder control
- Poor grades
- Headaches and ulcers
- Violent outbursts
- Property destruction
- Frequently missing school
- Frequently running away
- Difficulty expressing feelings
- Avoids bringing friends home
- Low self-esteem
- Physical injuries
- Inconsistent explanations about injuries

Indicators of emotional abuse

- 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
- Is obsessively eager to please or obey adults
- Takes extreme risks, is markedly disruptive, bullying or aggressive
- Is highly self critical, depressed or anxious
- Suicide threats or attempts
- Persistent running away from home

Risk of Significant Harm Categories

Physical abuse Physical abuse is a non-accidental injury/injuries to a child or young person caused by a parent, caregiver or any other person. Injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation, are also considered. The application of any unreasonable physical force to a child is a crime in NSW.

Neglect is when a parent or caregiver cannot regularly give a child the basic things needed for their growth and development, such as, food, clothing, shelter, medical and dental care, adequate supervision and enough parenting and care.

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 or young people are bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse is a crime.

Psychological harm Serious psychological harm can occur where the behaviour of parents/caregivers damages the confidence and self esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma. 'One off' incidents can cause serious harm, but 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.

Danger to self or others A child/young person is a danger to themselves or others when they are presenting suicidal or self-harming behaviours or because they are threatening to harm themselves or others.

Relinquishing Care Child/young person's current parent/carer has stated that he/she will not provide shelter, food or supervision for the child/young person. Reasons might include financial issues, physical or mental health, and/or child/young person behaviour.

Carer concern A child/young person is significantly affected by parent/carer concerns such as substance abuse, mental health or domestic violence.

Unborn Child Concern for the welfare of an unborn child at birth because parent/carer who will be living with the child when born presents suicide risks, serious and persistent substance abuse, has an unmanaged mental illness, there is domestic violence, has an intellectual disability, is homeless and or has inadequate preparations for birth.

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18. REFERENCES

<https://www.dcj.nsw.gov.au>

The Office of the Children’s Guardian

<https://www.kidsguardian.nsw.gov.au>

Department of Premier and Cabinet – Keep Them Safe

www.keepthemsafe.nsw.gov.au