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| Section of Manual: | 12. CHILD PROTECTION | | |
| Document | 12.1 CHILD SAFE POLICY | | |
| Endorsement: | December 2023 | Review Date: | 03/25 |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | Kiama and Shoalhaven Community College (KSCC) and Shoalhaven River College (SRC) are committed to ensuring that all children and young people are protected and kept safe from harm. This policy summarises the actions taken by KSCC and SRC to operate as child safe organisations. It outlines how the Child Safe Standards are implemented and how other relevant legislative obligations are met. | | |
| Scope: | <p>This policy applies to all adults associated with KCC Ltd and SRC including those working for, or engaged by, the Colleges, regardless of whether their involvement or work is paid or unpaid or child-related, and members of the Board of Directors.</p> <p>The policy applies to all KSCC and SRC activities which result in or relate to contact with young people, both face-to-face and online, both on-site and off-site (including, for example, sporting events, camps, excursions, approved home-stay accommodation).</p> <p>The policy is made available and accessible to all students, families, and the community and is distributed to all new and existing employees. All employees are required to read, sign, and adhere to the policy, whether or not they are engaged in child-related work.</p> <p>The policy should be read together with the Definitions, Related Policies and Procedures, and Key Legislation.</p> | | |
| RANGS Manual: | 3.6 Safe and Supportive Environment; 3.6.1 | | |
| Statement of Commitment | <p>Statement of Commitment to Child Safety</p> <p>Kiama and Shoalhaven Community College and Shoalhaven River College are committed to being child safe organisations. This means:</p> <ul style="list-style-type: none"> • We acknowledge that children and young people have a right to be and feel safe. • The safety of children and young people is everyone’s responsibility. • Abuse and harm of children and young people is not tolerated. • The rights of children and young people are understood and respected. • Staff are dedicated, supportive and trustworthy, providing an inclusive and positive environment that allows students to be themselves and communicate any issues. • Classrooms are safe places, where students’ physical and mental health are paramount, ensuring students can safely participate and thrive in their learning. • Child safety is reflected in our governance, policies, and procedures. • We have systems, policies, and processes in place to prevent, identify and respond to child abuse and harm. | | |

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| | <ul style="list-style-type: none"> • Reporting concerns about child abuse and harm is actively encouraged. • All concerns about child abuse and harm are treated seriously and responded to appropriately. |
| <p>Policy and Procedure</p> | <p>Governance and leadership</p> <p>The Board of Directors, CEO and Principal are responsible for ensuring KSCC and SRC are safe for children and young people. They will:</p> <ul style="list-style-type: none"> • Personally uphold and promote behaviour consistent with the Code of Conduct. • Champion and implement the Child Safe Standards through our systems, policies, and processes. • Ensure KSCC and SRC meets its statutory duty of care to prevent child abuse. • Ensure the Child Safe Policy and related procedures are publicised and available to the College communities, provide opportunities for employees, students, parents/carers, and other stakeholders to provide input, and respond to feedback. • Identify and take opportunities to promote whole of community awareness of children’s rights and child safety. • Promote an inclusive, respectful, and responsive approach to the diverse backgrounds and needs of children and young people, recognising those factors which place some children and young people at increased risk of abuse and harm. • Taking all possible steps to ensure that only safe and suitable people are engaged to work with children and young people. • Ensure employees are trained, empowered, and supported to take responsibility for safeguarding and provide opportunities for them to have input into improving safeguarding practices. • Encourage people to bring forward concerns or complaints about the safety of children and make it easy for them to do so. • Ensure all child safety concerns and complaints are treated seriously and appropriately responded to. • Ensure KSCC and SRC comply with all relevant legislation and statutory requirements and cooperate with regulators and other external agencies. <p>Child safety and wellbeing is a standing agenda item at Board, executive and staff meetings. The Board ensures ongoing monitoring of the implementation of safeguarding practices, policies, and procedures. Operational leadership of safeguarding day-to-day is the responsibility of the CEO and Principal. They are assisted by senior managers.</p> <p>Encouraging participation</p> <p>Staff identify opportunities to seek the views of children, young people and their families and encourage them to participate in decision making on matters that are important to them. This includes the development of policies, organisational planning, delivery of services, programs, events, curriculum, and events, management of facilities, and classroom learning and assessment environments.</p> |

Staff are responsive to student contributions to strengthen confidence and engagement. Strategies and actions for student empowerment are implemented, including the Shoalhaven River College Student Representative Council which advocates for the rights, needs and voices of children.

Shoalhaven River College provides students and families with accessible and age-appropriate education and resources about their rights to safety, information, and participation; mental health; bullying; consent; respectful relationships; and personal and online safety. Students develop knowledge, skills, and confidence to identify and communicate when they feel unsafe. Positive friendships and peer support are encouraged.

Promoting inclusion and respecting diversity

The Colleges value and support diversity, inclusion, and equality for all students. Discrimination on the basis of race, gender, disability, religion, or other individual characteristics is not tolerated. Staff are provided with training about Aboriginal cultures, Torres Strait Islander cultures, disability, culturally and/or linguistically diverse backgrounds, and LGBTQIA+ people. Shoalhaven River college appoints an Inclusive Committee and employs a First Nations Engagement Officer.

We acknowledge that children and young people have diverse needs, abilities, and backgrounds. We strive to provide inclusive services and curriculum that consider, respect and value this diversity. We work hard to anticipate and respond effectively to individual needs, including by providing access to information and support.

We recognise that children and young people may be at increased risk of abuse or harm if they:

- have a disability
- have experienced trauma
- feel vulnerable because of their gender identity or sexuality
- identify as Aboriginal or Torres Strait Islander

All children and young people at increased risk have a detailed individual plan. Shoalhaven River College facilitates a range of early interventions for students at risk.

Recruiting and supporting safe and suitable people

Child safety is prioritised when recruiting and training staff. Robust probity checking is conducted. This includes ensuring that prospective workers in child-related roles hold a current Working with Children Check (WWCC) clearance and a current National Criminal Record Check. Checks are monitored to ensure they remain current and satisfactory. At KSCC and SRC the monitoring of staff probity checks is done by Human Resources through the use of our Human Resource software, Employment Hero. If an employee who requires a WWCC becomes a disqualified person (barred or interim-barred) during the course of their employment, or their WWCC expires, they will be immediately removed from child-related work and may be suspended from duty and/or terminated pending the outcome of an investigation.

All employees are required to agree to adhere to the Code of Conduct which provides clear information about acceptable and unacceptable conduct towards children. Breaching the Code of Conduct may constitute misconduct and result in disciplinary proceedings up to and including immediate dismissal. Some breaches may also need to be reported to police, the Department of Communities of Justice (DCJ), or the Office of the Children’s Guardian (OCG).

Employees are provided with induction, training, ongoing supervision, and support to meet their safeguarding responsibilities. Safeguarding training must be undertaken prior to commencing work in child-related roles. Employees of SRC, working with children participate annually in the Association of Independent Schools (AIS) “Obligations in identifying and responding to children and young people at risk” online workshop. Employees of KSCC working directly with children or in a “forward facing role” are required to complete annual Child Protection refresher training. KCC staff complete this training through KCC’s online learning management system (Employment Hero). Staff completion of this training is recorded in Employment Hero and managed by Human Resources in conjunction with the employee’s direct supervisor.

Performance reviews for employees in child-related roles include a specific focus on safeguarding responsibilities. Comprehensive records are kept securely and permanently of all staff training and education.

Employees are required, encouraged, and supported to respond appropriately to concerns about child safety. Responsibilities are clearly articulated in the Code of Conduct and in operational procedures. New and existing employees are provided with regular training that empowers them to understand and implement their safeguarding responsibilities, including:

- acceptable and non-acceptable behaviour
- upholding children’s rights
- identifying and managing risks
- responding to disclosures
- reporting concerns about child abuse and harm
- record keeping and confidentiality

Refer to Kiama Community College Code of Conduct; Shoalhaven River College Code of Conduct; Staff Selection and Recruitment Policy.

Risk management

Processes are in place to identify and manage risks to children and young people, including physical and online risks and risks associated with specific activities, events, programs, or services.

The Kiama Community College Risk Register includes child safety. Shoalhaven River College develops and implements an approved Child Safe Risk Management Framework based on resources developed by the OCG. We document, implement, monitor, and annually review our risks and risk management controls for child

safety and wellbeing, evaluate the effectiveness of the implementation of our controls and ensure changes are made as needed and as new risks arise.

The Child Safe Risk Committee, comprising the Kiama Community College Leadership Team, oversee risk management. Shoalhaven River College also employs a Compliance, Admin and Risk Manager, who along with the Principal/CEO, ensures risk informs the design and implementation of policies, procedures, and practices.

Physical safety

Risk assessments of physical environments are completed by KSCC and SRC prior to the commencement of any program or activity to identify and mitigate safety risks. For example, at the beginning of the year, the Perfect Presence program complete an annual risk assessment, utilising a template provided by the NSW Department of Education..

A Supervision Policy and Plan is in place to ensure Shoalhaven River College satisfies its duty of care in supervising students in the physical and online environments. At all times staff will take reasonable steps to protect children from foreseeable risks of harm.

One-to-one interactions between an adult and a child will not take place, whether on College premises or elsewhere, unless in an open or visible space, or within the clear line of sight of another adult. Interactions between children and young people will occur within clear line of sight of an adult. Employees will follow the Student Discipline Policy in applying discipline to students that is fair and appropriate.

If KSCC or SRC become aware that a person enrolled or attending their premises poses an unacceptable risk to others (e.g., those with a serious criminal conviction resulting in parole conditions, domestic and family violence orders) the risks posed by the person's ongoing enrolment or attendance will be appropriately managed by the CEO/Principal. This will be documented appropriately and saved to a secure file with access strictly controlled. Advice will be sought from police as appropriate.

Where KSCC or SRC engage an external contractor the contractor will be required to provide KSCC or SRC with copies of all probity checks including WWCC and National Criminal Record Checks prior to delivering services All third parties, visitors, and volunteers are supervised whilst on KSCC and SRC premises. Comprehensive records of any third-party operators are retained. Refer to Procurement Policy and External Providers Policy.

Online safety

Employees are required to use appropriate and safe online applications to minimise risks to the safety of children. Electronic devices will be appropriately secured to prevent unauthorised access and usage may be intrusively monitored to ensure compliance with the Code of Conduct.

Where appropriate in the context of programs, services, or activities we provide, KSCC and SRC will provide children with safe online applications to learn,

communicate and seek help. Shoalhaven River College has a strong prevention and awareness focus and regularly educates students, parents, and staff about online safety. Online safety education is informed by resources developed by the eSafety Commissioner.

Employees must obtain written permission from the child or young person and their parent/carer before photographing or filming a child or young person or sharing images. Where permission has been obtained to share images, appropriate privacy and security settings are used to protect children.

Identifying concerns about child safety

Employees are provided with information and equipped with skills to identify safety concerns and potential indicators of abuse or harm. Concerns about the safety of children and young people may include the following:

Sexual abuse: any act which exposes the child to, or involves them in, contact or non-contact sexual activity that results in harm, or is likely to result in harm, to the child. Child sexual abuse can be perpetrated by an adult, another child, or a group.

Sexual misconduct: conduct by an employee with, towards or in the presence of a child that is sexual in nature but is not a criminal offence, for example, sexual comments, conversations, or communications.

Harmful sexual behaviour: sexual behaviours by a child or young person which are developmentally inappropriate and cause harm to themselves, or to others.

Physical abuse: a non-accidental injury or pattern of injuries to a child or young 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.

Emotional abuse or psychological harm: behaviour that damages the confidence and self-esteem of the child or young person, resulting in serious emotional disturbance or psychological trauma (e.g., excessive criticism, intimidation, or threatening behaviour).

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

Ill-treatment: conduct towards a child that is unreasonable and seriously inappropriate, improper, inhumane or cruel (e.g., making excessive or degrading demands, engaging in a pattern of hostile or degrading comments or behaviour, or using inappropriate forms of behaviour management)

Domestic or family violence: the child is living in a household where there have been incidents of domestic violence and as a consequence the child is at risk of serious physical or psychological harm.

Refer to Child Safe Procedure – Mandatory Reporting; Child Safe Procedure – Reportable Conduct; Child Safe Procedure – Responding to Student Sexual Behaviour for additional guidance.

Complaints about child safety

All concerns and complaints of child abuse or harm, including historical allegations, will be taken seriously. Any student, parent/carer, family member, employee or community member associated with Kiama and Shoalhaven Community College or Shoalhaven River College can make a complaint about child abuse or harm or any aspect of child safety by:

- phoning to make an appointment to speak to the Principal ((02) 4243 8824) or CEO ((02) 4232 1050)
- emailing the Principal (sccreception@kcc.nsw.edu.au) or CEO (info@kcc.nsw.edu.au)
- writing to the Principal or CEO (1 Mattes Way, Bomaderry NSW 2541)
- contacting an advocacy organisation to request help to make a complaint

Any matter where there is an immediate risk to the safety of a child or young person should be reported directly to police and then to the CEO or Principal.

Complaints will be handled in a way that is sensitive, fair, and respectful to individuals and which prioritises the safety of children and young people. Support and reasonable adjustments will be provided. Where required, KCC and SRC will notify/cooperate with other relevant organisations including police, DCJ and the OCG. No one will be penalised or suffer adverse consequences for making a complaint or raising a concern.

Any person who is dissatisfied with the response to a complaint can request a review by contacting the CEO or Principal. In addition, if dissatisfied with the handling of a complaint by Shoalhaven River College, a person can contact the NSW Education Standards Authority (NESAs) which is responsible for regulating non-government schools.

Data about complaints will be reviewed and analysed to identify trends and systemic issues and continuously improve how KCC and SRC prevent and responding to child abuse and harm.

Refer to Complaints and Grievances Policy.

Handling disclosures

Disclosures of child abuse or harm will be handled sensitively and appropriately. When there is any disclosure of child abuse or neglect, employees are expected to:

- Move to a suitable environment.

- Listen carefully and take the person seriously.
- Be calm and patient — allow the person to be heard.
- Let the person use their own words.
- Reassure the person that they have done the right thing in speaking up.
- Address any concerns or questions appropriately.
- Explain that they need to tell their supervisor what has been disclosed, and that the College will take steps to ensure their safety.
- At the first opportunity, write down the disclosure using the person's own words as far as possible, using the Child Abuse Incident Form. The record should include the key details of the disclosure with any times, dates, places, and people concerned.
- Report the disclosure to their supervisor.
- Treat the disclosure confidentially, only informing those people who need to know.

Employees will not ask leading questions or probe for more details.

Reporting obligations

Employees are required to internally report any breaches of the Code of Conduct, and any concerns or complaints about child safety. In addition, employees must:

- call 000 if there is an immediate risk to the safety of a child or young person.
- make a report to the Child Protection Helpline if they are a mandatory reporter and have reasonable grounds to believe a child or young person is at Risk of Significant Harm. Any staff member may also make a voluntary report to the Child Protection Helpline as a community member.
- ensure any suspected or known criminal child abuse offences are immediately reported to police.

The CEO and Principal are responsible for ensuring the above responsibilities are met. The CEO is responsible for ensuring allegations of reportable conduct are notified to the OCG and delegates this responsibility to the Principal. The Principal/CEO are required to report on significant child safe related concerns or risks, including breaches of the Code of Conduct and/or this Policy, and reportable allegations, to the Board of Directors.

No employee will be penalised or suffer adverse consequences for raising a concern or making a complaint about child safety.

Refer to Kiama Community College Code of Conduct; Shoalhaven River College Code of Conduct; Child Safe Procedure – Mandatory Reporting; Child Safe Procedure – Reporting to Police; Child Safe Procedure – Reportable Conduct; Child Safe Procedure – Responding to Student Sexual Behaviour.

Information-sharing

Shoalhaven River College is a 'prescribed body' under Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 and will make proactive use of

the provision to share information that is relevant to the safety, welfare or wellbeing of a child (or a class of children) with other prescribed bodies.

Such information may include information about:

- a child or young person's history or circumstances
- a parent or other family member
- people having a significant or relevant relationship with a child or young person or a group of children or young persons, such as a teacher; or
- the other agency's dealings with the child or young person, including past support or service arrangements or with a teacher or other staff member that it previously employed.

When information is requested, the other agency/s will be given enough detail to allow them to form the reasonable belief that the test required to disclose the information has been met (i.e., that it is relevant to child safety, welfare or wellbeing and will assist the requesting agency to carry out its functions). Subject to limited exceptions, the other body must comply with the request if the relevant test is met. Refer to Record-keeping and Information Sharing Policy.

Record-keeping

Records about children and young people are kept in accordance with legislative and policy requirements.

Complete and accurate records will be created and maintained for all incidents, complaints (including disclosures/allegations), responses and decisions that relate to abuse or harm to children or adults at risk. Records will be created at the time of, or as soon as practicable following, an incident, complaint, response, or decision. We will uphold and facilitate, to the fullest extent possible, individuals' rights to access, amend or annotate records about themselves. Access may be requested in writing to the CEO.

Records relating to child safety concerns are maintained in secure electronic files and access is strictly controlled. Records must be retained for a minimum of 30 years. Records that relate to the alleged sexual abuse of a child or young person must be retained indefinitely.

Refer to Record keeping and Information Sharing Policy.

Privacy and confidentiality

Informed consent is obtained to collect, share, and use personal and sensitive information. Information about child safety concerns is handled confidentially, except where the sharing or distribution of information and/or records is mandated by statutory requirements or principles of natural justice. In this regard, any legal obligations to report relevant information to bodies such as police, DCJ or the OCG will over-ride confidentiality.

Refer to Privacy Policy.

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| | <p>Review of Child Safe Policy and procedures</p> <p>The Child Safety Policy and related procedures will be updated as required and reviewed at least annually to ensure they comply with current legislation and best practice.</p> <p>Reviews will be informed by and responsive to stakeholder consultation. Stakeholders include children and young people, their families, staff, other members of the College communities, and external agencies including the Office of the Children’s Guardian and the NSW Education Standards Authority.</p> | |
| Definitions | CEO | Chief Executive Officer, Kiama Community College Ltd |
| | Child or young person | A person below the age of 18 years. |
| | Child safety concern or complaint | A concern or complaint may include any incident, disclosure, allegation, suspicion related to child abuse or harm (whether by an adult or another child or young person), including a breach of the Code of Conduct. |
| | Child-related work | Involves direct contact (face to face, online or physical) with people under the age of 18 years, where this contact is a usual part of and more incidental to the work or engaged in work in a child-related role. People engaged in child-related work must hold a Working with Child Check clearance. |
| | Child Safe Standards | <p>Child-related organisations are legally required to implement the 10 Child Safe Standards:</p> <p>Standard 1: Child safety is embedded in organisational leadership, governance, and culture</p> <p>Standard 2: Children participate in decisions affecting them and are taken seriously</p> <p>Standard 3: Families and communities are informed and involved</p> <p>Standard 4: Equity is upheld, and diverse needs are taken into account</p> <p>Standard 5: People working with children are suitable and supported</p> <p>Standard 6: Processes to respond to complaints of child abuse are child focused</p> <p>Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training</p> <p>Standard 8: Physical and online environments minimise the opportunity for abuse to occur</p> <p>Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved</p> <p>Standard 10: Policies and procedures document how the organisation is child safe</p> <p>The OCG monitors the implementation of the Standards.</p> |
| | Colleges | Kiama Community College and Shoalhaven River College |
| | DCJ | Department of Communities and Justice |
| | Employee | All adults working for, or engaged by Kiama Community College Ltd or Shoalhaven River College, whether in a paid or |

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| | | unpaid capacity or in a child-related role, including employees, volunteers, contractors, and members of the Board of Directors. |
| | Historical allegation | An allegation that an adult was abused or harmed when they were a child. |
| | KSCC | Kiama and Shoalhaven Community College |
| | Mandatory reporting | The legal requirement for certain employees to make a report to the Child Protection Helpline (DCJ) if they have reasonable grounds to believe a child is at Risk of Significant Harm. |
| | NESA | NSW Education Standards Authority |
| | OCG | Office of the Children's Guardian |
| | Reportable conduct | Certain conduct towards children by employees of child-related organisations. Organisations within the Reportable Conduct Scheme are legally required to notify, investigate, and make findings about allegations of reportable conduct to the OCG. |
| | Student | A person who is enrolled at Kiama and Shoalhaven Community College or Shoalhaven River College |
| | Third Party | Service providers and partner organisations, or a person, group, or entity who/which uses Kiama and Shoalhaven Community College or Shoalhaven River facilities |
| | WWCC | Working with Children Check. All adults in child-related work must have a current WWCC. The WWCC involves a national criminal history check and review of reported workplace misconduct findings. The result of a WWCC is either a clearance to work with children for five years, or a bar against working with children (whether paid or unpaid). Cleared applicants are subject to ongoing monitoring by the OCG, and any relevant new records which appear against a cleared applicant's name may lead to the clearance being revoked. |
| Related Policies & Procedures | <p>Kiama and Shoalhaven Community College Code of Conduct</p> <p>Child Safe Procedure – Mandatory Reporting</p> <p>Child Safe Procedure – Reporting to Police</p> <p>Child Safe Procedure – Reportable Conduct</p> <p>Child Safe Procedure – Responding to Student Sexual Behaviour</p> <p>Duty of Care Policy</p> <p>Student Discipline Policy</p> <p>Anti-Bulling and Harassment Policy</p> <p>Critical Incidents and Emergencies Policy</p> <p>Responding and Managing Incidents of Self Harm and Attempted Suicide Policy</p> <p>Responding to the Suicide or Suspected Suicide Policy</p> <p>Student Crime Prevention, Response and Reporting Policy</p> <p>Record-keeping and Information Sharing Policy</p> <p>Privacy Policy</p> <p>Procurement Policy and External Providers Policy</p> <p>Cultural Safety Policy</p> <p>Disability Policy</p> <p>Access and Equity Policy</p> <p>Selection and Recruitment of Staff Policy</p> <p>Complaints and Grievances Policy</p> | |

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| <p>Key legislation</p> | <p><i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i> <i>Children’s Guardian Act 2019 (NSW)</i> <i>Child Protection (Working with Children) Act, 2012 (NSW)</i> <i>Crimes Act 1900 (NSW)</i> <i>Civil Liability Act 2002 (NSW)</i></p> <p>Other legislative obligations may apply and are contained in related policies and procedures.</p> |
| <p>Acknowledgement</p> | <p>I _____ have read, understood, and agree to comply with the terms of this Child Safe Policy.</p> <p>_____ Signed _____ Date</p> |