



**SHOALHAVEN
RIVER COLLEGE**
YEARS 9 TO 12

ANNUAL REPORT 2021



This report is prepared by Shoalhaven River College to meet educational and financial reporting requirements for the 2021 reporting year. It fulfils the NSW Education Standards Authority (NESA) requirement for registration and accreditation for Non-Government Schools in NSW.

Shoalhaven River College would like to thank:

- NSW Education Standards Authority
- The Australian Government Department of Education, Skills and Employment
- The NSW Department of Education
- The Association of Independent Schools NSW
- The Board of Directors, staff and students of Shoalhaven River College

Report completed and published June 2022.

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Messages from key school bodies

Chairperson's message

I am pleased to again present the annual Chairperson's Report for Shoalhaven River College (SRC). SRC continues to make a strong social impact where students have the opportunity to complete their Record of School Achievement and Higher School Certificate in a small, supportive environment focussed on individual students' needs

2021 marked our third year of operation of SRC. The success of the school year culminated in the annual Graduation and School Awards night. It was truly a night of celebration where the success of the school was well and truly evident! On this momentous evening, there was a genuine sense of pride and excitement for the students, staff and invited families and friends.

The highlight of the year was the graduation of our three year 12 students. What a wonderful achievement and the board congratulates these students on their success!

The global pandemic saw the school move to offsite learning for a period during terms 3 and 4. Consolidating on wisdom gained from the 2020 lockdowns and subsequent offsite learning, and under the leadership of Principal, Trish Ikin, the students remained engaged in their learning and their community via online platforms. Students were well connected to their teachers as well as the welfare team. The school remained open for students who were finding online learning difficult or who were unable to stay at home due to their personal circumstances. The period of offsite learning was fruitful in that many students thrived in the opportunity to independently learn and many of the methods of learning delivery are still being implemented for select students as a direct result.

In all of the difficulties faced in 2021, our school's core values of respect, responsibility and striving triumphed. Students rose to the opportunity to work collaboratively with staff because of the inclusive environment which prioritises student welfare equally to their academic achievement.

I thank and congratulate Trish and her team for a wonderful third year of operation in spite of difficult circumstances. I also extend my gratitude to the Board of Shoalhaven River College for their ongoing willingness and dedication to the governance responsibilities that accompany the running of a school.



Michelle Hudson
Chairperson

Principal's message

Once again, this year was peppered with the effects of Covid 19. The school had a period of off site learning where the staff and students implemented Google Classrooms, Zoom lessons, emails, texts, hard copies and combinations of all formats.

Students responded more favourably to this disruption of regular schooling than they did in 2020 - which is to say that more students remained connected through the off site learning period and all students returned when on site learning recommenced.

SRC was excited to graduate it's first three HSC students who received pleasing results for their completion of content through the course and participation in 3 HSC exams for Maths, Science and Community and Family Studies (CaFS).

Attendance continued to improve throughout the year. Many students also effectively accessed the Flexible Learning model when they were unwell and had to work from home.

The reasons for students implementing this strategy have been varied - but most often it's when students are experiencing overwhelming mental health symptoms and find it difficult to leave the house.

Through the tireless efforts of the staff, the students and families remained connected and then successfully transitioned back to on site learning when they were well enough.

The local community is now even more aware of our presence and option as 'doing school differently' and we found that by the end of term 4 2021 we had already fulfilled our enrolment vacancies ready for next year.



Trish Ikin,
Principal



Contextual information about Shoalhaven River College

Shoalhaven River College opened in 2019 and is auspiced by Kiama Community College Ltd. The school is located in Bomaderry, Nowra and is co-located with Shoalhaven Community College.

About Kiama Community College Ltd.

Kiama Community College (KCC) was established in 1986 and became a Registered Training Organisation (RTO) in 1994. KCC is a volunteer-managed, community-based adult education provider, operating as an independent, not-for-profit Company Limited By Guarantee. Kiama Community College Ltd. is an RTO within excess of 45 qualifications on scope and approximately 1,400 enrolments annually. Many of the qualifications on our scope are entry level qualifications designed to re-engage students and pathway them to employment or further education.

Shoalhaven River College

| | |
|--|----------------------------|
| Opened in: | January 2019 |
| Recognition as a Special Assistance School: | January 2019–December 2024 |
| Initial Stage 5 (RoSA) accreditation and registration by NESA: | January 2019–December 2019 |
| Re-registered and accredited Stage 5 (RoSA): | January 2020–December 2024 |
| Initial Stage 6 (HSC) accreditation and registration by NESA: | January 2020–December 2020 |
| Re-registered and accredited Stage 6 (RoSA): | January 2021–December 2024 |



Who we are and our values

Shoalhaven River College (SRC) is a small registered non-government school located in Bomaderry, operating under the auspices of Kiama Community College, Ltd. SRC is a minimal fee paying, small, independent school. SRC has been designated by NESA as a 'special assistance' school.

SRC provides an alternative high school educational environment where students are provided with the opportunity to undertake Stage 5 curriculum and gain their ROSA, as well as Stage 6 curriculum to gain their Higher School Certificate. SRC is ideal for students who may experience difficulty in succeeding in mainstream education or may feel uncomfortable in a mainstream high school.

Our School provides an empowering and engaging education environment so that students can progress to live productive and satisfying lives beyond high school. SRC uses a balanced welfare/ learning model of support as we understand that learning cannot take place if a student does not first have a sense of security and belonging.

SRC is not an 'easier' option for school life, nor is it a behavioural school. While our school environment and delivery are different, students need to demonstrate effort and determination in order to succeed at SRC and beyond.

Our staff

Our staff are approachable so that students can discuss any concerns about their schooling or life in general. Our Student Wellbeing Officers provide students with ongoing additional whole of life support. Staff are committed to enhancing and individualising learning opportunities and strengthening the wellbeing of every student.

Our classes

We have small class sizes (average of 15 students per class) so that each student can have their individual learning needs taken into account. In 2021, there was a maximum of 60 students attending SRC in Years 9, 10, 11 and 12. Teachers may choose a change in environment to deliver the lesson, for example, by going outside. SRC doesn't have school uniforms and all staff and students refer to each other on a first name basis.

Our learning approach

The school applies mature learning principles, based on mutual respect and celebrating differences. Students have the opportunity to take on the responsibilities of learning as a mature young person where academic achievement, independence and belonging are fostered. Opportunities for success come every day for students at SRC. SRC encourages students to have a sense of working in collaboration with staff to succeed.

OUR CORE VALUES

OUR SCHOOL HAS THREE CORE VALUES WHICH OUR STAFF AND STUDENTS OBSERVE IN DAILY SCHOOL LIFE.

Respect Yourself and Others

Our school environment is respectful, friendly and inclusive. We foster an environment where all students and staff feel a sense of belonging to the SRC community, with respect being the foundation of this. Students will be accepted for who they are, and embraced for what they can bring to the school community. Students are expected to respect themselves and also to respect others, including respecting the rights of others to have a productive learning environment.

Take Responsibility

We are a school community where all individuals take responsibility for their learning and relationships as well as their academic and personal growth. When things don't go to plan we use it as an opportunity to reflect, learn, be responsible for our actions and mature. Students are expected to take responsibility for their attendance, behaviour, choices and their engagement with their learning.

Strive

All individuals are encouraged and supported to move forward and grow in all areas of their life, be that within SRC, outside of, or beyond SRC. Learning opportunities should be valued and active participation given. Students are encouraged to set and pursue individualised goals. Students are celebrated when they achieve a success of any kind and are supported and encouraged as needed so that they continue to strive.

Student Outcomes

NAPLAN 2021 Year 9

| | Reading | Writing | Spelling | Grammar | Numeracy |
|-------------------------|---------|---------|----------|---------|----------|
| National Average | 576 | 550 | 579 | 572 | 587 |
| School Average | 573 | 544 | 585 | 573 | 595 |

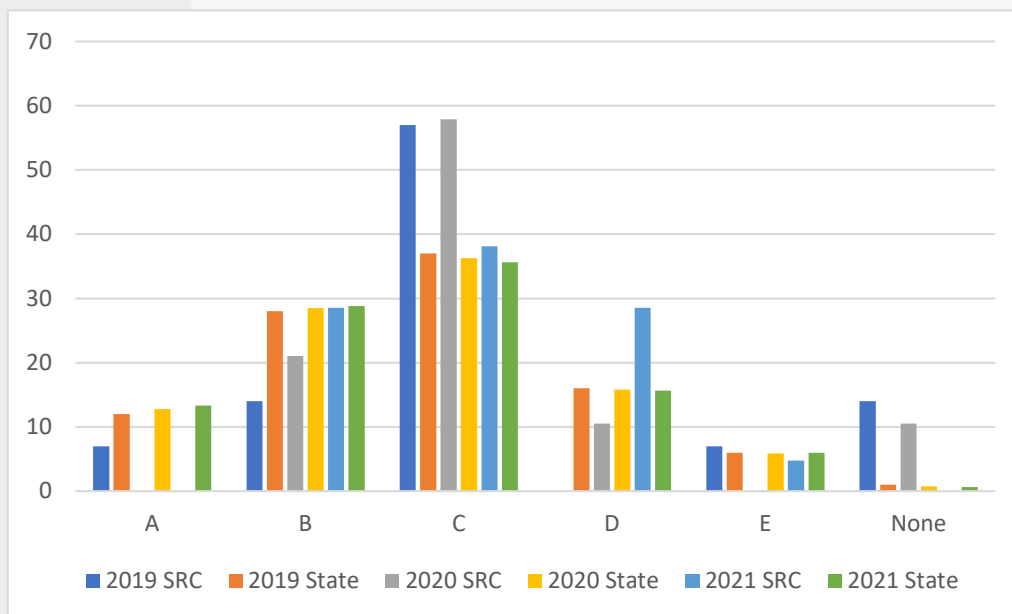
2021 Record of School Achievement (RoSA)

| Course | School total students | State total students | School Pattern (%) | | | | | | State Pattern (%) | | | | | |
|-----------------------|-----------------------|----------------------|--------------------|-------|-------|-------|-------|------|-------------------|-------|-------|-------|------|------|
| | | | A | B | C | D | E | None | A | B | C | D | E | None |
| English (200hours) | 26 | 89368 | | 28.57 | 38.10 | 28.57 | 4.76 | | 13.32 | 28.80 | 35.62 | 15.64 | 5.98 | .63 |
| Maths (200 hours) | 26 | 89574 | | 33.33 | 23.81 | 42.86 | | | 15.34 | 22.86 | 32.01 | 22.68 | 6.57 | .54 |
| Science(200 hours) | 26 | 89344 | 9.52 | 28.57 | 28.57 | 23.81 | 9.52 | | 13.87 | 25.17 | 36.37 | 17.72 | 6.22 | .64 |
| Geography (100 hours) | 26 | 89378 | 14.29 | 19.05 | 57.14 | 9.52 | | | 15.90 | 27.94 | 34.11 | 15.25 | 6.30 | .49 |
| History (100 hours) | 26 | 89382 | 4.76 | 19.05 | 66.67 | 4.76 | 4.76 | | 15.54 | 27.95 | 34.29 | 15.18 | 6.52 | .51 |
| PDHPE (100 hours) | 26 | 18669 | | 33.33 | 23.81 | 19.05 | 23.81 | | 18.52 | 36.79 | 31.43 | 9.65 | 3.32 | .29 |

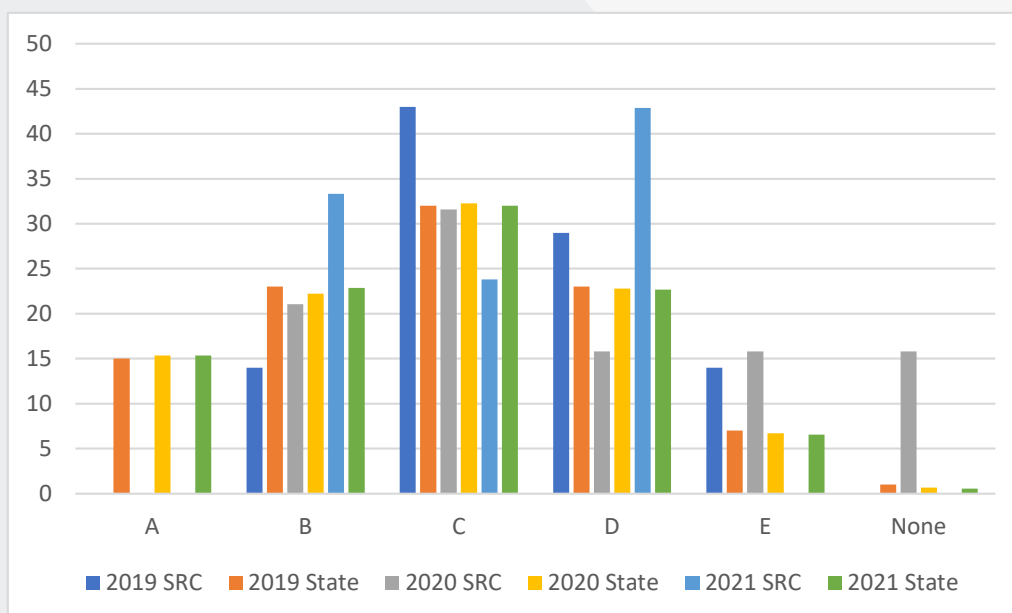


Comparative Record of School Achievement (RoSA)

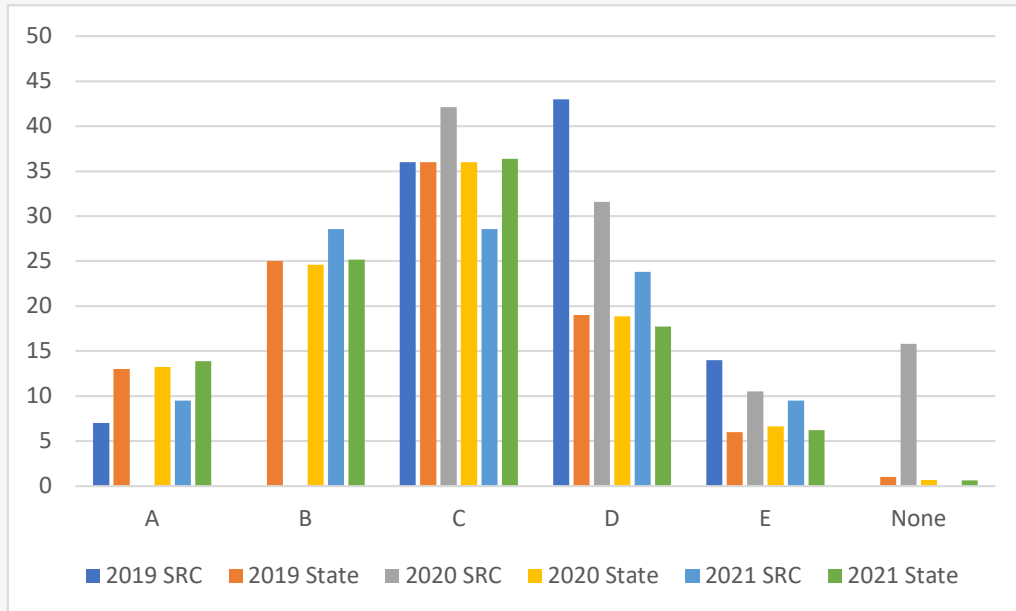
English



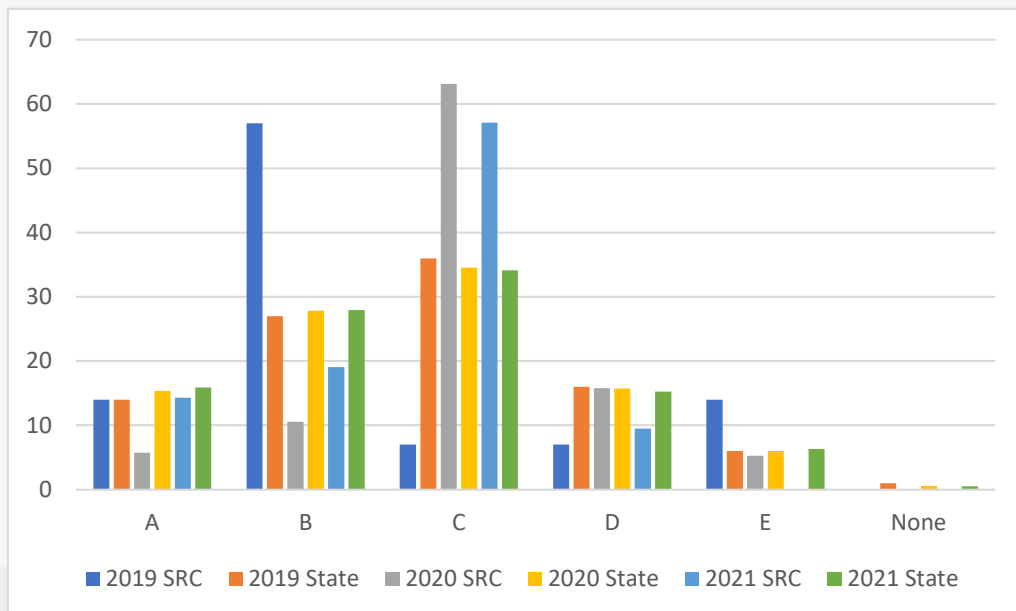
Math



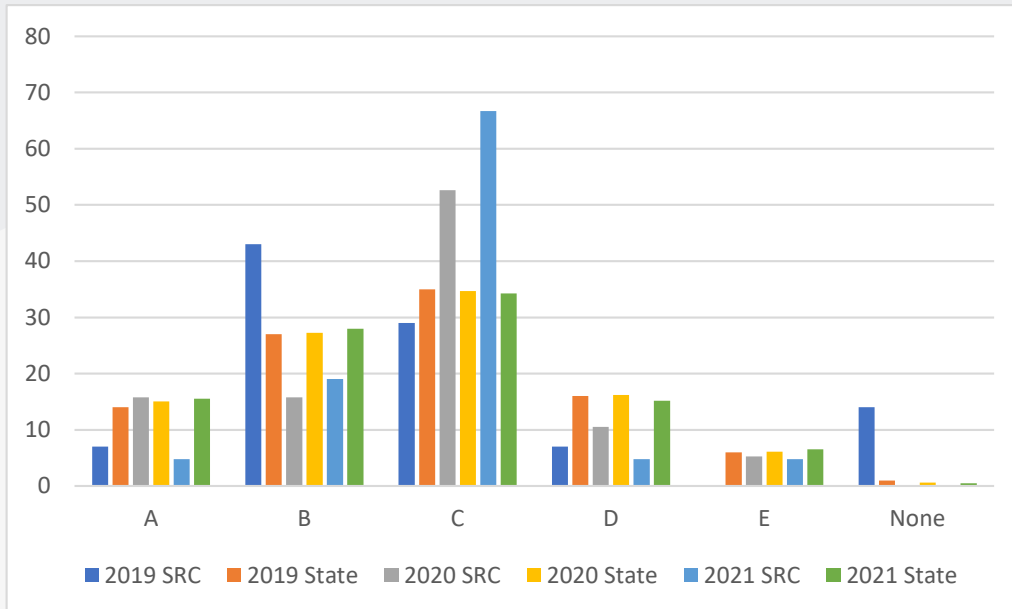
Science



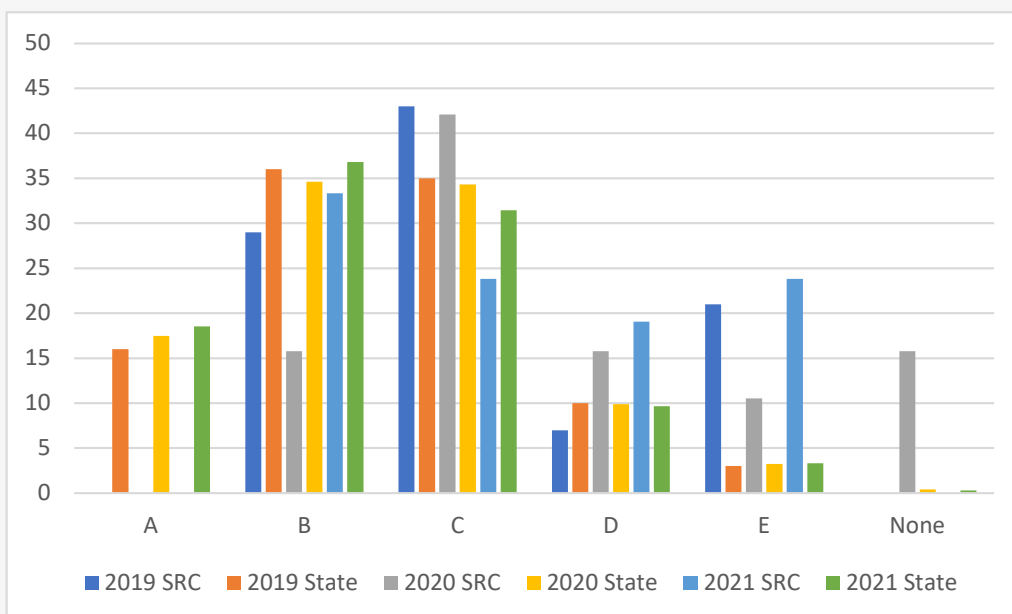
Geography



History



PDHPE



Minimum standard band results

| Student | Numeracy | Reading | Writing |
|---------|----------|---------|---------|
| 1 | 3 | 4 | 3 |
| 2 | 3 | 4 | 3 |
| 3 | 3 | 4 | 3 |

Students in NSW need to meet a minimum standard of literacy and numeracy to receive the Higher School Certificate. It is a standard most students are expected to achieve by the end of Year 12 when they sit their HSC. To show they meet the HSC minimum standard, students need to achieve Level 3 or 4 in short online reading, writing and numeracy tests of skills for everyday life.

Results of the Higher School Certificate

| Course | Course | Students Included | Students Omitted | E.M Mean | State E.M. Mean | School/ State Variation | Z-Score |
|---------------------------------------|--------|-------------------|------------------|----------|-----------------|-------------------------|---------|
| Community and Family Studies 2 unit | 15060 | 3 | - | 69.73 | 74.28 | -4.55 | -.45 |
| Investigating Science 2 Unit | 15215 | 3 | - | 60.93 | 75.52 | -14.59 | -1.29 |
| Mathematics Standard 2 2 unit (11236) | 15236 | 3 | - | 52.80 | 69.15 | -16.35 | -1.20 |

The above are the examinable subjects in the 2021 HSC sat by all students who completed the HSC. Photography, Video and Design and English Studies were non-examinable.



Professional learning and teacher standards

All teaching staff met the professional requirements for teaching in NSW according to the following categories:

| Category | Number of Teachers |
|---|--------------------|
| Teachers having teacher education qualifications from a higher education institution within Australia or as recognised within the National Office of Overseas Skills Recognition (AEI-NOOSR) guidelines | 7 |
| Teachers having a bachelor degree from a higher education institution within Australia or one recognised within the AEI-NOOSR guidelines but lack formal teacher education qualifications | 0 |

Teacher Qualifications, Accreditation and Professional Development

- **Principal:** Bachelor of Education – Primary, University of Wollongong; Graduate Diploma in Special Education: Charles Sturt University, Bachelor of Psychology (in progress), Swinburne University of Technology.
- **Teacher 1:** Bachelor of Information Technology and Communications, University of Wollongong; Graduate Diploma of Education, University of Wollongong.
- **Teacher 2:** Bachelor Arts (English Literature and Political Science)/ Bachelor Education (Secondary), University of Queensland.
- **Teacher 3:** Bachelor of Education (Home Economics) Nepean CAE/Hawkesbury Agricultural College
- **Teacher 4:** Bachelor of Fine Arts, Educational Masters (Social Science – International Development)
- **Teacher 5:** Bachelor of Science (Zoology), Post Graduate Certificate in Education
- **Teacher 6:** Bachelor of Science, Bachelor of Music Honours (Jazz Performance), Graduate Diploma of Education (Secondary) Mathematics, Music & Religious Education





| NESA Teacher Accreditation Status | Number of SRC Teachers |
|---|------------------------|
| Lead Teacher Accreditation | |
| Highly Accomplished Teacher Accreditation | |
| Proficient Teacher Accreditation | 2 |
| Conditional Accreditation | |
| Provisional Accreditation | 3 |
| Pre-2004 Teacher accredited at Proficient level | 2 |
| Not accredited with TAA | |

In 2021, staff and Board Directors undertook the following professional development:

| Training Event | Number of Staff/ Board Attended |
|---|---------------------------------|
| Identifying and Responding to Children and Young People at Risk (AIS) | 15 |
| Fire Warden (Chubb) | 2 |
| Mental Health First Aid (MHFA) | 2 |
| First Aid | 11 |
| Trauma Informed Practice (Shoalhaven | 2 |
| AIS Online Governance Modules | 15 |

Workforce and student profile

Workforce composition

- 1 x full time Principal
- 1 x full time teacher (KLA – Maths)
- 3 x part time teachers (KLA – Science, English, HSIE, CaFS)
- 3 x full time Student Learning Support Officer
- 1 x full time Student Wellbeing Officer
- 1 x part time Student Wellbeing Officer
- 1 x full time Administration Officer
- 1 x part time Administration Officer

Additionally, Kiama Community College Ltd., employed:

- one non-accredited trainer 0.4 load to facilitate elective 'Life and Work Matters' which it provided for Shoalhaven River College as an external provider.
- one accredited trainer 0.2 load to facilitate elective 'Cert II Outdoor Recreation' which it provided for Shoalhaven River College as an external provider.

Student profile

The NSW Minister for Education has granted Shoalhaven River College Special Assistance School status. Therefore, SRC's target student profile is students 'at risk', primarily aged 14-18 years, unable to complete their education within the traditional school environment and experience some level of behaviour or learning need.

SRC students have experienced social, emotional or wellbeing challenges whilst attending mainstream school. The selection criteria for the School focuses on the following priorities:

- A demonstrated desire to learn. Students who enrol will need to want to attend and participate in all activities.
- The maturity to learn in a mature learning environment with the ability to work independently for short periods of time.
- Barriers to effective participation in mainstream education and/or experience of disadvantage. These barriers may include challenges associated with: mental health, social inclusion, financial disadvantage, Aboriginal or Torres Strait Islander background, family breakdown or educational disengagement.
- An acceptable level of risk posed to other students.
- A level of functional literacy and the ability to function independently.

At the time of the 2021 census, 25% of students had a diagnosed disability while 24% of students identified as Indigenous.

Student Attendance and Retention

Attendance

| Year | 9 | 10 | 11 | 12 |
|--------------------|-----|-----|-----|-----|
| Total Attendance % | 72% | 75% | 80% | 72% |

Management of non-attendance

SRC recognises that many students who attend our School have a history of disengagement and may also have barriers to overcome to attain full school attendance. Therefore, attendance goals are outlined in each student's Individual Education Plan and will be set individually for each student. Attendance progression is monitored weekly with the expectation that each student's goal will be to move towards having 85% attendance and that students will actively work towards overcoming barriers which make attending difficult.

The School takes a proactive approach in consistently managing incidences of non-attendance. Noticeable patterns or concerns regarding student's attendance are addressed in a timely manner. All instances of non-attendance must be accounted for by:

- Parental communication via text, phone call or email and/or
- A medical certificate and/or
- A confirmation of appointment attended slip (i.e. for attendance at Centrelink etc.).

SRC undertakes the following proactive strategies to monitor and progress attendance:

- Whole day, partial day and each class attendance marked.
- Support staff follow up instances of absences. Principal is involved as required.
- Attendance records are discussed at weekly welfare meetings including:
 - Patterns for individual students, year cohorts and entire school in the current week
 - The Student Welfare Officer will share possible insight within the confines of confidentiality
 - Follow up strategies will be determined, minuted and actioned.
- Attendance is included in the Individual Education Plan for each student and is referred to frequently.
- Attendance is discussed with individual students and the whole School body frequently so that students' have a clear understanding of expectations regarding attendance.
- A holistic approach to attendance issues which may involve several staff members, family and caregivers and the student working in collaboration to address attendance barriers.
- Provision of basic food and hygiene supplies to encourage ongoing attendance for our students who may experience disadvantage in these aspects.

Retention

It should be noted that, at any one time, SRC had enrolled approximately 52 students. This includes some students leaving and some commencing throughout the year.

At the end of 2021:

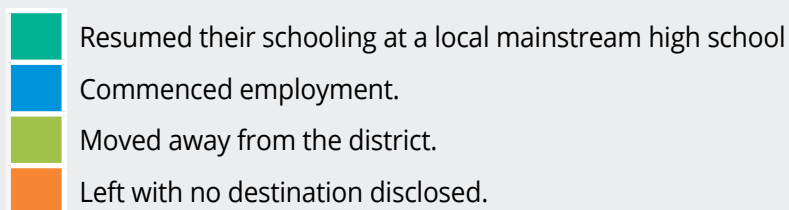
- 13 Year 9 student enrolled in Year 10 for 2022.
- 19 Year 10 student enrolled in Year 11 for 2022.
- 9 of the 11 Year 11 students enrolled in Year 12 for 2021/22.

This equates to 79% of students being retained for 2022.

Post school destination survey

Of the 16 students who left SRC at the end of 2021:

- 5 (31%) students resumed their schooling at a local mainstream high school.
- 3 (18%) commenced employment.
- 3 (18%) moved away from the district.
- 5 (31%) left with no destination disclosed.



School-determined improvement targets

In 2021, the School set targeted areas where we prioritised seeing success in:

| Target Area | Reflections/ Observations of 2021 |
|---|--|
| Attendance | Our goals around attendance were to have all students re-engage with learning in stage 5 and adopt attendance patterns to a benchmark above 65%. This was achieved for more than half of the student body. |
| Retention | Once students were reengaged with learning and formal education, it was important to guide students towards their individual goals which included remaining at school to complete the year. It was apparent that some students found it extremely difficult to overcome personal difficulties and maintain school as a priority. |
| Language, Literacy and Numeracy | Raising all student language, literacy and numeracy standards is a priority. Our goal is to upskill all students to state age-appropriate benchmarks in all areas. All students improved in these areas with more work to do next year. |
| Curriculum | SRC maintains NESA approved subjects to qualify for the RoSA and also provides 1 day per week of Life and Work Matters training for Stage 5 students and 1 day per fortnight for Year 12. This balance of key learning areas and vocationally directed activities provided students with an improved range of skills, understanding and confidence to continue in education or training after completing the RoSA. |
| Entrenching values into the culture of the School. | It has been our priority to develop consistent staff and student behaviour around our values of Strive, Safe and Respect. SRC is immersed in the language and modelling of these three tenets and staff, students and carers appreciate the benefits of this code of behaviour and state these values support their child's development. |
| Preparation for post-school life and opportunities | All students complete a Personalised Learning Pathways plan to identify strengths and interests as well as areas for development. This process is also a place where students can begin to nominate career paths and staff provide guidance in the pathway towards those goals. Life and Work Matters is also instrumental in developing student skills and confidence towards employability. |
| Individualised approach to learning, welfare and attendance. | All students are provided with an Individual Educational Plan. This process is a collaboration of staff, carers, agencies and student input. The purpose is to identify the educational, social and wellbeing needs of each student and provide appropriate strategies and supports to reach designated goals. |
| Appropriate professional development for staff. | All staff have Professional Development Plans which identify their own areas of interest and plan for targeted learning and development. This has allowed staff to improve skills and competencies focused on current roles and responsibilities. Staff have indicated satisfaction in the outcome of this process. |

| | |
|--|--|
| Establishing School's community presence. | Staff have attended many community events and liaise frequently with local support agencies to share the SRC story, network for support and resources and seek new enrolments. SRC has been positively accepted in the community as a much needed resource for the young people and their families in our community. |
| Compliance | Compliance is a mainstay at SRC. The policies and procedures are continually reflected upon to ensure staff and students exist within best and safest practice, minimising risk wherever possible, and providing quality teaching and learning outcomes for all students. |
| Prepare for Stage 6 in 2022 | Staff have been successfully accessing information from NESA and other similar schools across the state to prepare for the requirements of stage 6 learning at SRC. Many conversations and meetings have resulted in the carefully selected subjects for stage 6 in 2022. Staff are also become further skilled in the unique requirements for programming, assessing and progressing students through the stage 6 educational process. 2022 will be the first year where Stage students have enrolled in ATAR subjects. |





Initiatives promoting respect and responsibility

Shoalhaven River College has three core values: *Respect yourself and others, take responsibility and strive.*

Our three core values incorporate respect and responsibility. These have been promoted in the following ways in 2021:

- Student code of conduct – before commencing at SRC, all students need to sign the code of conduct which incorporates our core values. This is referred back to in disciplinary instances.
- Culture building – especially at the commencement of the School, a great deal of time was spent undertaking activities which would reinforce our values. In our elective “Life and Work Matters,” an ongoing feature of the course is building upon our core values and how this plays out in both school and personal life.
- Mature learning environment – As far as we can, and considering child protection issues, we promote a mature learning environment which fosters responsibility. Additionally, students are encouraged to take responsibility for both their learning and their challenges.
- Offsite learning – the students were provided with a large range of offsite learning opportunities as part of the curriculum and Life and Work Matters. This allowed students to responsibly broaden their learning. When students were challenged to learn in this manner, more often than not, we found that they proudly made the most of these opportunities and benefited enormously.
- In instances where there appeared to be disrespectful behaviour, significant time was spent in resolving the issue in a manner focussed on mature and supported self reflection. This positively resulted in a lack of defensiveness and faster resolution of conflict between students.

Parent, student and teacher satisfaction

At the end of 2021 a parent survey was issued to all carers. The feedback was very positive that families felt that their child was being well supported in the learning environment and many said it was the most or first positive experience they had had in high school. Carers also cited the caring relationships that staff and students enjoy made it possible for their child to settle into a successful school experience. Families were also appreciative of the interagency connections where students accessed a range of health services through SRC which supported to the wellbeing of their child. Many carers went out of their way to communicate positive feedback to staff and acknowledge the difference SRC has made in their child and family's life.

At the end of Term 1 and Term 3 a brief report is provided to parents / caregivers which outlines the engagement and participation of each student. A more detailed report is provided on performance at the end of term 2 and 4. Parents/ caregivers are invited or may be requested to attend a meeting to discuss their child's attendance and progress.

In relation to ensuring parent/ caregiver and student satisfaction, regular meetings are scheduled with all parties facilitated by the Principal and teachers if required. This can be in relation to a variety of issues or to encourage the student's continued progress.

Throughout 2021, no formal complaints were logged.

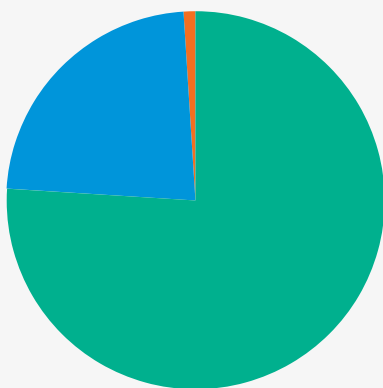
Staff completed satisfaction surveys and report that they feel the work they do at SRC is valued, important and gets results. Staff have also mentioned that they appreciate the unique opportunity SRC represents in our community and all feel privileged to be involved in such a purposeful and much needed service. Specifically, staff have provided the following reflections on their involvement at SRC:




- offers a safe place for students who may never have felt that in mainstream schooling and where they will be cared for in every way.
- accepts and accommodates students of all gender identities that allows for them to flourish.
- offers a range of offsite learning activities and opportunities to be involved in Cultural group.
- continually acknowledges students' achievements and presentation night is the highlight of these acknowledgements.

It is widely acknowledged by staff, students and parents/ caregivers that SRC promotes students' engagement, success and connection to their learning.

Financial information

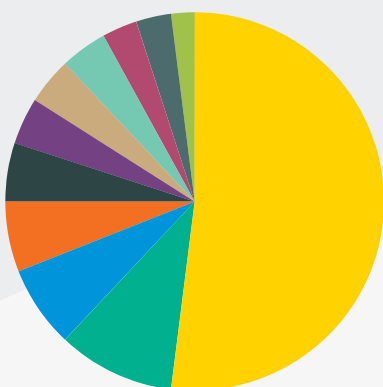
Income



| | |
|---|--|
|  | Commonwealth Recurrent Grants (\$1,547,004.68) |
|  | State Recurrent Grants (\$487,902.01) |
|  | Fees, private and other income (\$912) |



Expenditure



| | |
|--|--|
| | Salaries, allowances and related expenses (\$863,151) |
| | Admin and professional services (\$203,313) |
| | Course fees (external courses) (\$127,371) |
| | Amortisation & depreciation (\$90,997) |
| | Capital expenditure (\$55,554) |
| | Computer, phones, IT & data (\$40,685) |
| | Consumables, printing and resources (\$38,089) |
| | Auditor, accounting & professional services (\$30,828) |
| | Travel and excursions (\$21,609) |
| | Repairs & maintenance (\$21,069) |
| | Cleaning (\$15,468) |
| | Advertising (\$6,986) |
| | Rent & venue costs (\$6,172) |
| | Interest expense (\$5,355) |
| | Insurance (\$3,807) |
| | Security and fire safety (\$3,353) |
| | Depreciation (\$3,268) |
| | Staff training (\$2,577) |



School policies (appendix)

The following policies and procedures are available on the school website and available in hard copy from the school administration office.

Student welfare

- 4.1.1 Referral to support services
- 5.1.1 Protecting and supporting children & young people
- 5.3.1 Duty of care
- 5.3.2 Notification of concern for student welfare

Anti bullying

- 5.3.5 Harrassment discrimination and anti bullying

Enrolment

- 6.1.1 Enrolment and ongoing enrolment

Discipline

- 7.1. Student Discipline

Complaints

- 9.3.3 Complaints or grievances received by the School



| | | | |
|----------------------|---|--------------|--|
| Section of Manual: | 4. SPECIAL ASSISTANCE AND SUPPORT – 4.1 APPLICATION AND ENROLMENT - ADDITIONAL | | |
| Document | POLICY 4.1.1: REFERRAL TO SUPPORT SERVICES | | |
| Date of Endorsement: | | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | To ensure support services are available to all students. | | |
| Scope: | Relates to all students, staff, Student Wellbeing Officer . | | |
| RANGS Manual: | 3.6 Safe and Supportive Environment; 3.6.2 | | |
| Policy | <p>Every student has the option for self-referral to Support Services.</p> <p>A teacher can refer a student to support if they feel the student has an issue that is impinging on the student's ability to learn.</p> <p>Students recognised as requiring additional support through the Student Wellbeing Officer may be identified at weekly staff meetings or through one-on-one consultation with the Student Wellbeing Officer. These encounters are to be minuted or diarised. The Student Wellbeing Officer can then approach the student with regard to an appointment.</p> <p>Supports include, but are not confined to:</p> <ul style="list-style-type: none"> Debriefing on arrival at school Debriefing following an incident at school GP Community Health Headspace Paediatrician Communities & Justice Interagency/NGO conferences <p>Referrals</p> <p>This support may be by way of providing referral options and advocacy to the student in relation to school issues such as student to student or a study issue.</p> <p>A student may determine that they wish to be referred to other services or would like the School to act as advocates for them. The School will encourage the student to involve the parents/ caregivers in the referral and support process. This is in all situations except where there may be any child protection concerns potentially involving the parent/s/caregiver/s.</p> | | |

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| | <p>Advocacy and referral will be undertaken by the Principal or Student Wellbeing Officer unless delegated to another staff member by the Principal. In this instance, the referral and support process undertaken by the alternate staff member will be carried out under the close supervision of the Principal.</p> <p>In each case, whether it be referral or advocacy, advice will not be offered to the students, rather choice will be provided, which can be engaged at any time and also withdrawn at any time as determined by the student.</p> <p>If a student presents with an issue which may be outside of the referral support of the School, the School will call upon Nowra Community Services or a GP and they will support the student with advocacy, referrals, presenting options and advising on the legal level of involvement, if any, of the parents/ caregivers.</p> <p>For all situations which are unique and may not have a definitive and clear course of action, the Principal or CEO will contact AIS for advice.</p> |
| Supporting Documentation | <p>4.1.2 Accepting referral to support services</p> <p>5.3.1 Duty of Care</p> |

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| Section of Manual: | 5. SAFE AND SUPPORTIVE ENVIRONMENT – 5.1 LEGISLATIVE: RESPONSIBILITY AND REPORTING | | |
| Document | 5.1.1: PROTECTING CHILDREN AND YOUNG PEOPLE | | |
| Endorsement: | 30 June 2020 | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | <p>Shoalhaven River College has a duty of care to ensure that students are protected when they are at school.</p> <p>Schools also have a critical role to play in protecting children and young people by identifying and reporting reasonable suspicion of children and young people being at risk of significant harm.</p> <p>Under new reforms, Shoalhaven River College also has an obligation to share information as required by CS with other agencies to work together to keep children and young people safe.</p> <p>This policy and procedure outlines the obligations of various stakeholders and the processes to be followed to ensure young people receive this protection.</p> | | |
| Legislation | <p>The <i>Children and Young Persons Act 1998</i> (NSW) (the Care and Protection Act).</p> <p>The <i>Children’s Guardian Act 2019</i> (NSW)</p> <p>The <i>Child Protection (Working With Children) Act 2012</i> (NSW) (the WWC Act).</p> | | |
| Scope: | Relates to all staff, external providers/ tutors, cleaners, contractors, guest speakers, volunteers and work experience hosts | | |
| RANGS Manual: | 3.6 Safe and Supportive Environment; 3.6.1 | | |
| NOTE | <p>The term “Community Services” (CS), used throughout this policy, relates to the NSW Government department with the responsibility for managing the safety and wellbeing of children and young people and protecting them from risk of harm, abuse and neglect. At the writing of this policy, this department is:</p> <ul style="list-style-type: none"> • NSW Department of Communities and Justice - https://www.dcj.nsw.gov.au/ • Office of The Children’s Guardian - https://www.kidsguardian.nsw.gov.au/ <p>The term “Children’s Guardian” refers to the Office of the Children’s Guardian which is an independent statutory authority in the NSW Government. They promote and regulate the quality of child safe organisations, services and people.</p> | | |
| POLICY: | | | |
| | <p>1. Introduction</p> <p>The safety, protection and well-being of all students is of fundamental importance to Shoalhaven River College. Young people, by virtue of their age, are vulnerable.</p> | | |

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| | <p>Shoalhaven River College has a moral and legal duty of care to ensure that students are protected when they are at school.</p> <p>In addition, school staff (including external providers/ tutors) spend a considerable amount of time observing and working closely with young people, and as a result, Shoalhaven River College also has a critical role to play in protecting children and young people by identifying and reporting reasonable suspicion of children and young people being at risk of significant harm.</p> <p>Shoalhaven River College is committed to ensuring that there are systems, procedures and training regimes in place to comply with child protection legislation to enhance the physical and psychological wellbeing of our students. The following procedures outline the obligations of various stakeholders and the processes to be followed to ensure young people receive this protection.</p> <p>Obligations in relation to each Act is outlined in the subsections of this document titled:</p> <p>PART A: Obligations under The Children and Young People (Care and Protection Act) 1998–</p> <p>PART B: Obligations under the Children’s Guardian Act 2019</p> <p>PART C: Obligations under the Child Protection (Working with Children) Act 2012 (WWC Act)</p> |
| PROCEDURES | |
| | <p>1.1. Staff obligations to report</p> <p>While we set out below circumstances in which the legislation requires reporting of particular child protection issues, the School requires all Staff and volunteers to report any concern they may have about the safety, welfare or wellbeing of a child or young person to the Principal.</p> <p>If the allegation involves the Principal, you are required to report to the CEO of the College who will then assume the role and duties of ‘The Head of Agency’ or ‘Head of Relevant Entity’.</p> <p>This obligation is part of the School's overall commitment to the safety, welfare and well-being of children.</p> <p>1.2. Communication of Responsibilities</p> <p>The Principal will ensure that staff (teachers, Student Wellbeing Officer , SLSO, external providers/ tutors and any ongoing volunteers) are reminded of their responsibilities under this policy and associated procedures through the following avenues:</p> |

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- Induction and orientation process – conducted by the Principal which includes the reading, discussion and signing of the Code of Conduct document (Policy 2.3.1). This is to be undertaken before commencement of employment.
- Regular supervision and mandatory weekly team meetings facilitated by the Principal. At each meeting staff are reminded to observe and report to the Principal any child protection concerns.
- Annual participation in the Association of Independent Schools (AIS) “**Obligations in identifying and responding to children and young people at risk.**” online workshop. Completion by all staff and ongoing volunteers is mandatory and will need to be completed **by the end Term 1**. A copy of the transcript/ certificate is to be provided to SRC administration staff whom will scan a copy to the Principal and will file in personnel files located in SRC administration office. The principal is to ensure that all staff have undertaken this training. Therefore, if a new staff member or ongoing volunteer commences any other time following the undertaking of the training, this is required to be undertaken before commencement of employment via the induction process.
- The Principal is to **annually (term 1, week 1)** discuss and provide face to face training on all aspects of the “Protection and Support of children and young people” policy. The Principal is to ensure that all staff have undertaken this training. If a new staff member commences at any other time following the undertaking of the training, this is required to be undertaken before commencement of employment via the induction process. If an existing staff member is away when annual training has taken place, they are required to undertake this training at the earliest possible time with the Principal and at the latest, by the end of term 1, week 2. Following this annual training, all staff must sign a declaration (see end of this document) that they have undertaken the training and understand the implications of the policy. SRC Administration staff will scan a copy of these declarations to the Principal and will also file in personnel files located in the SRC administration office. All staff are to ensure that they have an up to date WWCC clearance (refer to Part C in this document) and that SRC administration staff ensure the WWCC register (2.4.1) and

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personnel files hold this information.

PART A: OBLIGATIONS UNDER THE CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION ACT 1998

i) The Care and Protection Act provides for mandatory reporting of children at risk of significant harm.

NOTE: Any concern regarding the safety, welfare or well-being of a student must be reported to the Principal.

1. Who is a mandatory reporter?

Under the Care and Protection Act persons who:

- a) in the course of their employment, deliver services including health care; welfare, education, children's services and residential services, to children; or
- b) 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.

At SRC, the Principal, teachers, SLSO's, administration, Student Wellbeing Officer, external providers/ tutors and ongoing volunteers are mandatory reporters.

2. When must a report be made to Community Services?

Under the Children & Young Persons (Care and Protection) Act 1998, Shoalhaven River College has an obligation to exchange information as required by Community Services (CS) with other agencies to work together to keep children and young people safe.

2.1 What is the threshold?

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 Community Services as soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

In addition, while not mandatory, the School considers that a report should also be made to

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Community Services 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.

2.2 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:

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

'Reasonable grounds' does not mean that you are required to confirm your suspicions or have clear proof before making a report.

2.3 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:

- a) The child's or young person's basic physical or psychological needs are not being met or are at risk of not being met.
- b) The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care.
- c) 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.
- d) The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated.
- e) 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.

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- f) 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.
- g) 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.

2.4 The Principal and staff should consult the community services decision tree in determining whether to mandatorily report. This decision tree is located at <https://reporter.childstory.nsw.gov.au/s/mrg> If the decision tree is below the mandatory reporting requirement (ie a report does not need to be made) the Principal and Staff may contact the Child Wellbeing Unit for assistance with the student's situation.

2.5 Allegations against a student

Where concerns about risk of significant harm relates to an alleged perpetrator who is a student of any age, the same procedures for reporting to CS are followed. It may also be appropriate to refer the matter to the police.

2.6 Discussing reports to CS with the children and young people involved

The decision about whether a report should be discussed with a **child** needs to be carefully considered, taking into account factors such as the risk of significant harm suspected, the type of abuse, the age and capacity of the child to make sense of the information, the additional stress that may be placed on the child within a family or other context and the immediate needs of the child.

Where concerns have arisen in the course of discussions with a **child or young person**, it is particularly important for the staff member to continue to play a support role with the child or young person or to ensure that he or she is encouraged to link with available support. It is also important for the staff member to reassure the child or young person in this situation without making promises (e.g. promises that no-one else will be told) that cannot be kept.

A **young person** should be provided with the opportunity to express his or her views unless

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there would be serious risks in doing so (e.g. a possible escalation of self-harming behaviour or creating further risks of harm). Any views expressed should be indicated to CS in the telephone report and noted on the Form A when the report is confirmed. **However, it is important to note that it is not necessary to gain permission from a student to make a report to CS. If it is determined that the threshold for reporting has been met, the report must be made.**

3 What should you do if you consider that a mandatory report is required?

Who Should Report:

Reporting by the School about these matters to Community Services and, where necessary, the police, is generally undertaken by the **Principal**.

If any staff member or other mandatory report has a concern that a child or young person is at risk of significant harm you should contact the Principal as soon as possible to discuss whether the case reaches the threshold of 'risk of significant harm' and the steps required to report the matter.

However, there are circumstances in which a staff member might report this matters to Community Services:

- i) if there is an immediate danger to the child or young person and the Principal or Chief Executive Officer is not contactable you should speak to the Police and/or the CS Helpline directly and then advise the Principal or the Chief Executive Officer at the School as soon as possible.
- ii) if a staff member disagrees with the Principal's decision not to report, a staff member has the right to lodge a report but must advise the Principal that they have done this.

There are two ways mandatory reporters can make a child protection report:

- 1) By eReport through the ChildStory Reporter website.
- 2) By calling the Child Protection Helpline on 132 111.

Where circumstances are serious and the child could be in imminent or serious danger, a

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report must be made via the telephone on 132 111.

You are not required to, and must not, undertake any investigation of the matter yourself.

It is good practice to advise parents, carers and students of your legal or professional obligations to report your concerns to Department of Communities and Justice (DCJ). The decision to inform the family of a report should be guided by professional judgement and circumstance and should be a decision made by the Principal.

You are required to deal with the matter confidentially and only disclose it to the persons referred to above or as required to comply with your mandatory reporting obligations.

Failure to maintain confidentiality will not only be a breach of this policy, but could expose you to potential civil proceedings for defamation.

4 What should you do if you have a concern that is below the mandatory reporting threshold?

While the Care and Protection Act outlines a mandatory reporter's obligation to report to Community Services, as an employee of this School, any concern regarding the safety, welfare and wellbeing of a student must be reported to the Principal.

You are required to deal with all reports regarding the safety, welfare or wellbeing of a student with confidentially and only disclose it to the Principal and any other person the Principal nominates. Failure to do so will be a breach of this policy.

5) Exchange of Information –Requesting/Providing Information

The exchange of information is the responsibility of The Student Welfare Officer and the Principal.

- a) The exchange of information between The School and other prescribed bodies will only be conducted by the Student Wellbeing Officer or the Principal.

If deemed necessary, request information from another prescribed body or receive a request from another prescribed body relating to the care and welfare of a student. Information may include information held on:

- 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

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it previously employed.

As suggested in the Child Protection Guidelines, on requesting information from another prescribed body or responding to a request for information:

- explain/seek clarification of how the request for information relates to the safety, welfare and well-being of the child or young person;
- explain/seek clarification for why the information is needed to make a decision about service provision or to manage any risk to the child or young person;
- identify/seek clarification on the subject of the information request and (if it is not the child or young person) identify the subject's relationship to the child or young person;
- make sure/seek clarification that the person who is the subject of the request is clearly identified so that there can be no mistake as to identity;
- provide/ask to be provided with a background to the request, including whether or not consent has been requested and where it has not, why the agency should not inform a child, young person, parent or teacher that the information has been requested (for example, safety concerns); and
- ask for/suggest advise of the time frame for providing the information, giving the agency a realistic time frame within which to report, unless the information is required for court proceedings where a more limited time frame may be required.

b) Reserve the right to decline a request to share information with another prescribed body should the Student Wellbeing Officer in consultation with the Principal deem that the information requested may:

- prejudice a criminal investigation or coronial inquest;
- prejudice care proceedings;
- contravene legal professional or client legal privilege;
- enable the existence or identity of a confidential source of information in relation to the enforcement or administration of a law to be ascertained;
- endanger a person's life or physical safety; or
- not be in the public interest.

All other staff members are **not permitted** to share any information deemed to be confidential or of a delicate nature with any other organisations other than CS.

PART B: OBLIGATIONS UNDER THE CHILDREN'S GUARDIAN ACT 2019

This section of the SRC Child Protection policy relates to reportable conduct or reportable convictions concerning an employee of SRC.

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From 1 March 2020, the School came under obligations as detailed in the Children's Guardian Act, replacing obligations under the Ombudsman Act 1974 Part 3A. The Children's Guardian Act 2019 promotes the quality of organisations and persons providing services to children and regulates these. It details matters of prevention, identifying, reporting and investigating allegations of reportable conduct.

As a non-government school SRC is a "Schedule 1 entity." An **"employee"** of a Schedule 1 entity includes **all paid school staff, volunteers and contractors** (for example **trainers and guest speakers**). The **"Head of the Relevant Entity"** is the **School Principal**. In the Principal's absence, or if an allegation is concerning the Principal, the CEO of KCC Ltd is delegated the Head of the Relevant Entity responsibilities.

1. Reportable Conduct

Reportable conduct means the following conduct, whether or not a criminal proceeding in relation to the conduct has been commenced or concluded:

- (a) a sexual offence (for example, sexual touching of a child, a child grooming offence, production, dissemination or possession of child abuse material),
- (b) sexual misconduct (for example, 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).
- (c) ill-treatment of a child (for example, making excessive or degrading demands of a child, a pattern of hostile or degrading comments or behaviour towards a child, using inappropriate forms of behaviour management towards a child),
- (d) neglect of a child (for example, failing to protect a child from abuse, exposing a child to a harmful environment, for example, an environment where there is illicit drug use or illicit drug manufacturing),
- (e) an assault against a child (for example, hitting, striking, kicking, punching or dragging a child, threatening to physically harm a child),
- (f) an offence under section 43B or 316A of the Crimes Act 1900- failure to reduce or remove risk of child becoming a victim of child abuse or concealing a child abuse offence.

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(g) behaviour that causes significant emotional or psychological harm to a child (for example, displaying behaviour patterns that are out of character, regressive behaviour, anxiety or self-harm).

The Principal (or CEO if concerning the Principal) must make a finding of reportable conduct if satisfied that the case against the employee the subject of the reportable allegation has been proved against the employee on the balance of probabilities. The Principal (or CEO if concerning the Principal) must consider whether the reportable allegation relates to conduct that is in breach of established standards applying to the employee having regard to the following—

- (a) professional standards,
- (b) codes of conduct, including any professional or ethical codes,
- (c) accepted community standards.

Who must give a report?

Any **employee** of SRC must, **as soon as practicable** after becoming aware of a reportable conduct or allegation incident **report the matter to the Principal**. If the allegation is against the Principal, the employee must report the incident to KCC CEO. If the allegation is against the KCC Ltd CEO, the report must be made directly to Children's Guardian.

If a person who gives a report or another person or another entity is dissatisfied with the response of the head of the relevant entity to the report, the person may make a complaint to the Children's Guardian.

Written notice to the Children's Guardian

Should the Principal or CEO receive a report in relation to an employee of SRC, they must, **within 7 business days** after being made aware of the report, provide a written notice of the allegation or conviction considered to be a reportable allegation or conviction to the Children's Guardian. This notification must detail:

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- the name of the employee,
- the type of reportable conduct and, if known, details,
- contact details of the employee and Principal or CEO, as well as, if known, their WWCC number and date of birth,
- whether the Commissioner of Police has been notified (if an allegation) and, if known, the police report reference number,
- If a report has been made under section 24 of the Children and Young Persons (Care and Protection) Act 1998 (reasonable grounds to suspect that a child or young person is, or that a class of children or young persons are, at risk of harm) and, if known, the reference number,
- the nature of the relevant entity's initial risk assessment and risk management action,
- if known, the names of other relevant entities that employ or engage the employee, whether directly, to provide a service to children, including as a volunteer or contractor and
- any other information.

The Principal (or CEO if concerning the Principal) may give the employee the subject of the report written notice that a report about a reportable allegation or conviction considered to be a reportable conviction has been made. The Children's Guardian may provide guidelines in relation to the matters that are appropriate for the Principal (or CEO if concerning the Principal) to have regard to in deciding whether to provide the employee with written notice that a report has been made.

Investigation by The Principal

An investigation or determination must be completed within a reasonable time. **As soon as practicable after receiving a report**, the Principal (or CEO if concerning the Principal) must investigate, or arrange for an investigator to investigate, the reportable allegation, or determine whether the conviction (in respect of conduct occurring before the

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commencement) considered to be a reportable conviction is a reportable conviction.

During an investigation or a determination, an employee the subject of a reportable allegation or a conviction considered to be a reportable conviction may give the Principal (or CEO if concerning the Principal) a written submission concerning the allegation or conviction for the purpose of determining what, if any, disciplinary or other action should be taken in relation to the employee.

Entity Report to the Children's Guardian

After an investigation or determination is completed, the Principal (or CEO if concerning the Principal) must prepare a report for the Children's Guardian (an entity report) **within 30 days** after receiving the report of the reportable allegation or conviction considered to be a reportable conviction.

The report must include:

- in relation to a reportable allegation— (i) information about the facts and circumstances of the reportable allegation, and (ii) the findings made about the reportable allegation after completing the investigation, including if the Principal (or CEO if concerning the Principal) made a finding of reportable conduct, and (iii) an analysis of the evidence and the rationale for the findings
- in relation to a conviction considered to be a reportable conviction— (i) information about the conviction considered to be a reportable conviction, and (ii) the determination the Principal (or CEO if concerning the Principal) has made about the conviction, including whether the Principal (or CEO if concerning the Principal) has determined the conviction is a reportable conviction,
- a copy of any written submission made by the employee,
- information about what action has been, or will be, taken in relation to the reportable allegation or conviction considered to be a reportable conviction, including the following— (i) remedial or disciplinary action in relation to the

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employee, (ii) whether information about the matter has been referred to a different entity, (iii) changes to systems or policies, (iv) if no further action is to be taken—that no further action is to be taken

- the reasons for the action taken, including taking no further action,
- any other information prescribed by the regulations.

The entity report must also be accompanied by any copies of documents in the relevant entity's possession that are relevant to the report, including transcripts of interviews and copies of evidence.

Interim Report to the Children's Guardian

If the Principal (or CEO if concerning the Principal) is unable to provide an entity report, they may provide an *Interim* report **within 30 days** after receiving the report of the reportable allegation or conviction considered to be a reportable conviction. This must include:

- if known, the facts and circumstances of the reportable allegation,
- any known information about the conviction,
- action taken since the Children's Guardian received a notification about the reportable allegation or the conviction considered to be a reportable conviction,
- further action the head of the relevant entity proposes to take in relation to the reportable allegation or conviction considered to be a reportable conviction, including if the head of the relevant 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,
- copies of documents in the relevant entity's possession, including transcripts of interviews and copies of evidence.

After receiving the report, the Children's Guardian may require the Principal or CEO to provide additional information and be the subject of an investigation. The CEO, Principal and employees will be cooperative and respond in a timely manner to all requests made by the

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Children's Guardian. Following this, and upon receiving any recommendations in the Children's Guardian report, the Principal, CEO and School employees will consider all recommendations outlined in the report and notify the Children's Guardian of any action taken as a result of the recommendations.

2. Systems Concerning Reportable Conduct

The School has in place policies and procedures in relation to:

- Child protection within employee Code of Conduct - Policy 2.4.7 "Staff Code of Conduct"
- Enabling a person, other than an employee of the School, to give a report to Principal (or CEO if concerning the Principal) about a reportable allegation or conviction - Policy 9.3.3 "Complaints or grievances received by the School"
- Requiring an employee of the relevant entity to give a report - see above under "who must give a report".
- Handling or responding to a reportable allegation or conviction considered to be a reportable conviction involving an employee of the relevant entity, having regard to principles of procedural fairness – Policy 9.3.3 "Complaints or grievances received by the School"
- Receiving, handling and disclosing information relating to reportable allegations, convictions considered to be reportable convictions and information relating to investigations and determinations -See above under "Reportable Conduct."
- Identifying and dealing with matters relating to the prevention of reportable conduct by employees of the relevant entity. Policies –
 - 2.3.5 "Staff Relationships to Students,"
 - 2.3.6 "Disciplinary Proceedings Against Staff"
 - 2.4.7 "Staff Code of Conduct"
 - 5.4.7 "Use of Private Vehicles"
 - 5.5.5 "Grievance Policy and Procedures"
 - 5.6.5 "Student Transport"
 - 7.1 "Student Discipline"

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- 7.2 “Procedural Fairness”
- 7.3 “Corporal punishment”

The School will respond to any written notice made by the Children’s Guardian within the reasonable time stated in the notice concerning information about the School’s systems.

3. Information Sharing

The Principal (or CEO if concerning the Principal) must disclose relevant information to the following persons unless the person is satisfied the disclosure is not in the public interest—

- (a) a child to whom the information relates,
- (b) a parent of the child,
- (c) if the child is in out-of-home care—an authorised carer that provides out-of-home care to the child.

The School will adhere to any published guidelines from the Children’s Guardian concerning whether or not to disclose relevant information. Relevant information may be disclosed if it is for the purpose of promoting the safety, welfare or wellbeing of a child or to children within the School body. Relevant information includes information about the progress and findings of the investigation, and information about action taken in response to the findings.

4. Liability

A person who gives a report, who makes a complaint, or who gives the Children’s Guardian a notification is not subject to any civil or criminal liability or any liability arising by way of administrative process, including disciplinary action, for giving the report, complaint or notification, if the person is acting in good faith.

PART C: OBLIGATIONS UNDER THE CHILD PROTECTION (WORKING WITH CHILDREN) ACT 2012 (WWC ACT)

1. General

The Office of the Children’s Guardian (OCG) is responsible for employment screening

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for child related employment. A Working With Children Check is a prerequisite for anyone in child-related work. It involves a national criminal history check and review of reported workplace misconduct findings. The result of a Check is either a clearance to work with children for five years, or a bar against working with children. 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 Check being revoked.

It is the responsibility of the child-related worker to ensure that when they are eligible to apply for a Check or when their Check is up for renewal that they do so.

2. Responsibilities

The object of the WWC Act is to protect children:

- a) By not permitting certain persons to engage in child-related work.
- b) By requiring persons engaged in child-related work to have working with children check clearances.

3. Specifying who requires a WWCC at SRC.

Under Part 2, section 6 of the CHILD PROTECTION (WORKING WITH CHILDREN) ACT 2012, child-related work is defined as work in a specific, child-related role or face-to-face contact with children in a child-related sector.

In support of Part 2 of Child Protection (Working with Children) Regulation 2013, the following are considered to be “*child-related workers*” at SRC and will be required to undertake a WWCC clearance:

- The Principal and Chief Executive Officer (regulation 10)
- Teaching Staff (regulation 10) including external providers/ tutors
- Administrative Staff (regulation 10)
- Student Wellbeing Officer (regulation 16)
- Teacher’s Aide (regulation 10)
- Guest Speakers (regulation 10)
- Volunteers (regulation 10)
- Cleaners (regulation 16A)

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- Work experience supervisors (regulations 7, 10)

All of the above listed child-related workers may commence only once they have completed and obtained a cleared WWCC.

4. The process for obtaining a WWCC is as follow:

- Complete online application <https://www.service.nsw.gov.au/transaction/apply-working-children-check>
- Identity has been proven at the NSW motor registry or Council Agency or Government Access Centre and application fees have been paid if required. The application fee for a clearance is as follows: (a) for a volunteer clearance—nil, (b) for any other clearance—\$80. SRC will reimburse WWCC fees associated with paid employment positions at SRC.
- Within a few days and up to four weeks after identify checks, the OCG will provide, by notice in writing: (a) an application number to each applicant who applies for a clearance, and (b) a clearance number to each applicant who is granted a clearance. A bar against working with children means that the applicant is not able to work in child-related work or environments and, hence, the applicant will not be offered employment at SRC.
- Applicants are to provide SRC administrative staff with their WWCC Number, full name and date of birth which will then be used by administration staff to verify clearance online (<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>) and record the status of each child-related worker's check. SRC will only employ or engage child-related workers or eligible volunteers who have a valid WWCC.
- It is the responsibility of all child-related workers to ensure that when they are eligible to apply for a Check or when their Check is up for renewal (every 5 years) that they do so. The Children's Guardian will also remind workers to renew their Check three months before it expires.
- Child-related workers must report immediately to the Principal if they are no longer eligible for a cleared WWCC.
- Copies of WWCC clearances are to be filed by SRC administration staff in two

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locations:

- i) Secure electronic personnel file
- ii) A hard copy folder which houses all undertaken WWCC's. These are to be sectioned by years so that it is clear when the five year period is over and an child-related worker requires a new WWCC. The front cover sheet should be the WWCC register (2.4.1) and will be updated each time a WWCC is filed.

This information may be audited by OCG. These files are to be located in the SRC administration office in a locked cabinet.

- viii. SRC will again verify all existing staff, contractors and volunteers on the WWCC Register every year in February, notifying the Principal immediately of any change in status that prevents personnel from working with children.

The Principal is required to:

- a) Ensure verification online and record the status of each child-related worker's check on the WWC Register prior to commencement and annually thereafter.
- b) Only employ or engage child-related workers, including staff, guest speakers, cleaners, contractors, volunteers, outside tutors, work experience hosts that are not under the constant supervision of a staff member, who have a valid check.
- c) Report findings of misconduct involving children made against school staff or volunteers, keeping a record of reports securely in personnel files in SRC administration office

All SRC staff, guest speakers, outside tutors, work experience hosts, contractors, cleaners and volunteers that are not under the direct and constant supervision of an SRC staff member are required to:

- (a) Hold and maintain a valid check by following the process outlined above in item 4
- (b) Not engage in child-related work at any time that they are subjected to an interim bar or a bar.
- (c) Report to the Principal if they are no longer eligible for a Check, the status of their Check changes or are notified by the OCG that they are subjected to a risk assessment.

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(d) Alert the Principal immediately if they are charged with, or convicted of, a crime that might reasonably be assumed to preclude them from working with children.

Additional Procedures for Cleaners

Any cleaner who is contracted to undertake cleaning of the SRC premises is required to have a valid WWCC. This above procedure is to be followed and adhered to. Cleaners are to clean outside of school hours (before 8.20am and after 3.15pm) so as to not have contact with any student of SRC.

Additional Procedures for Work Experience Supervisors

When a student has been allocated a Work Experience Placement, the staff member coordinating the Work Experience component must ensure that information relating to the Working With Children's Check is forwarded to all work places and that ANY staff member who will be responsible for directly supervising a young person has undertaken and completed the above process. Work experience is not to commence until the WWCC has been received by administration staff and a clearance has been administered.

Additional Procedures for Guest Speakers and Volunteers

Staff members of SRC who are organising guest speakers and volunteers to engage with the students (on site at SRC or on excursions) are to ensure they communicate with guest speakers and volunteers the process for obtaining a WWCC and ensure that sufficient time is allowed for the guest speakers or volunteers to undertake and complete the WWCC process. Unless they are under the constant supervision of a SRC staff member, guest speakers or volunteers are NOT to commence engagement with students without a valid WWCC.

Supporting
Documentation

2.1.1 Recruitment of staff
2.1.2 Induction and commencement of new staff
2.3.1 Staff code of conduct
2.3.5 Staff Relationships to Students
2.3.6 Disciplinary Proceedings Against Staff
2.4.2 Induction Checklist
2.4.3 Staff Handbook
2.4.7 Staff Code of Conduct

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| | <p>5.3.1 Duty of Care</p> <p>5.4.7 Use of Private Vehicles</p> <p>5.5.5 Grievance Policy and Procedures</p> <p>5.6.5 Student Transport</p> <p>7.1 Student Discipline</p> <p>7.2 Procedural Fairness</p> <p>7.3 Corporal punishment</p> |
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REFERENCES

Association of Independent Schools (AIS) <https://www.aisnsw.edu.au/school-leaders/workplace-management/child-protection>

Child Abuse Royal Commission “A Guide for NSW Non-Government Schools on Reporting, Disclosing or Exchanging Personal Information for the purposes of Child Wellbeing and Exchange of Information between Schools relating to Welfare of Children 2010”

<https://www.childabuseroyalcommission.gov.au/sites/default/files/STAT.1203.001.0141.pdf>

Office of The Children’s Guardian - <https://www.kidsguardian.nsw.gov.au/>

NSW legislation

- The Children and Young Persons (Care and Protection) Act 1988
<https://www.legislation.nsw.gov.au/#/view/act/1998/157>
- The Children’s Guardian Act 2019 <https://legislation.nsw.gov.au/#/view/act/2019/25/full>
- Child Protection (Working with Children) Act 2012 (WWC Act)
<https://www.legislation.nsw.gov.au/#/view/act/2012/51>

NSW Department of Communities and Justice - <https://www.dcj.nsw.gov.au/>

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ACKNOWLEDGEMENT (to be completed annually in Term 1, Week 1)

I _____ have read, understood and agree to comply with the terms of this 5.1.1 Protecting Children and Young People Policy & Procedures.

Signed

Dated

Please return to the Administration Staff.

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| Section of Manual: | 5. SAFE AND SUPPORTIVE ENVIRONMENT – 5.3 STUDENT WELFARE – DUTY OF CARE | | |
| Document | POLICY 5.3.1: DUTY OF CARE | | |
| Date of Endorsement: | | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | To ensure: the School exercises its Duty of Care in relation to the supervision of young people on and off the premises and the referral of young people for support services. | | |
| Scope: | Relates to all staff. | | |
| RANGS Manual: | 3.6 Safe & Supportive Environment; 3.6.1 | | |
| Policy | <p>The School supports the philosophy that all students are capable of exercising control over their own lives with degrees of support that may be afforded by the School staff, Auspicing Body and parents and caregivers.</p> <p>Supervision whilst on The School premises</p> <p>All students whilst on the property of the School shall be afforded supervision by staff in the breaks and during class time.</p> <p>Generally, students are unable to leave the premises unless they have parent/ caregiver permission. However, the Principal may use discretion in extreme circumstances to allow particular students to exit for specific reasons.</p> <p>When a student has left the property, the School still maintains a Duty of Care that is within reason.</p> <p>This is;</p> <ul style="list-style-type: none"> • We expect the students to maintain a level of behaviour and responsibility that is governed by general law. • If the School believes the student is a direct harm to themselves or other people in the community the school will take steps to contact parents, guardians, police or ambulance if required. | | |

Document : 5.3.1 Duty of Care v4

Version #4

Date: February 2021

Supervision whilst off The School premises on excursions

The school will ensure that there are sufficient staff attending for the supervision of excursions. At a minimum, there will be 2 staff per 15 students. Should an excursion be considered to have greater risk, more staff members will be in attendance. For all excursions, The School will follow the policy and procedures as outlined in 5.4.3 Student Excursions.

Referrals

This support may be by way of providing referral options and advocacy to the student in relation to school issues such as student to student or a study issue.

A student may determine that they wish to be referred to other services or would like the School to act as advocates for them. The School will encourage the student to involve the parents/ caregivers in the referral and support process. This is in all situations except where there may be any child protection concerns potentially involving the parent/s/caregiver/s.

Advocacy and referral will be undertaken by the Principal or Student Wellbeing Officer unless delegated to another staff member by the Principal. In this instance, the referral and support process undertaken by the alternate staff member will be carried out under the close supervision of the Principal.

In each case, whether it be referral or advocacy, advice will not be offered to the students, rather choice will be provided, which can be engaged at any time and also withdrawn at any time as determined by the student.

If a student presents with an issue which may be outside of the referral support of the School, the School will call upon Nowra Community Services or a GP and they will support the student with advocacy, referrals, presenting options and advising on the legal level of involvement, if any, of the parents/ caregivers.

For all situations which are unique and may not have a definitive and clear course of action, the Principal or CEO will contact AIS for advice.

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| Supporting Documentation | 5.4.3 Student Excursions 4.1.1 Referral to support services |
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| Document : 5.3.1 Duty of Care v 3 | | |
| Version #3 | | Date: March 2020 |

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| Section of Manual: | 5. SAFE AND SUPPORTIVE ENVIRONMENT – 5.3 STUDENT WELFARE – DUTY OF CARE | | |
| Document | POLICY 5.3.2: NOTIFICATION OF CONCERN FOR STUDENT WELFARE | | |
| Date of Endorsement: | | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | To ensure a process for notification regarding concern for student welfare. | | |
| Scope: | Relates to: staff; students. | | |
| RANGS Manual: | 3.6 Safe & Supportive Environment; 3.6.1 | | |
| Policy | <p>Should a staff member have concerns regarding the welfare of a student they are required to raise this issue as soon as possible with the Principal or the Student Wellbeing Officer . If the situation is deemed critical the Principal or Student Wellbeing Officer will inform the other staff members.</p> <p>Unless deemed urgent the issue will be raised at the weekly staff meeting for input from other teaching staff.</p> <p>If considered urgent, the Student Wellbeing Officer will remove the student in question and address the issue immediately.</p> <p>A decision regarding action may be discussed with staff and will be finalised by the Principal.</p> | | |
| Supporting Documentation | | | |

Document : 5.3.2 Notification of concern for student welfare v3

Version #3

Date: February 2020

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| Section of Manual: | 5. SAFE AND SUPPORTIVE ENVIRONMENT – 5.3 STUDENT WELFARE – DUTY OF CARE | | |
| Document | 5.3.5: HARASSMENT, DISCRIMINATION AND ANTI BULLYING | | |
| Endorsement: | | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | To ensure all students feel that this school is a safe place where they can learn. This means that all students and staff must respect and accept that people have different beliefs, values and backgrounds. | | |
| Legislation | Education Act, 1990 Anti-Discrimination Act 1977 | | |
| Scope: | Relates to: students; staff – all teachers, admin and Student Wellbeing Officer | | |
| RANGS Manual: | 3.6 Safe and Supportive Environment; 3.6.2 | | |
| Policy | <p>All students of The School are made aware of their rights and responsibilities with regards to the issue of harassment, bullying and violence and they are asked to sign to say they understand that under the 1977 Anti Discrimination Act it is against the law to harass any other person in relation to their age, race, sexuality, culture, religion, marital status or gender, appearance or disabilities (see Harassment statement).</p> <p>Insults and harassment related to these things are a form of bullying and violence and will be handled in the same way as physical violence. This applies to both the classroom, the school grounds and, where applicable, off school grounds.</p> <p>Students are made aware that all staff at The School take any form of harassment and bullying behaviour very seriously and that they, the student, have every right to feel safe and supported in our school environment. Therefore, coming forward with any concerns they may have around these issues, either for themselves or for another student, is considered by the staff as being a positive decision and one that will be listened to and actioned.</p> <p>External support mechanisms: Issues of harassment and bullying will be addressed at the school level regardless of the level of intensity of said issue. As indicated on the Bullying and Harassment Matrix, the school will also involve the Youth Police Liaison Officer if a threshold of severity and frequency is met. The Police will also be contacted if any alleged incident amounts to a criminal offence. Students will always be offered the option of contacting the local Youth Police Liaison Officer for additional external support.</p> <p><u>Contact details of The Youth Police Liaison Officers:</u> Kyriana Van Den Belt and email is 33479@police.nsw.gov.au</p> <p><u>For concerns regarding cyber bullying –</u> Officer of the Children’s eSafety Commissioner: https://esafety.gov.au/complaints-and-reporting/cyberbullying-complaints/i-want-to-report-cyberbullying</p> | | |
| Procedures | <p>Observations, notifications and actions:</p> <p>Staff WILL take any observations they make or disclosures they hear of bullying and harassment seriously and must document (diarise) any information they receive regarding harassment occurring within the cohort and bring this to the weekly wellbeing meeting for discussion and actioning.</p> <p>Immediate response: In the case of one-off, ‘heat of the moment’ instances of a student insulting and harassing another student about these issues, they will be given the choice to apologise immediately or leave the area until they have cooled down. They cannot return to the classroom until they have discussed the matter with the Principal or Student Wellbeing Officer (whichever is</p> | | |

deemed most appropriate at the time).

On-going issue: Should this behaviour continue the student will be placed on a mutual respect contract and may find themselves at risk of having their placement at The School suspended or withdrawn.

High level cases - In the case where the processes previously outlined have not worked and a student is being severely harassed, be this on or off school property, and, after investigation, there is serious concern for safety and wellbeing of the student being harassed/bullied, the placement of those students involving themselves in such bullying and harassing activities may be withdrawn

Initial response to disclosures of bullying and/or harassment - Remaining mindful of the fact that there are always 2 sides to any issue:

Ensure the alleged 'victim' feels heard and supported.

Make the SWO aware of the issue and connect the alleged 'victim' with SWO.

Make available to the alleged victim the contact details of the YLO and Headspace or alternatively the SWO will contact them on the student's behalf.

Approach the alleged perpetrator and discuss the issue to gain greater clarification and insight.

Use the evidence and observations gathered determine the level and severity of the issue by using 5.3.11 Bullying and Harassment assessment Matrix as a guide.

Depending on where the issue sits on the Bullying and Harassment assessment Matrix will determine the next action.

Types and means of mild-moderate harassment/bullying that will be actioned:

Any harassment strategies that include the use of telephone communication or text messages and/or any use of social media for the purposes of intimidating, ridiculing, insulting and/or treating others inside or outside of school hours.

Any intimidation tactics, this may include: staring or giving 'filthy' looks, being obstructive, wilfully invading personal space, laughing at or whispering about others to gain a reaction, or any other behaviour which may display surreptitious intimidation behaviour.

Any harassment strategies such as students speaking about one another to any other student or teacher in any derogatory manner. This includes discussing private lives, social lives, medical status, any name calling, assumptions, rumours or anything else which maybe classed as 'bitching'.

Any harassment strategies which may include students encouraging, permitting or instructing any of their family, friends or classmates to engage in any negative behaviour, language or attitude towards another party. If they do so they will also be held responsible.

For more information please refer to the Bullying and Harassment assessment Matrix

Types of in-school interventions available:

Face to face apologies are always encouraged where appropriate (minor, 'heat of the moment' insults and frustrations).

Mediation sessions if both/all parties are in agreement (larger misunderstandings that require more discussion and negotiation but may not require a full contract).

Mutual respect contracts which assists all parties to understand their boundaries with regards to interacting in a small environment and working side by side in a professional manner without needing to 'like' each other (full contract that requires both/all parties to behave as though the others do not exist unless they must interact as part of a class and then only in a respectful and polite manner, but most importantly the contract outlines that each party may not encourage or instruct anyone else, friends of family, to participate in any ongoing negative behaviour, that they will be held responsible should this eventuate).

For more information please refer to the Bullying and Harassment assessment Matrix

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| Supporting Documentation | 5.3.11 Bullying and Harassment assessment Matrix |
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| Section of Manual: | 6. ENROLMENT & ATTENDANCE – 6.1 ENROLMENT | | |
| Document | POLICY 6.1.1: ENROLMENT AND ONGOING ENROLMENT | | |
| Date of Endorsement: | | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal, and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | To ensure the consistency of enrolment across the School. | | |
| Scope: | Relates to school staff and programs. | | |
| RANGS Manual: | 3.8 Enrolment; 3.6.2 Safe & Supportive Environment | | |
| Policy: | <p>The School is a school specifically designed to re-engage disenfranchised and ‘at risk’ young people.</p> <p>Our school aims to provide opportunities to young people, primarily aged 14-18 years, who are unable to complete their education within the traditional school environment.</p> <p>The School caters for young people who may have a variety of learning needs and/ or disabilities.</p> <p>The Disability Discrimination Act 1992 defines disability as:</p> <ul style="list-style-type: none"> • total or partial loss of the person's bodily or mental functions • total or partial loss of a part of the body • the presence in the body of organisms causing disease or illness • the presence in the body of organisms capable of causing disease or illness • the malfunction, malformation or disfigurement of a part of the person's body • a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction • a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour. <p>And includes a disability that:</p> <ul style="list-style-type: none"> • presently exists; or • previously existed but no longer exists; or <ul style="list-style-type: none"> • may exist in the future (including because of a genetic predisposition to that disability); or • is imputed to a person. To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability. <p>The School, however, cannot cater to students who are functionally illiterate or who require intensive behaviour or health support; such students would be more fully catered for in a smaller environment, of which there are several in the local environment. The School will offer suggestions for such facilities should the need arise.</p> | | |

We provide case management to all students who are enrolled in the School but are not able to manage students who cannot function independently within the adult learning environment.

Enrolment at SRC is for students who have experienced social, emotional or behavioural difficulties in mainstream schooling. The selection criterion for the School focuses on the following priorities:

- ☐ A demonstrated desire to learn. Students who enrol have to *want* to attend and participate in all activities.
- ☐ A maturity to learn in an adult learning environment with the ability to work independently for short periods of time.
- ☐ Barriers to effective participation in mainstream education and/or experience of disadvantage. These barriers may include challenges associated with: mental health, social inclusion, financial disadvantage, Aboriginal or Torres Strait Islander background, family breakdown or educational disengagement.
- ☐ An acceptable level of risk posed to other students.
- ☐ A level of functional literacy and the ability to function independently.

The enrolment and acceptance process

Students and parents/ caregivers are required to complete and submit an “Application for Enrolment” form and accompanying requested documentation. Students who apply to attend the School will be offered an interview as part of the application process. A student’s acceptance into the program is dependent on their presentation at interview and their demonstrated ability to work within the policies and philosophy of the School. Should the school presently have no student vacancies, suitable students will be placed on a waiting list.

Enrolment at the school is a two phase process:

- **Phase 1** – Initial enrolment at the school for a limited period of two weeks
- **Phase 2** – Renewal of enrolment after the initial enrolment period. Phase 2 enrolment is not guaranteed and is subject to the student meeting additional enrolment criteria for renewal of enrolment that will be assessed during the initial enrolment period.

Phase 1 – Initial enrolment – Two week period

During the two week initial enrolment period the school will assess how the student is responding to the school environment in relation to the following criteria for renewal of enrolment:

- ✓ Attendance
- ✓ Engagement
- ✓ Social interaction
- ✓ Attitude towards learning

The school will communicate with the student and their parents/carers during the

initial enrolment period the about how the student is progressing in relation to the criteria for renewal of enrolment as identified above.

If the student's enrolment is not renewed the student's enrolment at the school will cease at the end of the initial enrolment period.

Phase 2 – Renewal of enrolment

At the end of the initial enrolment period, the School may offer the student renewal of enrolment based on the school's assessment of the student against the criteria for renewal of enrolment (attendance, engagement, social interaction and attitude towards learning).

Renewal of enrolment provides ongoing enrolment at the school subject to the student and their parents/carers meeting the school's requirements for continuing enrolment.

Ongoing enrolment at SRC

Continuing enrolment at the school is subject to the student abiding by the School's code of conduct and rules outlined in the student handbook. Breaches will result in students progressing through the discipline process (see policy 7.1).

Cessation of enrolment

A student's enrolment may cease in the following circumstances:

1. expiry of the initial enrolment period, with no renewal of enrolment offered
2. withdrawal of enrolment by the student and their parents/carers
3. withdrawal of the enrolment by the school on the grounds of discipline or a breach of the School's Code of Conduct.

Where a student's enrolment ceases, the student and their parents/carers are required to inform the school of their post-school destination, that is whether the student has enrolled in education or training at another education provider or is in employment and who the education/training and/or employment is with. Where a student is under the age of 17 and the school has not been informed of their post-school destination, the school is required to report that the student's destination is unknown to the NSW Department of Education.

Re-enrolment of Previously Withdrawn Student

Should a previously withdrawn student wish to apply to re-enrol they are only able to do so after twelve (12) months from the date of withdrawal of enrolment or earlier upon application to the Principal if there is evidence that behaviours have changed.

The student will be interviewed by the Principal and must explain how they will comply with the code of conduct and rules of SRC. In the application to enrol assessment, the school will consider whether the student is now ready to take up the

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| | <p>challenge of an adult learning environment.</p> <p>Should a student's application for re-entry after withdrawal be accepted, a written and agreed to individual plan will be written by the Principal in conjunction with Student Wellbeing Officer and/or teachers. This plan will outline what is mandatory for the student to comply with in re-commencing their education with SRC and will be written on a case by case basis. The plan will consider appropriate behaviour, transition process and the length of transition.</p> |
| Supporting Documentation | <p>6.1.2 Maintaining Register of Enrolment</p> <p>6.1.3 Information required upon application to the School</p> <p>6.1.4 Retaining of School records</p> <p>6.4.2 Enrolment agreement</p> |
| Cross reference | |

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| Section of Manual: | 7. DISCIPLINE | | |
| Document | 7.1: STUDENT DISCIPLINE | | |
| Review Panel | The Chief Executive Officer, Principal and Compliance Manager must be a part of the review of this Policy. | | |
| Purpose: | To ensure the School has a disciplinary process in place for students that incorporate procedural fairness. | | |
| Legislation | Education Act, 1990 | | |
| Scope: | Relates to teaching staff, students, parents & guardians, Principal. | | |
| RANGS Manual: | 3.7.1 Discipline | | |
| Policy | Clarification of Terms: | | |
| | | NESA/The Act | The School |
| | Suspension | is a temporary removal of a student from all of the classes that a student would normally attend at a school for a set period of time | is a temporary removal of a student from all of the classes AND from the school for a set period of time with the expectation that when they return they will undertake a return to school meeting with the Principal and SWO. During a suspension, students are issued with learning activities from their teacher or via Google Classroom or the SRC Facebook page. |
| | Expulsion | is the permanent removal of a student from one particular school | is the permanent removal of a student from the school and will preclude them from re-applying at a later date |
| | Withdrawal of enrolment | NA | is the removal of a student from the school and cancellation of their enrolment. This may also include the parent or student deciding to withdraw their enrolment at SRC. If a student's enrolment is withdrawn, they can no longer attend SRC. They may however re-apply after 12 months or earlier upon application to the Principal if there are evidences that behaviours and circumstances |

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| | | | <p>have changed. The student will be interviewed by the Principal and must explain how they will abide by the Code of Conduct of SRC. It is expected that when they return they will undertake a return to school meeting with the Principal and Student Wellbeing Officer.</p> <p>If a student is under 17 years of age, they will be legally required to enrol in another school or training opportunity or access 25 hours of paid work per week.</p> |
| | <p>Any student who is believed to be in breach of the discipline policy or is displaying continual offensive behaviour or ongoing unsatisfactory attendance may be subject to actions under the discipline policy.</p> <p>1. A student commits a breach of discipline if the student does any of the following:</p> <p>(a) Engages in conduct that impairs the reasonable freedom of any person (whether or not a student) to pursue his or her studies or work with the Auspicing Body.</p> <p>(b) Assaults, or threatens to assault, another person.</p> <p>(c) Engages in any offensive conduct or any unlawful activity.</p> <p>(d) Removes/damages or inappropriately uses any property of the School or Auspicing Body without having permission from the organisation or a member of staff.</p> <p>(e) Obstructs a member of staff in the performance of the member's duties especially where this may raise safety concerns.</p> <p>(f) Repeatedly and wilfully disobeys or disregards and order or direction of a member of staff, including a direction regarding appropriate behaviour or safety, repeatedly behaves in a manner that threatens the psychological safety of others.</p> <p>(g) Repeatedly commits or engages in any dishonest or unfair act in relation to an examination or other form of academic assessment.</p> <p>(h) Repeatedly discriminates against a person on the grounds of the person's age, race, sex, homosexuality, transgender, marital status, physical or intellectual disability, or religion.</p> <p>(i) Incites hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the age, race, sex, homosexuality, transgender, marital status, physical or intellectual disability, or religion of the person or members of the group.</p> <p>(j) Engages in unlawful activity</p> | | |

- (k) Engages in unwanted sexual advances
- (l) Carrying anything that could be construed as a weapon
- m) Repeatedly disrupts the learning environment of others
- n) Contravenes any responsibilities listed in the Student Code of Conduct
- o) Displays ongoing unsatisfactory attendance which has been addressed as per attendance policy and procedure (6.2.1)
- p) Any behaviour or attitude which is contrary to the School's values, mission or culture.

2. It is important to note that a single act or incident may be sufficient to trigger disciplinary action if it is deemed to be serious.

This may lead to immediate suspension, expulsion or withdrawal of enrolment. Should students conduct themselves in a manner that constitutes a serious breach of discipline they can be suspended, expelled or withdrawn immediately with parental notification occurring as soon as practical after the fact.

3. Conduct does not cease to be a breach of discipline merely because it takes place elsewhere than on the premises of the School or outside school hours.

4. A breach of discipline may be committed by an act that involves:

- (a) A communication in person or in writing or by telephone or other telephonic or electronic means which may include any and all forms of social media, or
- (b) A transaction using telephonic or electronic means which may include any and all forms of social media.

5. Offensive conduct includes any of the following:

- (a) Spitting,
- (b) Littering,
- (c) Using offensive language,
- (d) Being under the influence of alcohol,
- (e) Being under the influence of a drug (other than medication that has been prescribed by, and taken in accordance with the instructions of, a registered medical practitioner) and/or
- (f) Unwanted sexual advances or inappropriate sexual behaviour.

Unlawful activity includes any of the following:

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| | (a) Using, possessing or supplying any prohibited drug, substance or, (b) Stealing the property of another person. |
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| | <p>6. A member of staff who believes that a student has committed a breach discipline:</p> <p>(a) Must, as soon as practicable, report the alleged breach to the Principal, or in their absence, the Executive Officer and</p> <p>(b) May exclude the student from participation in class for the remainder of the day on which the alleged breach occurred, or until a decision can be made regarding the consequences of the breach.</p> <p>7. Ensure the students right to a procedurally fair process:</p> <p>Procedural fairness is a basic right of all individuals. In cases where there is a perceived incongruence between an individual's actions and the School rules and expectations, the School will aim for a fair decision, reached by an objective decision-making process.</p> <p>Procedural fairness seeks to ensure that decisions affecting students are reached only after the individual student has been made aware of the allegations made against him or her. It also seeks to ensure that the student has had the opportunity to present his or her claims in relation to the issues and the proposed decisions affecting him or her.</p> <p>Procedural fairness also requires that the decision maker reaches a decision on the issue in an impartial manner. Care should be exercised to exclude real or perceived bias from the process.</p> <p>The School will follow the principles set out below in circumstances involving disciplinary matters, including dealings with students potentially facing suspension and withdrawal of enrolment.</p> <p>Providing an interpreter, where required:</p> <p>Any student or parent/guardian that requires an interpreter to participate in disciplinary discussions will be provided with one.</p> <p>Right to a support person:</p> <p>All students or parents participating in a disciplinary discussion will have the right to have a support person present during this conversation. Participants will be made aware of this right. Support people's role is to support- not to answer questions on behalf of a participant or to advocate for a participant. A parent/guardian is considered a participant, rather than a support person.</p> <p>Procedural fairness:</p> <p>Is generally recognised as having two essential elements.</p> <p>i) The right to be heard</p> |
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This includes:

- The right to know why the action is happening.
- The right to know the way in which the issues will be determined.
- The right to know the allegations in the matter and any other information that will be taken into account.
- The right of the person against whom the allegations have been made to respond to the allegations.

ii) The right of a person to an impartial decision,

Students have the right to impartiality in the investigation and decision-making phases.

The schools disciplinary process is not only based on procedural fairness but also on a strong belief in the importance of allowing students the opportunity to learn by their mistakes.

Although the school believes in allowing students the opportunity to learn by their mistakes within reasonable limits, it will not condone consistent and/or persistent breaches to occur. Should a student persist in breaching the guidelines of the School the following outlines the discipline process that can be progressed through.

Discipline Process

In the first instance of non-dangerous or minor inappropriate behaviour, all students are supported in conversations around reflection of their behaviour and given opportunity for behaviour modification. At the Principal's discretion, if there is no change, the following discipline policy will be implemented.

It is important to note that a single act or incident may be sufficient to trigger disciplinary action if it is deemed to be serious.

1. Student and Parent Communication

- Undertaken at the earliest possible time following breach of discipline policy.
- Communication in writing via email, text or letter or face to face with student and parent concerning inappropriate behaviour. All communication is to be recorded in Sentral. The School's unsatisfactory participation letter may be issued.
- Outline inappropriate behaviour and clarification of code of conduct and expectations.
- Suggestions for addressing said issue.
- Opportunity for the student/s to determine what they will do to address the incident/issue
- Encourage restorative justice - engagement, accountability and restoration.
- Outline action to be taken should issue continue.



2. Written Warning

Written Warning (or "Inappropriate/ Unacceptable Behaviour" letter) from the Principal outlining:

- The incident/issue to be addressed.
- Relevant dates/times and persons involved.
- Clarification of code of conduct and expectations.
- Suggestions for addressing said issue.
- Action to be taken should issue continue. Student may be advised that should behaviour continue their enrolment at SRC may be withdrawn
- Letter to be addressed to parent/caregiver or student but parent/caregiver is to receive a copy.
- Copy of letter to be located on students file.



3. Suspension- length of time to be negotiated- usually not more than 4 days

- A suspension is utilised if appropriate at the discretion of the Principal.
- When a student receives notification of the likelihood of suspension from the School, the Principal will contact the parents to offer inclusion of involvement in the increased support the student requires at this time
- A letter must be provided to the student and parents/ caregivers which:
 - outlines all of incident/issue to be addressed
 - details relevant dates/times and personas involved
 - clarifies code of conduct and expectations
- Upon return, the Principal and SWO will meet with the student for a return to school meeting focussing on what is mandatory for the student to comply with in re-integrating into school life and opportunity for the student/s to determine what they will do to address the incident/issue as well as action to be taken should issue continue. The return to school plan will be uploaded/documentated in Sentral.



4. Withdrawal of Enrolment at SRC

- Withdrawal of enrolment may occur when the student has had several disciplinary actions taken and the student continues to disregard the SRC Code of Conduct. Withdrawal in these instances will be on a case by case basis and is dependent on the student, their circumstances, their attitude towards their learning at SRC and the severity of the breaches.
- The parent or student may also choose to withdraw their enrolment.
- There may also be mutual agreement between the parents/ caregivers, student that SRC is not a suitable educational environment for the student to participate in.
- The student and parent will be notified in writing of their withdrawal.
- The Dept of Education will also be notified via the required channels that student has been withdrawn from SRC.
- In the event of withdrawal of enrolment, the appeals process may be followed.

Appeals Process

If a student's enrolment is withdrawn by SRC, the students and/or their parents/guardians have a right to appeal the decision. The following process can be used:

Formal Grievance Procedure

Stage One

Formal appeals should be submitted in writing and sent to the Chief Executive Officer at Kiama Community College, PO Box 52, Kiama NSW 2533.

The Chief Executive Officer will notify the person lodging the appeal of receipt of the appeal within 5 working days.

The Chief Executive Officer will then assess the appeal, conducting necessary consultations with the person lodging the appeal and other relevant persons and make a determination regarding the appeal. The Chief Executive Officer will advise the person lodging the appeal in writing of their decision, and reasons for the decision, within 20 working days. A copy of this written response will be kept in the secure student file in the SRC administration office.

The person lodging the appeal will be made aware of their options through the provision of a copy of this policy.

Stage Two

If the person lodging the appeal is not satisfied with the outcome of their appeal then an independent mediator will be sourced by the School through LEADR, the Association of Dispute Resolvers. The person lodging the appeal may request that their appeal is referred to the independent mediator by writing to the Chairperson of the Board of Management, Kiama Community College, PO Box 52, Kiama NSW 2533.



Costs of such mediation will be shared equally by Kiama Community College Inc. and the person lodging the appeal. As a guide mediator's costs would be \$385 for the first four hours (or part thereof). Subsequent hours would be \$137.50 per hour. It is common for most disputes to be resolved within the initial four hour allocation.

Stage Three

If the person lodging the appeal is not satisfied that Shoalhaven River College Discipline Policies & Procedures have been followed, then they may contact NESA. For contact details and information please see: <https://educationstandards.nsw.edu.au/wps/portal/nesa/about/who-we-are/contact-us>.

See flowchart of formal appeals process following:

Formal Grievance Procedure Flowchart

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| | <p>Please view this flowchart in conjunction with detailed explanation of each step</p> |
| | <p>Stage 1</p> <p>Submit a written appeal to the Chief Executive Officer.</p> |
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| | <p>Stage 2</p> <p>If not satisfied with the outcome of their appeal, the person appealing can write to the Chairperson of the Board of Management to request an independent mediator.</p> |
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| | <p>Stage 3</p> <p>If a Student believes that Shoalhaven River College disciplinary policy & procedure has not been followed, they may contact NESA.</p> |
| <p>Supporting Documentation</p> | |
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| Section of Manual: | 9. MANAGEMENT & OPERATION 9.3 NOTIFICATION TO THE AUTHORITY | | |
| Document | POLICY 9.3.3 COMPLAINTS OR GRIEVANCES RECEIVED BY THE SCHOOL | | |
| Date of Endorsement: | | Review Date: | |
| Review Panel | The Chief Executive Officer, Principal, and Compliance Manager must be a part of the review of this Policy | | |
| Purpose: | To ensure the School has processes in place for the receipt of complaints, grievances and compliments | | |
| Scope: | Relates to students; staff; parents; key stakeholders | | |
| RANGS Manual: | 3.9 Management & Operation | | |
| Policy | <p>The School views complaints, as well as compliments and other constructive feedback as a way of creating opportunities for the school to improve its services and prevent future problems. This policy is readily available upon request in person or via email or mail. It is also able to be downloaded from the school's website.</p> <p>There are various levels at which complaints can be received or made and these may include, but are not limited to:</p> <ul style="list-style-type: none"> • Protection of Children and Young people (Policy 5.1.1) – This policy <u>must</u> be referred to with regards to i) any complaints and allegations made concerning reportable conduct or reportable convictions of staff members, trainers or volunteers ii) any allegations concerning risk to the safety, wellbeing or welfare of a young person. • Anti-Discrimination (5.3.5) • Other Alleged breach of Legislation, Policy, Procedure or Contract • Other Suggestions and Complaints <p>The School has implemented specific policies in regards to the first 2 categories listed above and these policies and procedures and listed delegates should be followed accordingly. For other matters of complaint or grievance other associated policies should be consulted (ie WHS policy, Harassment Policy etc) and then this policy shall act as a generic cover for all complaints or grievances not already addressed.</p> <p>A suggestion or complaint can be lodged by any person who is a user or potential user of The School services including a student, a parent or caregiver or other community member. The suggestion or complaint can be about any aspect of the service provided or not provided, the behaviour or decisions of current students</p> | | |

and staff, or about workplace practices, policies or procedures.

In the initial form complaints should be forwarded to the Principal. If the complaint is in regards to this person, or the Principal deems it necessary, the complaint should be forwarded to the Chief Executive Officer of Kiama Community College Inc.

Except if the matter is serious and warrants investigation, attempts should be made to resolve the problem at the earliest possible opportunity. We suggest the following;

The receiver of the complaint should:

- allow the party to state the cause of their concern
- exchange facts and beliefs
- clarify events
- listen
- apologise for any behaviour that may have distressed the other party
- consider all points of view in the matter

A suggestion, complaint or allegation can be made orally or in writing. If oral, it may need to be put in writing and assistance will be provided if needed. It is preferable but not essential that it includes the complainant's name and signature.

After the complaint has been received the Principal will then decide between options

1. Dismiss the complaint as the matter refers to a decision in accordance with existing policy, procedure, legislation or monitored best practice.
2. Conclude that the complaint has been substantially resolved through the discussions regarding the complaint
3. Undertake a systems improvement
4. Negotiation
5. Investigation

After the resolution of the complaint the Principal should contact the complainant in writing to notify them of the outcome.

The outcome of the Complaint should also be recorded. In the case of minor complaints (noise, mess etc) this recording can be as a diary note in the Principal's diary. In regards to anything that requires Negotiation or Investigation, the complaint and outcome should be record on the confidential SRC Complaint

Register and confidential documents/ files should be kept on the matter and stored with the Principal.

Procedural Fairness

The principles of procedural fairness are adopted at every stage of the complaint process. Procedural fairness is a basic right of all individuals. In cases where there is a perceived incongruence between an individual's actions and the School or legal expectations, the School will aim for a fair decision, reached by an objective decision-making process.

The following commitments will be made to procedural fairness in the complaints process:

- i) Both parties will be given the opportunity to present his or her claims in relation to the issues and the proposed decisions affecting him or her. The School will ensure that all parties exercise their "**right to be heard**". This includes:
 - The right to know why the action is happening.
 - The right to know the way in which the issues will be determined.
 - The right to know the allegations in the matter and any other information that will be taken into account.
 - The right of the person against who the allegations have been made to respond to the allegations.
- ii) **The right of a person to an impartial decision** - The School will ensure that a decision on the issue is reached in an impartial manner. Care will be exercised to exclude real or perceived bias from the process.
- iii) All parties will be offered access to an **interpreter** if required.
- iv) All parties will be offered a **support person** throughout the process.

False and Malicious Complaints or Allegations

Where a complaint or allegation is found to be false and there is evidence of malicious intent on the part of the complainant, then remedies are possible.

Note that establishing that a complaint is false is not the same as establishing that the complaint cannot be substantiated. The former implies there is evidence to show the allegation is false. The latter implies a lack of evidence either way.

Where a School employee makes a complaint or allegation that is both false and malicious, disciplinary action will be considered, especially where there is evidence that they knew the complaint or allegation to be false or where they continue to

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| | <p>make the complaint or allegation after being instructed to cease.</p> <p>However, the making of protected disclosures (Protection of Children and Young People) cannot be grounds for defamation. Where the complaint or allegation is made in good faith and through the proper channels, employees who complain and those investigating a complaint have a defense against defamation action.</p> <p>Where a student makes a complaint or allegation that is both false and malicious, action may be taken under the relevant student discipline policy. Use of discipline procedures should only occur where there is evidence that the student knew the complaint or allegation was false.</p> <p>Where a parent or other member of the public makes a complaint or allegation that is false and malicious, civil remedies such as defamation action may be suggested to the person who is the subject of the complaint or allegation.</p> |
| Related Policies | <p>5.1.1 Protecting and supporting children & young people</p> <p>5.3.5 Harassment discrimination and anti bullying</p> <p>5.5.11 Conflict Resolution Policy and Procedure</p> <p>5.5.5 Grievance Policy and Procedures</p> <p>7.2 Procedural Fairness</p> |



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