

Document current as at 21 March 2017. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

Glenaeon Rudolf Steiner School > Student Duty of Care > Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification

Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification

Child Abuse (Maltreatment)

All children have the right to be protected from abuse, maltreatment and harm.

Child abuse or maltreatment occurs when a child (a person under the age of 16), or a young person (aged 16-17 years) has been subjected to:

- physical abuse;
- sexual abuse;
- psychological abuse or harm; or
- neglect;

which has resulted or is likely to result in harm to the child's wellbeing.

Child abuse may involve ongoing, repeated or persistent abuse, or it may arise from a single incident.

It is possible for a child to be maltreated by a parent or carer, another adult person or another child who may or may not be older.

Grooming

Grooming is the means by which a person creates or exploits opportunities to safely engage in sexual contact with a particular child or children.

Grooming behaviour typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour.

Grooming is not defined as a form of abuse in NSW but grooming behaviour is a criminal offence and is identified as a form of sexual misconduct that is subject to reportable conduct obligations.

Glenaeon Rudolf Steiner School treats the commission of grooming behaviours on its premises, online, using school equipment or during its extra-curricular activities as conduct which threatens the safety of students and action must be taken as part of our child protection program.

See our [Detecting, Reporting and Addressing Grooming Behaviours Policy](#) and [Reportable Conduct of Staff, Volunteers and Others](#).

Glenaeon Rudolf Steiner School's Policy

Glenaeon Rudolf Steiner School is committed to providing a safe environment for all our students.

It is our policy that:

- all staff are informed at engagement, and then annually of their legal responsibilities in relation to Child Protection and Mandatory Reporting

- all staff are trained with respect to identification of child abuse and relevant procedures;
- all suspected cases of child abuse are reported to the Department of Family and Community Services and/or the Police;
- we maintain up-to-date procedures to assist staff in identifying and reporting child abuse;
- we work collaboratively with relevant external agencies that may be involved in child protection;
- we act immediately to ensure the safety of abused students; and
- we provide ongoing support and assistance to students who have been abused.

Indicators of Child Abuse (Maltreatment)

Children in need of care and protection may show indicators of harm and maltreatment in their school environment. The following indicators may assist staff who are concerned about children in their care:

Physical Abuse

Physical abuse is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person.

It includes, but is not limited to, injuries which are caused by:

- excessive discipline;
- severe beatings or shakings;
- cigarette burns;
- attempted strangulation; and
- female genital mutilation.

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

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

Indicators of physical abuse include:

- bruising to the face, head or neck, other bruising and marks which may show the shape of the object that caused it e.g. belt buckle, hand print;
- lacerations and welts;
- drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest head injury;
- adult bite marks and scratches;
- fractures of bones, especially in children under three years old;
- dislocations, sprains, twisting;

- burns and scalds (including cigarette burns);
- multiple injuries or bruises;
- explanation of injury offered by the child is not consistent with the injury;
- abdominal pain caused by ruptured internal organs, without a history of major trauma;
- swallowing of poisonous substances, alcohol or other harmful drugs; and/or
- general indicators of female genital mutilation e.g. having a 'special operation'.

Sexual Abuse

Sexual abuse is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity.

Child sexual abuse is a crime.

Indicators of sexual abuse include:

- bruising or bleeding in the genital area;
- sexually transmitted diseases;
- bruising to breasts, buttocks, lower abdomen or thighs;
- child or child's friend telling you about it, directly or indirectly;
- describing sexual acts;
- sexual knowledge or behaviour inappropriate for the child's age;
- going to bed fully clothed;
- regressive behaviour e.g. sudden return to bed-wetting or soiling;
- self-destructive behaviour e.g. drug dependency, suicide attempts, self-mutilation;
- child being in contact with a known or suspected paedophile;
- anorexia or over-eating;
- adolescent pregnancy;
- unexplained accumulation of money and gifts;
- persistent running away from home; and/or
- risk taking behaviours including self harm, suicide attempts.

Psychological Abuse or Harm

Serious psychological harm can occur where the behaviour of their parent or caregiver damages the confidence and self esteem of the child or young person, resulting in serious emotional deprivation or trauma.

Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child.

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

Indicators of psychological abuse or harm include:

- constant feelings of worthlessness about life and themselves;
- unable to value others;
- lack of trust in people;
- lack of people skills necessary for daily functioning;
- extreme attention-seeking behaviour;
- obsessively eager to please or obey adults;
- takes extreme risks, is markedly disruptive, bullying or aggressive;
- highly self critical, depressed or anxious;
- suicide threats or attempts; and/or
- persistent running away from home.

Neglect

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

Key indicators of neglect are:

- low weight for age and/or failure to thrive and develop;
- untreated physical problems e.g. sores, serious nappy rash and urine scalds, significant dental decay;
- poor standards of hygiene i.e. child consistently unwashed;
- poor complexion and hair texture;
- child not adequately supervised for their age;

- scavenging or stealing food with a focus on basic survival;
- extended stays at school, public places, other homes;
- longs for or indiscriminately seeks adult affection;
- rocking, sucking, head-banging; and/or
- poor school attendance.

Managing a Student's Disclosure of Abuse

A student may disclose information about abuse or neglect privately to a staff member. Alternatively a child may make a public disclosure such as making a disclosure in class or to a group of other students.

Private Disclosure

If a student discloses a situation of abuse directly to a staff member their role is to reassure the student and support the student in their decision to disclose. The teacher must assure students that they have the right to feel safe and must listen actively to what the student is saying.

Disclosure of abuse can cause strong feelings in the person to whom the disclosure is being made. It is important for the staff member to be aware of, and control, their feelings.

Sometimes students may try and elicit a promise that a staff member not tell anyone about the disclosure. Do not make this promise.

The teacher is responsible for reporting the matter (refer to our [Child Protection - Mandatory Reporting of Abuse & Neglect](#)) and is not responsible for investigating the matter.

Public Disclosure

It is possible that a student may start to disclose in class or with a group of other students. In this circumstance, a teacher should use a strategy of 'protective interrupting' and:

- acknowledge that you have heard the student and stop further disclosure whilst maintaining support and encouraging the student to discuss the matter in a more private situation;
- quietly arrange to see the student as soon as possible away from other students; and
- do not allow other students to ask questions and discourage them from making judgements.

Initial Reporting of Abuse

The identification of child abuse can be difficult especially where it is based upon the observation of multiple risk indicators that may often occur over a period of time.

Where a staff member forms a belief on reasonable grounds that neglect or abuse may be occurring they must raise the matter with Head of School or the Chair of the School Council if the matter involves the Head of School.

Initial Action Following Disclosure

Safety of students is paramount. Once disclosure has been made the Head of School, or appropriate person, may consult with the Pastoral Care Worker, as the particular circumstances demand, and will determine a strategy to ensure the student's immediate safety. This process must be documented (refer to

the 'Records' section below).

Mandatory Reporting of Abuse & Neglect

In NSW it is a requirement of the Children and Young Persons (Care and Protection) Act 1998 (NSW) that the reporting of abuse (including physical, sexual or psychological/emotional abuse and/or neglect) of a child is mandatory.

Abuse and neglect must be reported where a teacher forms a belief, on reasonable grounds, that a child is at risk of significant harm from abuse or neglect.

To make a report call the Child Protection Hotline on 132 111.

For details of the process of mandatory reporting of child abuse and neglect refer to our [Child Protection – Mandatory Reporting of Abuse & Neglect Policy](#).

Allegations against a Staff Member / Volunteer/ Others

Where a matter that is subject to mandatory reporting also involves an allegation against a staff member or any person engaged by the school to provide services to children, including volunteers, it must also be reported to the NSW Ombudsman.

Allegations against a staff member or volunteer that are not subject to Mandatory Reporting because the child is not at 'significant risk of harm' but still involves sexual misconduct (including child pornography) or 'behaviour that causes psychological harm to a child' must also be reported to the NSW Ombudsman.

For details refer to our [Child Protection – Reportable Conduct of Staff, Volunteers & Others Policy](#).

Ongoing Management Plan

Together with the Department of Family and Community Services and/or the Police the school shall develop and implement a management plan designed to provide ongoing support to the student who has been the subject of abuse or neglect.

Record Keeping

Where a staff member suspects child abuse but does not have enough information, written and dated records of their observations and concerns should be kept until reasonable belief is formed.

All verbal and written communications regarding child protection matters (including notes of observations, meetings and telephone calls) must be properly documented. The documented records should include dates and times and enough detail to record key conversations, especially those relating to the student's disclosure.

The records of child protection matters must be stored securely.

Confidentiality

Staff who have access to information regarding suspected or disclosed child abuse must keep such information confidential and secure and must not disclose this information unless required to do so as part of the ongoing investigation or by law.

Staff must not provide undertakings that are inconsistent with their reporting obligations under this policy. In particular, staff must not promise a student that they will not tell anyone about the student's disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be requested to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

Workers' Responsibility

All workers are responsible to ensure:

- reports of child abuse are made as soon as practicable to Head of School;
- they comply with their obligation for mandatory reporting of abuse or neglect;
- confidentiality is maintained throughout the process;
- immediate support is given to students making disclosures;
- records of all verbal and written communication are maintained and stored securely;
- no attempts to investigate the incident are made; and
- participation in training.

Signage

Posters of child abuse indicators, mandatory reporting processes and the Department of Family and Community Services contact details are displayed strategically in staff rooms within the school.

Implementation

This policy is implemented through a combination of:

- development of risk identification and reporting procedures;
- the provision of counselling services;
- staff training;
- signage;
- effective communication and incident notification procedures;
- effective record keeping procedures; and
- initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Glenaeon Rudolf Steiner School will take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

[Student Duty of Care Policies](#)

[Work Safe Policies](#)

[Child Protection - Incident Management Overview Flow Chart](#)

[Child Protection - Mandatory Reporting of Abuse & Neglect Policy](#)

[Child Protection - Reportable Conduct of Staff, Volunteers & Others Policy](#)

[Child Protection - Working with Children Checks Policy](#)

[Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)

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Child Protection - Detecting, Reporting and Addressing Grooming Behaviours

Grooming behaviour

All children have the right to be protected from abuse, maltreatment and harm.

Grooming behaviours can precede sexual abuse in many, but not all, cases.

The School expects a staff member, or any person engaged by the School to provide services to children, including volunteers, to observe the highest standards of ethical behaviour and integrity in their conduct.

Glenaeon Rudolf Steiner School's [Code of Conduct](#) sets out our key values and how they should be applied within our workplace and in our dealings with those outside of our school.

Source of obligation

The School has a duty of care which entails protecting all students from foreseeable risks while at school or engaging in school-related activities.

In addition, the procurement or grooming of a child for the purpose of engaging in sexual conduct is a criminal offence in all jurisdictions in Australia, and at a Federal level where the conduct in question may not be prohibited under the state or territory law.

In NSW, section 66EB Crimes Act 1990 (NSW) 'Procuring or grooming a child under 16 for unlawful sexual activity' applies.

Under the Criminal Code Act 1995 (Cth) 'Using a carriage service to procure persons under 16 years of age', and 'Using a carriage service to "groom" persons under 16 years of age' are prohibited.

Glenaeon Rudolf Steiner School's policy

Glenaeon Rudolf Steiner School is committed to providing a safe environment for all our students.

It is our policy that:

- all staff are informed at engagement, and then annually of their legal responsibilities in relation to Child Protection and Mandatory Reporting;
- all staff are trained with respect to the identification of grooming behaviours and relevant procedures;
- all suspected cases of grooming are reported to the Head of School as soon as practicable;
- we maintain effective procedures to assist staff in identifying and reporting grooming behaviours;
- we work collaboratively with relevant external agencies that are involved in child protection;
- the school remains well-informed of relevant government inquiries that can provide further guidance on identifying and reporting grooming behaviours;

- we act immediately to ensure the safety of students believed or suspected to be at risk of abuse;
- we provide ongoing support and assistance to the students identified as having been exposed to grooming behaviours or abuse;
- we provide students with age-appropriate training of what constitutes inappropriate behaviour; and
- we create an environment at the school conducive to staff members making reports about the behaviour of other staff members.

What is grooming?

Grooming is the means by which a person creates or exploits opportunities to safely engage in sexual contact with a particular child or children.

Grooming behaviour typically involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviours.

Grooming is not a single act of unprofessional or inappropriate conduct, but rather a pattern of behaviour where the trust of a child is gained and a 'special relationship' is developed between the adult and the child.

Grooming involves making the child feel important and special, often by giving the child extra attention, privileges and gifts. In many cases, the child's family is engaged by the adult to gain access to the child outside of school hours and the child is encouraged to see the adult as a friend.

This policy provides a general overview of what grooming behaviour typically involves.

What are indicators of grooming behaviour?

The nature of grooming behaviour is that it usually occurs when a student and adult are alone. As with other forms of abuse, students may have promised the abuser that they will not tell anyone, or they may be afraid to speak out.

Indicators of grooming behaviours include an adult:

- attempting to keep a special relationship with a student a secret;
- manoeuvring to get or insisting on uninterrupted time alone with a student;
- buying a student gifts;
- insisting on physical affection such as hugging, wrestling or tickling even when the student clearly does not want it;
- being overly interested in the sexual development of a student;
- taking a lot of photos of a student;
- engaging in inappropriate or excessive physical contact with a student;
- sharing alcohol or drugs with a student;
- making inappropriate comments about a student's appearance or excessive flattery;
- using inappropriate pet names;
- making jokes or innuendo of a sexual nature;

- making obscene gestures or using obscene language;
- sending correspondence of a personal nature via any medium;
- inviting, allowing, or encouraging students to attend a staff member's home;
- entering change rooms or toilets occupied by students when supervision is not required or appropriate; or
- photographing, audio recording, or filming students via any medium without authorisation or having parental consent to do so.

Grooming behaviour is repeated behaviour

Certain behaviours or acts will not in isolation constitute grooming behaviour. However where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

For example, the grooming behaviours listed above, in isolation will usually not constitute grooming behaviour but when repeated or escalated over a period of time, may be reportable as grooming behaviour.

Where the above acts or behaviours do not constitute grooming behaviour, they may be a violation of the school's [Code of Conduct](#) or constitute professional misconduct and if so should be reported to the Head of School.

What is not grooming behaviour?

Not all physical contact between a student and a staff member or any person engaged by the School to provide services to children, including a volunteer, will be inappropriate and/or an indicator of possible grooming behaviour.

The following physical contact with students is not grooming behaviour:

- administration of first aid;
- supporting students who have hurt themselves;
- non-intrusive gestures to comfort a student who is experiencing grief, loss or distress, such as a hand on the upper arm or upper back; and
- non-intrusive touching i.e. shaking a student's hand or a pat on the back to congratulate a student.

What is the connection between grooming behavior and abuse?

It is an offence in New South Wales under the Crimes Act 1900 to procure or groom or child under 16 for unlawful sexual activity.

In NSW, this form of grooming conduct is an individual offence which may precede a separate sexual offence.

Reporting grooming behaviours

If you have a reasonable suspicion or belief that grooming behaviour is occurring, or have witnessed repeated indicators of grooming behaviour, a report should be made to the Head of School.

If the matter involves the Head of School, staff should report suspicions or beliefs to the School Council.

In New South Wales grooming behaviour is recognised as criminal conduct but it is not expressly recognised as a form of child sexual abuse or sexual offence that is subject to mandatory reporting obligations under child protection mandatory reporting legislation.

While grooming behaviours identified in this policy may not be recognised as conduct which must be mandatorily reported, Glenaeon Rudolf Steiner School treats the commission of grooming behaviour on its premises, online, using school equipment, or during its extra-curricular activities as conduct which threatens the safety of students and action must be taken under our child protection program.

All staff should be aware that grooming behaviour committed by a staff member will constitute a breach of the school's [Code of Conduct](#), and may amount to professional misconduct. Any concern a staff member has about whether a situation may compromise or breach the Code of Conduct should be reported to the Head of School.

Grooming behaviours involving staff must be reported to the NSW Ombudsman

In NSW a school must report substantiated incidents of 'sexual misconduct' involving staff to the NSW Ombudsman. Sexual misconduct includes grooming behaviour. This form of reporting obligation is distinct from, and broader than, the mandatory reporting obligations under The Children and Young Persons (Care and Protection) Act 1998 (NSW) (which don't include grooming). Reports to the Ombudsman must be made if an allegation is made against a staff member or any person engaged by the School.

For information as to how to make a report to the NSW ombudsman refer to [Reportable Conduct of Staff, Volunteers and Others](#).

If the allegations are substantiated the School will notify the Office of the Children's Guardian that a staff member at the school has been accused of behaviour that may affect their clearance to work with children.

Managing a student's disclosure of grooming

Where a student discloses information about grooming behaviour, or behaviour that is indicative of grooming, to a staff member, the staff member should follow the same management of disclosure guidelines as in the school's [Child Protection – Abuse, Grooming & Neglect Identification & Notification policy](#).

Where the student discloses grooming behaviour by directing the staff member to electronic communications such as email, internet chat rooms, SMS messages or real time audio/video between the student and the adult who is the subject of the allegation, the staff member should report the matter to the Head of School or [Insert name/title]. In these circumstances, appropriate steps should be taken to preserve the electronic evidence of the grooming behaviour that has been disclosed.

What will happen if I make a report against a fellow staff member?

Reports that are made honestly and without recklessness to the School will not constitute a breach of confidence, professional ethics or a rule of professional conduct.

The School is committed to encouraging and facilitating reports of suspicions or beliefs of child abuse, neglect or grooming behaviours and providing an environment that is conducive to staff members making reports about the behaviour of other staff members.

Staff should feel safe to report all concerns including those that involve a fellow staff member.

The identity of the reporter can be protected if necessary however it may be disclosed in the event of a future criminal or civil investigation.

The reporting staff member will not be civilly or criminally liable for providing information when the report is made honestly and without recklessness.

Where allegations or suspicions of grooming behaviour are reported, the School will first act to ensure the safety of the student who is the alleged victim of the grooming behaviour.

The School will then notify the staff member who is the subject of the report and provide an opportunity for them to respond to the allegations, in accordance with the principles of natural justice. If the allegation involves the Head of School the report should be made to the School Council.

The School will conduct an internal investigation. If the allegations are of a serious nature and require further investigation, the School may refer the matter to the Police and relevant child protection agencies. Any relevant evidence should be preserved.

The School may suspend the staff member while the allegation is being investigated.

Record keeping

Where a staff member suspects grooming behaviour but does not have enough information to make a report, they should keep written and dated records of their observations and concerns until they are prepared to make a report. It should be noted that allegations of grooming are taken very seriously by the School and dishonest reports will result in disciplinary action.

All verbal and written communications regarding child protection matters (including notes of observations, meetings and telephone calls) must be properly documented.

The documented records should include dates, times and enough detail to record key conversations, especially those relating to a student's disclosure.

The records of child protection matters must be stored securely.

For the purposes of any current or future internal or external investigations into grooming allegations, the School maintains records of any and all evidence or notes relating to the allegations made. This may include:

- notes taken during a meeting with a staff member who is the subject of a grooming allegation;
- reports made by a staff member about the behaviour of a colleague;
- notes taken during a disclosure by a student of grooming behaviour;
- copies of any reports made to police or regulatory bodies about the matter; and
- digital copies of correspondence between the student and the staff member who is the subject of the allegation, if the allegation includes claims of inappropriate online activity.

Recording staff/student interaction disclosures

It is Glenaeon Rudolf Steiner School's policy that all staff are encouraged to declare any interactions with students outside school hours. These interactions may include instances where the staff member is:

- related to the student;
- friends with the student's parents or family; or
- has parental consent to interact with the student for academic purposes outside of school hours and has notified the school.

Glenaeon Rudolf Steiner School maintains records of all declarations made by staff members related to their interactions with students, or relationships with students, that exist outside of school hours or school premises.

These records are kept for a period of seven years.

Confidentiality

Staff who have access to information regarding suspected or disclosed child abuse, including grooming behaviour, must keep such information confidential and secure and must not disclose this information unless required to do so as part of an ongoing investigation, by law, or when it is necessary to disclose the reasons for removing a child from a class or activity where the grooming behaviour occurred. This should only be done where absolutely necessary.

Staff must not provide undertakings that are inconsistent with their reporting obligations under this policy. For example, as with other forms of abuse, students who disclose that they have been subject to grooming behaviours may attempt to elicit a promise that a staff member not tell anyone about the

disclosure. Staff members must not make this promise.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be requested to maintain confidentiality.

Inappropriate disclosure of confidential information will be subject to disciplinary action.

Workers' responsibility

All workers are responsible to ensure that:

- reports of grooming behaviour or repeated incidents of indicators of grooming behaviour are made as soon as practicable;
- confidentiality is maintained throughout the process;
- immediate support is given to students making disclosures;
- records of all verbal and written communication are maintained and stored securely; and
- all staff participate in training.

Signage

Posters of grooming behaviour indicators, mandatory reporting processes that may apply, and the Office of the Children's Guardian and the NSW Ombudsman contact details are displayed strategically in staff rooms within the school.

Implementation

This policy is implemented through a combination of:

- risk identification and reporting procedures;
- the provision of counselling services;
- staff training;
- signage;
- effective communication and incident notification procedures;
- effective record keeping procedures; and
- initiation of corrective actions where necessary.

Discipline for breach of policy

Where a staff member breaches this policy Glenaeon Rudolf Steiner School will take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

[Child Protection - Incident Management Overview Flow Chart](#)
[Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification](#)
[Child Protection - Mandatory Reporting of Abuse & Neglect Policy](#)
[Child Protection - Working with Children Checks Policy](#)

Relevant Legislation

Crimes Act 1990 (NSW)

Reference Materials

[Child Protection in the Workplace – Responding to Allegations against Employees in the Area of Child Protection, NSW Department of Education and Training, June 2010](#)

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Child Protection - Mandatory Reporting of Abuse & Neglect

Source of Obligation

Under the Children and Young Persons (Care and Protection) Act 1998 (NSW), in NSW all teachers, child care workers, refuge workers, community housing providers and health professionals such as doctors, nurses and midwives, as well as police officers are required by law to report abuse and neglect to the Department of Family and Community Services, where they **suspect, on reasonable grounds**, that a child (a person under the age of 16), or a young person (aged 16-17 years) is at **risk of significant harm**.

Glenaeon Rudolf Steiner School's Policy

Glenaeon Rudolf Steiner School has developed a detailed [Child Protection Policy](#) which outlines abuse and neglect risk indicators, key requirements when managing student disclosure, initial notification procedures, the development of a management plan, the provision of ongoing support, record keeping and confidentiality.

This policy is designed to set out in plain English, teachers' obligations in relation to mandatory reporting of child abuse and neglect in NSW.

What Does 'Reasonable Grounds that a Child is at Risk of Significant Harm' Mean?

Suspecting on '**reasonable grounds**' that a child is '**at risk of significant harm**' is the standard that reporters must use in deciding whether or not to report child abuse to the Department of Family and Community Services.

A child or young person is at '**risk of significant harm**' if the circumstances that are causing concern for the safety, welfare or wellbeing of the child or young person are present to a significant extent.

'**Significant**' means that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is '**significant**' is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well being. Significance can result from a single act or omission or an accumulation of these.

The concept of '**reasonable grounds**' requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It does not mean reporters are required to be certain, but rather reporters should ensure their concerns are well founded and based on information from a reliable source.

What Must Be Reported?

All suspicions on reasonable grounds, that a child or young person is at risk of significant harm from the following types of abuse and neglect, must be reported:

- physical abuse;
- neglect – including supervision, physical shelter / environment, food, hygiene/clothing, medical care, mental health care, education;
- sexual abuse;

- psychological harm; and
- carer concern – including substance abuse, mental health and domestic violence.

Refer to the [New South Wales Mandatory Reporter Guide](#) for guidance on making a decision on whether to report abuse and neglect. This guide includes 'decision trees'.

When Mandatory Reports Must Be Made

Reports of child abuse and neglect must be made as soon as practicable once a suspicion has been formed. The earlier a report is received the earlier steps can be taken to protect a child, where this is necessary.

How is a Report Made?

Due to the seriousness of child abuse and neglect, reports should be made using the most direct means possible.

Concerns that require immediate attention should be made by calling the Department of Family and Community Services Child Protection Helpline on **132 111**.

When preparing to make a report, the specific circumstances that supported the responses to the [decision trees](#) (if used) and any unique circumstances supporting a decision to report should be readily available to assist the Department of Family and Community Services, as well as the following information:

- full name, date of birth (or approximate age), address and phone number of the child or children you are concerned about;
- full name (including any known aliases), approximate age, address and phone number of the parents or carers;
- a description of the child and their current whereabouts;
- why you suspect the child is at risk of significant harm (what you have seen, heard or been told);
- whether a language or sign interpreter may be required, whether support is required for a person with a disability or an Aboriginal agency is involved; and
- your name and contact details.

Sometimes all of this information will not be known to the reporter. As a minimum, the Department of Family and Community Services needs to be able to identify and locate the child.

Additionally, information about the child or young person's reaction to the report should also be provided to enable the Department of Family and Community Services to take into account any view or wish expressed by the child or young person, including their opposition to the report being made.

eReporting:

Concerns that do not require immediate attention, can be reported using an [eReport](#)

eReports are made via the FACS eReport Portal. Please contact the Head of School should you wish to lodge an eReport.

Staff / Volunteer / Others Misconduct

Where a matter that is subject to mandatory reporting also involves an allegation against a staff member or any person engaged by the school to provide services to children, including volunteers, it must also be reported to the NSW Ombudsman.

For details refer to our [Child Protection – Reportable Conduct of Staff, Volunteers & Others Policy](#).

Confidentiality of the Reporter's Identity

Reports made to the Department of Family and Community Services are confidential and the reporter's identity is generally protected by law.

It is important to note however that NSW Police may be granted access to the identity of the reporter if this is needed in connection with the investigation of a serious offence against a child or young person. The request must come from a senior NSW Police officer and the reporter must be informed that their identity is to be released, unless informing them of the disclosure will prejudice the investigation.

What Happens After a Report is Made?

The Child Protection Helpline will assess the information that is provided, along with information that may be known to the Department of Family and Community Services, to determine whether the child is actually at risk of significant harm. The Department of Family and Community Services may then do one of the following:

- screen out the report because it does not meet the threshold for risk of significant harm;
- refer the report to Brighter Futures (an early intervention program designed to build the resilience of families and children that are at risk);
- assess the report but not open it for ongoing services;
- offer ongoing services/further assessment to the child/young person, other individual family members, or to the family together; or
- arrange protective placement of the child/young person.

Reporters will be informed of the action that will be taken by the Department of Family and Community Services in writing, including whether the report made met the threshold of significant harm and/or whether no further action was recommended.

Even after a report to the Child Protection Helpline has been made, reporters must continue to respond to the needs of the child or young person within the terms of their work role. This may include providing a report to the NSW Police and/or arranging for medical care.

Implementation

This policy is implemented through a combination of:

- staff training at engagement and then annually;
- effective communication and incident notification procedures;
- effective record keeping procedures; and
- initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Glenaeon Rudolf Steiner School may take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

[Child Protection - Incident Management Overview Flow Chart](#)
[Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification](#)
[Child Protection - Reportable Conduct of Staff, Volunteers & Others Policy](#)
[Child Protection - Working With Children Checks Policy](#)
[Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)
[Crisis Management \(Traumatic Events\) Policy](#)

[Pastoral Care Policy](#)

[New South Wales Mandatory Reporter Guide](#)

Key Reference

Document current as at 21 March 2017. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

Glenaeon Rudolf Steiner School > Student Duty of Care > Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification > Child Protection - Reportable Conduct of Staff, Volunteers & Others

Child Protection - Reportable Conduct of Staff, Volunteers & Others

Reportable Conduct – Source of Obligation

The Ombudsman Act 1974 (NSW) (the Ombudsman Act) requires Glenaeon Rudolf Steiner School to investigate and report to the NSW Ombudsman allegations of employee misconduct or conviction relating to:

- any sexual offence or misconduct, committed against, with or in the presence of a child (including child pornography offences);
- any assault, ill-treatment or neglect of a child; and
- any behaviour that causes psychological harm to a child.

The NSW Ombudsman defines sexual misconduct to include grooming behaviours. Refer to [Detecting, Reporting and Addressing Grooming Behaviours Policy](#) for information on how to identify grooming behaviours.

Reportable Conduct & Mandatory Reporting

The Reportable Conduct obligation covered in this policy is separate and distinct from the Mandatory Reporting obligation under the Children and Young Persons (Care and Protection) Act 1998 (NSW) (refer to [Child Protection – Mandatory Reporting of Abuse & Neglect](#)).

Whilst the Mandatory Reporting obligation applies where there is 'significant risk of harm' to a child, the requirement to report to the NSW Ombudsman applies where an allegation is made against a staff member or any person engaged by the school to provide services to children, including volunteers.

The Reportable Conduct threshold is much wider than the Mandatory Reporting threshold and any matter involving a staff member that requires Mandatory Reporting must also be reported to the Ombudsman under this policy.

Internal Reporting of Allegations of Staff Misconduct

Any allegation of staff misconduct must be immediately reported to the Head of School, or the Chair of the School Council should the allegation involve the Head of School.

What Conduct is Not Reportable Conduct?

The Ombudsman Act makes it clear that Reportable Conduct does not extend to:

- conduct that is reasonable for the purpose of discipline, management or care of children, having regard to age, maturity, health or other characteristics of the children and any relevant codes of conduct or professional standards;
- the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures;

Some examples of conduct that would not constitute reportable conduct include touching a child to get their attention, guide them or comfort them, a school teacher raising their voice to attract attention or restore order in a classroom, or conduct that is established to be accidental.

Internal Investigation of Allegations of

Once an allegation of misconduct has been made (which does not require reporting to the Department of Family and Community Services under the

Misconduct

Mandatory Reporting obligations) an internal investigation, led by the Head of School will be conducted in such a manner as the particular circumstances demand.

It is important to note that an internal investigation must not be conducted in relation to an allegation that is the subject of Mandatory Reporting until clearance to do so is given by the Department of Family and Community Services or the police, as this may compromise their investigations.

When conducting an internal investigation principles of procedural fairness must be followed. Reference may be made to the  **Recommended Protocols for Internal Investigative and Disciplinary Proceedings 2001** (developed by the NSW Independent Education Union and the Association of Independent Schools).

The Ombudsman may intervene in an internal investigation or ask for further information during the course of the investigation.

When & how are Reportable Matters to be reported to the Ombudsman?

There are 2 stages of reporting. The Ombudsman must be notified:

- of the Reportable Conduct or conviction within 30 days of Glenaeon Rudolf Steiner School becoming aware of the Reportable Conduct by lodging  **Notification Form Part A**; and
- of the findings of the investigation, as soon as possible once the internal investigation has been finalised by lodging  **Notification Form Part B**.

The forms should be sent by registered mail, hand delivery, or courier to:

Attention – Employment Related Child Protection Division
NSW Ombudsman
Level 24
580 George Street
Sydney NSW 2000

Impact on Working With Children Check

Where the investigation has led to findings against the employee, depending upon the seriousness of the allegations, the Head of School will also need to notify the Office of the Children's Guardian in relation to Working With Children Checks.

Refer to **Child Protection – Working with Children Checks Policy**.

Workers' Responsibility

All workers are responsible to ensure:

- reports of staff misconduct are made as soon as possible to the Head of School;
- the Head of School is notified of any convictions which relate to Reportable Conduct;
- co-operation in any internal investigation;
- confidentiality is maintained throughout the process; and
- records of all verbal and written communications are maintained and stored securely.

Implementation

This policy is implemented through a combination of:

- ensuring staff are made aware of the requirements of the Ombudsman's Act, at engagement and then annually;

- staff training;
- effective communication and incident notification procedures;
- effective record keeping procedures; and
- initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Glenaeon Rudolf Steiner School may take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

[Child Protection - Incident Management Overview Flow Chart](#)
[Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification](#)
[Child Protection - Mandatory Reporting of Abuse & Neglect Policy](#)
[Child Protection - Working with Children Checks Policy](#)
[Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)
[Child Protection in the Workplace – Responding to allegations against employees](#)

Key Reference

Document current as at 15 March 2017. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

Glenaeon Rudolf Steiner School > Student Duty of Care > Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification > Child Protection - Working with Children Checks

Child Protection - Working With Children Checks

Working With Children Checks - Source of Obligation

The Child Protection (Working With Children) Act 2012 (NSW) (the Act) and the Child Protection (Working With Children) Regulation 2013 (NSW) (the Regulation) aim to protect children from harm by providing a high standard of compulsory national criminal record checking for people wishing to do paid, unpaid, or volunteer child-related work in NSW. These background checks are referred to as Working with Children Checks (WWC Checks).

Glenaeon Rudolf Steiner School, our staff, volunteers and others have a number of responsibilities and obligations under the Act and the Regulations which are outlined in this policy.

Who Needs a WWC Check?

Subject to the exemptions referred to below, any **worker** who engages in **child related work** that involves direct contact (physical or face-to-face contact) with a child (a person under 18 years of age) must undergo a WWC Check.

Definition of Worker

A **worker** means any person who is engaged in work, as an employee, a self-employed person, a contractor or subcontractor, a volunteer, a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience), or as a minister, priest, rabbi, mufti or other like religious leader, or spiritual officer of a religion, or other member of a religious organisation.

What is Child Related Work?

Of relevance to Glenaeon Rudolf Steiner School the following is considered to be **child related work**:

- mentoring and counselling services for children;
- direct provision of child health services;
- clubs, associations, movements, societies or other bodies (including bodies of a cultural, recreational or sporting nature) providing programs or services for children;
- education and care services, child care centres, nanny services and other child care;
- sporting, cultural or other entertainment venues used primarily by children and entertainment services for children;
- any religious organisation where children form part of the congregation;
- boarding houses or other residential services for children and overnight camps for children; and
- transport services especially for children, including school bus services and taxi services for children with a disability and supervision of school road crossings.

What is Not Considered to be Child Related Work

The following types of work are not considered to be child-related:

- work as a referee, umpire, linesperson, other sporting official or grounds person is not child-related work, if the work does not ordinarily involve contact with children for extended periods without other adults being present; and
- providing food or equipment at or for a sporting, cultural or other entertainment venue.

Key Exemptions

People engaged in the following types of work are not required to have a WWC Check:

- administrative, clerical or maintenance work, or other ancillary work, that does not ordinarily involve contact with children for extended periods;
- work with minimal direct contact or unsupervised contact with children, done for no more than five days in a calendar year;
- volunteering by a parent or close relative:
 - of a child in activities for the child's school, early education service or other educational institution; except where the work is part of a formal mentoring program or involves intimate personal care of children with a disability;
 - with a team, program or other activity in which their child usually participates or is a team member; except where the work is part of a formal mentoring program or involves personal care of children with a disability;
- a visiting speaker, adjudicator, performer, assessor or other similar visitor at a school or other place where child-related work is carried out if the work of the person at that place is for a one off occasion and is carried out in the presence of one or more other adults;
- work by an interstate visitor:
 - in a one-off event such as a jamboree, sporting or religious event or tour, if the event is the only child-related work carried out by the worker in NSW in that calendar year and the period of work does not exceed 30 days;
 - who holds an interstate working with children check, or is exempt from the requirement to have such a check in his or her home jurisdiction, whose child related work in NSW is for no more than 30 days in any calendar year; and
- people under the age of 18.

How to Apply for a WWC Check?

A worker who engages in child related work is responsible for applying for his or her own WWC Check. An employer cannot apply on behalf of a worker.

To apply:

1. fill out an online application form at <http://www.kidsguardian.nsw.gov.au/check>;
2. upon completion of the application, an application number will be provided;
3. take application number and proof of identity (NSW driver's licence) to an office of Service (NSW); and
4. if the WWC Check is for paid work, a fee is payable for a five year clearance at the expense of the individual.

What is Checked?

The WWC Check obtains applicants' national criminal histories including:

- convictions (spent or unspent);
- charges (whether heard, unheard or dismissed);
- juvenile records;
- findings of misconduct (e.g. sexual misconduct or serious physical assault of a child) by a government agency; and
- notifications on matters indicating serious risk to children made by the Ombudsman.

Outcome of the WWC Check

There are only two results for a WWC Check – a clearance to work with children or a bar against working with children.

Where the outcome is a **clearance**, the applicant will be provided with a WWC Check number. The WWC Check is valid for five years and may be used for any child-related work (paid or voluntary) in NSW. Cleared applicants will be subjected to ongoing monitoring for relevant new records which could lead to a bar and the clearance being revoked before the five year expiry date.

Where a **bar** is being considered, the Office of the Children's Guardian will call and write to the applicant to inform them of the proposed decision. Applicants will be invited to submit information to support their application and the Office of the Children's Guardian will take this information into account when making their final decision.

Nevertheless if the outcome is a bar, applicants must not engage in any child-related work. The barred applicant will receive a letter from the Office of the Children's Guardian notifying them of the decision and an explanation of the appeals process, should they wish to appeal through the NSW Administrative Decisions Tribunal.

The outcome of WWC Checks will be emailed or posted to the applicant. If the results are not received within four weeks of the application, email newcheck@kids.nsw.gov.au with details of the application including the application number.

Worker Obligations

Upon receiving clearance, it is compulsory that the worker provides their WWC Check number to Glenaeon Rudolf Steiner School, along with their full name and date of birth for online verification.

Workers are responsible for renewing their own WWC Check as necessary. They will usually receive a reminder to renew their WWC Check three months before it expires.

Glenaeon Rudolf Steiner School's Obligations

The school must:

- register online as a child-related employer by going to the [Working With Children Check Website](#) and choosing Child-related employers from the left hand menu;
- before engaging a new worker, verify that each worker who carries out, or is to carry out, child-related work for the school is the holder of a WWC Check clearance that authorises their work or that they have made a current application to the Children's Guardian for a WWC Check. The only way to verify a status is using the new online verification system. Paper evidence must not be accepted of a clearance or an application from the worker because they may have been barred. Refer to [Fact Sheet 18 How to Verify a Clearance Online](#);
- verify a worker's WWC Check clearance, within 5 working days after the WWC Check clearance expires at the end of every five year period;

- ensure current paid workers and all volunteers apply for the new Check in accordance with the phase in schedule (see Penalties & the Phase in Period below);
- remove any barred or unauthorised persons from child-related work;
- notify the Office of the Children's Guardian if a staff member or volunteer is subject to an adverse finding in relation to an allegation of misconduct that is the subject of a Mandatory Reporting and/or a Reportable Conduct notification. This notification will trigger a risk assessment by the Children's Guardian and a review of the individual's WWC.

Record Keeping

It is the responsibility of Robyn Porcheron HR Co-ordinator to verify the status of all Glenaeon Rudolf Steiner School staff and non-parent volunteers' WWC Checks.

Glenaeon Rudolf Steiner School maintains records (electronic and hard copy format) of child-related workers including:

- full name;
- date of birth;
- Working With Children number;
- start date and outcome of the Check verification;
- expiry date of the WWC Check; and
- whether the person is a paid worker or a volunteer.

Records must be readily available if required for audit and monitoring purposes. Records are retained by the school for a period of seven years and closely monitored to ensure that all clearances are current for employed workers and volunteers at the school.

Privacy & Confidentiality

The Office of the Children's Guardian maintains a register for Working With Children Checks.

Worker Information Disclosure

The following information about a worker in the register may be made available by the Office of the Children's Guardian to an employer or proposed employer, upon request in the approved format, containing the particulars required by the Office of the Children's Guardian:

- particulars of applications for WWC Check clearances;
- WWC Check application number of any worker;
- current clearance status of a child-related worker; and
- number, class (volunteer or non-volunteer) and expiry date of a WWC Check clearance held by a child-related worker and whether the clearance holder is subject to an interim bar or has had a clearance cancelled.

Employer Information Disclosure

Similarly, the following information about an employer in the register may be made publicly available by the Office of the Children's Guardian:

- trading name or registered business name of the employer;
- child-related work for which the employer engages a child-related worker;
- postcode or name of the place in which the employer's business is located; and
- whether any requests for information regarding a Check status were made to the Children's Guardian by the employer within a specified period.

Implementation

This policy is implemented through a combination of:

- staff training;
- effective communication and incident notification procedures;
- effective record keeping procedures;
- initiation of corrective actions where necessary.

Discipline for Breach of Policy

Where a staff member breaches this policy Glenaeon Rudolf Steiner School may take disciplinary action, including in the case of serious breaches, summary dismissal.

Related Policies

[Child Protection - Incident Management Overview Flow Chart](#)
[Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification](#)
[Child Protection - Mandatory Reporting of Abuse & Neglect Policy](#)
[Child Protection - Reportable Conduct of Staff, Volunteers & Others Policy](#)
[Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)

Key References

[NSW New Working With Children Checks Website](#)
[Fact Sheet 1 Overview of the New Working With Children Check](#)
[📄 Fact Sheet 2 Phase in Schedule for Existing Workers](#)
[Fact Sheet 18 How to Verify a Clearance Online](#)
[The New Working With Children Check - Information for Employers](#)

Document current as at 14 March 2017. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Glenaeon Rudolf Steiner School](#) > [School Governance](#) > [Registration Guidelines](#) > [Child Protection Compliance Policy](#)

Child Protection Compliance Policy

Source of Obligation

The NSW Registration Manual (3.6.1) requires that a registered non-government school must have in place policies and procedures to ensure that it meets its legislative obligations in relation to child protection.

Child Protection Policy Framework

Glenaeon Rudolf Steiner School has developed a comprehensive Child Protection policy framework designed to ensure compliance with:

- Child Protection (Working with Children) Act 2012 (NSW);
- Ombudsman Amendment (Child Protection and Community Services) Act 1998 (NSW) which amended the Ombudsman Act 1974 (NSW); and
- Children and Young Persons (Care and Protection) Act 1998 (NSW).

The full set of policies is set out below:

[Child Protection Incident Management Overview Flow Chart](#)
[Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification](#)
[Child Protection - Mandatory Reporting of Abuse & Neglect](#)
[Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)
[Child Protection - Reportable Conduct of Staff, Volunteers & Others](#)
[Child Protection - Working With Children Checks](#)

Child Protection Training

Child protection training is provided annually to all staff who have direct contact with students and to mandatory reporters through which they are informed of legal responsibilities related to child protection, mandatory reporting, reportable conduct and working with children checks as well as other school expectations.

Documentation

Glenaeon Rudolf Steiner School maintains documentation that records:

- all working with children checks; and
- any child protection related incident.

This documentation is maintained by the Head of School and copies of all documents are stored on the School intranet.

Implementation

This policy is implemented through:

- Our [Assurance System](#) where individuals are allocated responsibility to action all obligations in accordance with this policy.
- Our internal training program.

Related Policies

- [Child Protection Incident Management Overview Flow Chart](#)
- [Child Protection - Abuse, Grooming & Neglect Identification & Initial Notification](#)
- [Child Protection - Mandatory Reporting of Abuse & Neglect](#)
- [Child Protection - Detecting, Reporting and Addressing Grooming Behaviours](#)
- [Child Protection - Reportable Conduct of Staff, Volunteers & Others](#)
- [Child Protection - Working With Children Checks](#)

Child Protection Incident Management Overview Flow Chart (NSW)

