



# Child Protection

## Policy

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Contact	Deputy Principal
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## Child Protection Policy

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### PURPOSE

This Policy sets out staff responsibilities for child protection and processes that staff must follow in relation to child protection matters.

### SCOPE

This Policy applies to all Staff. Some contractors may not be required under the relevant legislation to hold a Working with Children Clearance, for the purposes of their engagement with MLC School.

Staff members who fail to adhere to this Policy may be in breach of their terms of employment, contract or terms of engagement.

### POLICY STATEMENT

MLC School is dedicated to fully complying with the child protection legislation of New South Wales.

### KEY PRINCIPLES

The key principles of this policy are:

- i. Providing Child Protection Procedures in line with the current state legislation which will be reviewed whenever this legislation changes.
- ii. Providing appropriate preventative programs and relevant curricula which aim to inform children of their right to be protected, protect children from abuse, assist them to seek help effectively and develop skills for positive, non-coercive relationships.
- iii. Ensuring the school community is aware of the indicators of reportable conduct and neglect, their legal obligations to report suspected risk of significant harm and procedures for reporting.

- iv. Raising teacher awareness of resources and materials in the areas of child protection and positive, non-coercive relationships which support NSW legislation and that reflect NESA syllabus outcomes.
- v. Providing annual training for staff in the recognition and reporting of suspected risk of significant harm and professional standards for teacher/student relationships.
- vi. Reporting to the Office of the Children's Guardian any reportable conduct allegations and convictions made against an employee and ensuring they are investigated, and appropriate action is taken in relation to the finding.
- vii. Investigating and reporting class or kind exemptions to the AISNSW.
- viii. Conducting Working With Children Checks for all employees, contractors, and volunteers.
- ix. Setting out expected standards of behaviour in relation to employees, contractors and volunteers and their relationships with students.

## DEFINITIONS

TERM	MEANING
AISNSW	Association of Independent Schools NSW
Care and Protection Act	Children and Young Persons (Care and Protection) Act 1998
Chair	Chair of the MLC School Council
Children's Guardian Act	Children's Guardian Act 2019
Children's Guardian Act	Part 3A 'Child Safe Scheme'
Council	The Council of MLC School
Crimes Act	Crimes Act 1900
DCJ	Department of Communities and Justice previously known as Family and Community Services
MLC School	MLC School, ACN 645 102 325
OCG	Office of the Children's Guardian
Policy	The MLC School Child Protection Policy
Principal	The Principal of MLC School or their delegate
Staff	All employees, contractors and volunteers engaged by MLC School.
WWC Act	Child Protection (Working with Children) Act
WWCC	Working with Children Check Clearance

## KEY LEGISLATION

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

- The *Children and Young Persons (Care and Protection) Act* 1998
- The *Child Protection (Working with Children) Act* 2012
- The *Children's Guardian Act* 2019
- Part 3A 'Child Safe Scheme'
- The *Crimes Act* 1900

### i. 'Child Safe Scheme' and the Child Safe Standards

The Child Safe Scheme gives the OCG additional powers to monitor and investigate how organisations implement the Child Safe Standards to support the safety and wellbeing of children and young people. Under the Scheme, certain child-related organisations including in the Education, Early Childhood, Health and Youth Justice sectors, must implement the Child Safe Standards.

The OCG is an independent statutory body that promotes the interests, safety and rights of children and young people in NSW. The core functions of the Office of the Children's Guardian include administering Working With Children Checks, Reportable Conduct Scheme and implementation of the Child Safe Standards.

The Child Safe Standards are:

- Child safety is embedded in organisational leadership, governance and culture.
- Children participate in decisions affecting them and are taken seriously.
- Families and communities are informed and involved.
- Equity is upheld, and diverse needs are taken into account.
- People working with children are suitable and supported.
- Processes to respond to complaints of child abuse are child focused.
- Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
- Physical and online environments minimise the opportunity for abuse to occur.
- Implementation of the Child Safe Standards is continuously reviewed and improved.
- Policies and procedures document how the organisation is child

## COMPLIANCE AND RECORDS

The Principal monitors compliance with this Policy and securely maintains MLC School records relevant to this Policy, which includes:

- Register of Staff who have read and acknowledged that they read and understood this Policy.
- WWCC verifications.
- Mandatory reports to the DCJ; and
- Reports of reportable conduct allegations, the outcome of reportable conduct investigations, and/or criminal convictions.

## CHILD PROTECTION

The safety, protection and welfare of students is the responsibility of all staff 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.

### i. Child 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 his or her 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.

## **RELATED POLICIES AND SUPPORTING DOCUMENTS**

- MLC School Code of Conduct (sets out information about the standards of behaviour expected of all staff)
- Work Health and Safety Statement (Identifies the obligations imposed by work health and safety legislation on MLC School and staff).
- MLC School Discrimination, Harassment and Bullying Statement (Summarises obligations in relation to unlawful discrimination, harassment and bullying).
- MLC School Complaints and Grievances (Provides the steps taken by MLC School in addressing complaints).
- MLC School Community Policy and Procedures (Provides the steps taken by MLC School in addressing complaints).
- MLC School Discrimination, Harassment, and Bullying Statement for Employees, Contractors and Volunteers.
- Royal Commission into Institutional Responses to Child Sexual Abuse.



## ACCESS

Not restricted.

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This document is available to all staff via Domus.

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