



SP2.2: PROCEDURES FOR CHILD PROTECTION

1.0 Implementation Guidelines

1.1 Screening Procedures

The Child Protection (Working with Children) Act 2012 No 51 requires that persons engaged in child-related work have Working with Children Check clearances.

Condell Park Christian School must verify a worker's or volunteer's Working with Children Check number. The worker's or volunteer's name, date of birth and Working with Children Check number will be required for verification.

Where a person's Working with Children Check has resulted in a bar, not a clearance, the School will not allow the prohibited person to work or volunteer or engage in child-related involvement under the School. (Children and Young Persons (Care and Protection) Act 1998)

The School must keep a record of each cleared worker's or volunteer's Working With Children Check number, its expiry date and the date of the employer's verification. The School Compliance Team is responsible for the verification and records of Working with Children Check clearances for all staff and volunteers prior to commencement of ministries. Records are kept in the compliance cupboard in Henderson Hall.

Each staff member and volunteer is to sign a declaration that states he/she has read the Child Protection booklet and agrees to abide by the policy and procedures described therein.

1.2 Appointment of Staff

Prior to staff members commencing, the following procedures will be followed:

- a) Staff members will have faithfully attended the Church for a period of at least six months before being eligible to apply, or to be invited to serve at School. An exception to this requirement is where the prospective staff member has previously served in child ministries in a local Church of like faith, practice, and conviction, whose biblical stand is known to be consistent with the Church. The prospective staff member must provide a written reference from the Pastor or leadership of that Church which addresses his or her suitability for child ministries, and his or her proven good conduct.
- b) All prospective Staff must be approved by the Senior Pastor for an appointment to a ministry.
- c) All staff members are expected to apply for Church membership, unless the staff member is temporarily residing in Sydney, or a member of a local Church of like faith, practice, and conviction, whose biblical stand is known to be consistent with the Church, then membership should be maintained with his or her home church. If a staff member does not take steps to apply for Church membership within a period of one year from commencing at School, then an interview with one of the Pastors will be scheduled.

- d) All aspiring and existing staff are legally obligated to inform the Church of any past or current convictions for sex offences as described by current legislation. Further, it is a criminal offence for any person to apply for, undertake, or remain in a position if he or she has committed such offences.

1.3 Appointment of Volunteers

- a) All prospective volunteers must be approved by the Senior Pastor.
- b) Volunteers are expected to have an awareness of the guidelines contained in this policy and be prepared to work with them.
- c) Any volunteer who provides assistance in a children's ministry must be supervised by a staff member and will be accountable to that staff member.
- d) Staff members who accept the assistance of a volunteer must be satisfied with the volunteer's maturity and his/her suitability for children's ministry.

1.4 Information and Training

Staff members and volunteers will be informed of the following through the annual Ministry Launch Day or staff orientation:

- a) Legal and moral responsibilities related to child protection, mandatory reporting, Biblical principles and other relevant standards of behaviour as detailed in the Child Protection Booklet issued. All staff members and volunteers must sign the declaration in the Church Child Protection Booklet and return to the Church as confirmation that they have read and agree to abide by the Child Protection Policy and Procedures.
- b) Requirements to notify and investigate allegations of reportable conduct in compliance with the Ombudsman Act 1974
- c) Obligations under the Child Protection (Working with Children) Act 2012 which prohibits persons with convictions for serious sexual offences from working in positions of child-related employment that primarily involves direct contact with children where that contact is not directly supervised.
- d) Obligations related to mandatory reporting and processes set in place if action is required.
- e) Welfare issue obligations outlined in the Church Code of Conduct document.

1.4.1 Ministry Launch Day

A Ministry Launch Day for dissemination of the information and training in Child Protection and other duty of care matters will be scheduled in the first two months of each year for all staff members and volunteers. The Church Senior Pastor is responsible for scheduling and delivery of the annual training for staff with support from the Associate Pastor and the TAA Prime Delegated Authority.

A separate session, with training specific to the School, will be carried out for all Teachers.

Electronic records of attendance are kept and the Senior Pastor is responsible for following up on Staff absences.

1.4.2 Staff Orientation

When a new staff member has been appointed to this ministry, he/she will receive an orientation that fully covers all of the matters listed above in *Section 1.4*.

2.0 Procedures to Promote a Safe & Supportive Environment

- a) All personal counselling is to be carried out within sight of another staff member or parent or guardian of the child.
- b) Staff members will respect a child's feelings and privacy when engaging in physical contact of any kind.
- c) Adults and children are expected to respect each other's privacy during activities that require undressing, dressing or changing clothes. Staff members will set an example by protecting their own privacy in similar situations. No staff member will be alone in a room with a child while either is changing.
- d) Staff members have the right to ask people who do not have a valid reason to be present at School activities to leave. Police may be contacted if such persons refuse to comply with any reasonable request to leave.
- e) All children are to be supervised during School time.
- f) In choosing games, activities/sports, staff members consider the levels of safety; physical contact and intimacy required and exercise caution.
- g) Staff members should be careful of children who actively seek physical attention.
- h) Staff members should obtain permission slips for special outings, and also general permission for staff members/volunteers to provide transport.
- i) Staff members should be alert for strangers.

3.0 Mandatory Reporting

Should there be reasonable grounds to suspect risk of significant harm, whether on the Church grounds or outside of the Church's property, the Senior Pastor (Head of Agency) must be promptly notified and he, or a person appointed by him, in turn is to follow the procedures in the Mandatory Reporting Guide.

Should there be reasonable grounds to suspect that a child has been abused or is suffering abuse on School property or during a School activity, the Ombudsman, Community Services, the NSW Police, and the School's insurer must be notified without any undue delay.

Within the School, it is deemed that mandatory reporting has taken place if the Principal has been notified. Full accountability then rests with the Principal to be the mandatory reporter. He will work in conjunction with the Senior Pastor who will become the liaison person with Community Services, the Police and the Ombudsman.

4.0 Reportable Conduct and Allegations

A reportable allegation means an allegation of reportable conduct against a person or an allegation of misconduct that may involve reportable conduct.

The *Ombudsman Act 1974* requires that systems be in place for recording and responding to allegations of a child protection nature. Documented reporting and escalation procedures will be established by the Church for handling allegations of abuse.

The Principal, in consultation with the Senior Pastor will determine whether an allegation or complaint, taken at face value, is a reportable allegation.

4.1 Allegation and Risk Assessment

Reasonable grounds to suspect harm include:

- A child speaks about being abused - about what has been happening, what he/she feels or fears.
- Someone close to a child (e.g. sibling, relative, close friend) discloses that the child has possibly been abused.
- A child tells a staff member or volunteer he/she knows someone who has been abused or is at risk of significant harm.
- Staff Member or Volunteer observes a child's appearance or behaviour, which leads to suspicion of abuse.

The Principal is required to determine which allegations and convictions are to be notified to the Ombudsman as reportable allegations or convictions and which matters are exempt from notification.

When an allegation is made, a risk assessment will take place. It will include a decision as to whether an accused person will be removed from working with children at School pending the outcome of all investigations.

4.2 Allegations Against Employees

Where allegations involve employees, investigations under Part 3A of the *Ombudsman Act 1974* will at times take place in conjunction with the Department of Community Services and/or Police investigations, or they may take place without the involvement of these agencies if there is no risk of harm or criminal issues.

The employee may expect a fair investigative process which includes:

- confidentiality;
- adequate access to information regarding the allegation;
- an opportunity to respond to the allegation;
- reasonable notice for meetings and interviews;
- the right to have a support person present for interviews;
- an impartial decision maker and an impartial decision making process;
- the opportunity to respond to adverse findings and disciplinary action.

Where there is concern about the capacity to undertake a fair and proper investigation of an allegation against an employee, parties should seek advice from the NSW Ombudsman or the Department of Community Services.

4.3 Initial Disclosure & Responding to Allegations

The person to whom the original disclosure is made will maintain appropriate care of the one making the disclosure. When planning a response to an allegation, prayer and careful consideration should be given to the particular vulnerabilities of any child(ren), employee, witness or notifier of which the School becomes aware. The procedures adopted in response to the allegation should aim to minimise anxiety and to demonstrate sensitivity, compassion and respect for all involved while maintaining the integrity of the investigative / disciplinary process.

This will include:

- Not coercing the child to disclose details of the alleged abuse or attempting to investigate the allegation while Police or other investigations are taking place.
- Assuring the child that he or she is understood; that the disclosure is being taken seriously; that what has happened is not the child's fault; and that the child is correct in disclosing the incident.
- Not making contact with the alleged perpetrator. If the Principal or Pastor is already providing counsel to the alleged perpetrator, it is advisable for the person involved to relinquish responsibility and to arrange alternative care.
- If the alleged abuse has taken place recently, the Police may need to retain clothing worn by the child. No attempt should be made by a staff member, or any other person, to remove or wash clothing. Relevant garments not presently being worn should be retained for Police examination.
- Maintaining confidentiality: The staff member will only speak about an allegation of abuse to the Pastor or Principal; the parents or guardian (unless he or she is the alleged perpetrator); Community Services and Police.
- Any disclosures or complaints made by a child or by others, and all details of the subsequent investigations will be documented promptly and the documents will be held in a secure location where a breach of privacy cannot occur.

4.4 Investigation of Allegations

The Senior Pastor and Principal or a delegate will manage the investigation of reportable allegations. Such investigations should be carried out in fairness in relation to all persons concerned. The investigations should take place in consultation with the relevant authorities.

The Ombudsman may also oversee and monitor the investigation and the response of the School to allegations of reportable conduct. In the event of disciplinary proceedings, the Commission for Children and Young People (CCYP) must be notified of the outcome.

Following discussion, the investigation of allegations which are not reportable allegations may be managed at School if deemed appropriate.

In all cases, the level of inquiry should be commensurate with the seriousness of the alleged behaviour. The procedures outlined in this document must be reasonably followed according to the particular facts and circumstances of each allegation.

The child or young person relevant to the allegation may expect that the allegation will be:

- accepted on face value;
- taken seriously;
- investigated thoroughly.

If there is a departure from rules of procedural fairness in particular cases the reasons for the departure must be documented.

5.0 Reporting to the Ombudsman

Where an allegation of child abuse is made against any staff member of the School, the Ombudsman's office will be notified as soon as possible. The Principal or his delegate is required to notify the Ombudsman of a reportable allegation or conviction made against an employee of the School within 30 days of becoming

aware of the allegation or conviction. This can be done by going to the Ombudsman's website and filing a complaint by submitting an Employment-related child protection notification form (<http://www.ombo.nsw.gov.au/>)

6.0 Agency Involvement

In some cases, statutory agencies with responsibilities for child protection may also be involved such as the Department of Community Services or the Police. In such cases, the Principal must await the advice of these agencies as to when an employee is informed of the allegation or when the investigation may be commenced. The Principal will liaise closely with such statutory agencies to ensure that the matter is dealt with fairly and efficiently.

7.0 Post-Investigation Outcomes

After the investigation has been concluded and a finding made, the following procedural outcomes are possible:

- a) Dismiss the allegation
- b) Refer to an external agency (e.g. Police) for further investigation, prosecution or other appropriate action
- c) Discipline or other management action which may involve penalty or dismissal
- d) Report the outcome of completed relevant disciplinary proceedings to the CCYP
- e) Develop or review of relevant policies and procedures

8.0 Procedure Review Statement

The Procedures for Child Protection will be reviewed annually, and following every reportable incident, by the School Association or by a committee appointed by the Association to assess whether the organisation's child protection policies or procedures require modification under the School's care.

9.0 References and Related Documents

[P2.2 Child Protection.doc](#)

[F2.2 Risk Assessment Form For Child Protection.doc](#)

[Child Protection \(Working with Children\) Act 2012](#)

[Child Protection \(Prohibited Employment\) Act 1998](#)

[Child Protection \(Working with Children\) Act 2012](#)

[N.S.W. Ombudsman Child Protection in the Workplace: Responding to Allegations Against Employees.](#)

[N.S.W Ombudsman Investigating Complaints Manual June 2004.](#)

[N.S.W. Ombudsman the Complaint Handler's Tool Kit 2nd edition June 2004](#)

[N.S.W .Government Mandatory Reporter Guide](#)

[Ombudsman Act 1974](#)