

CHILD PROTECTION POLICY

AIM:

Lycee Condorcet the French School of Sydney aims to provide a safe environment for all children that attend the School by recognising its responsibilities and putting in place policies related to mandatory reporting, employment screening and dealing with allegations of abuse and neglect.

The School is also aware of its responsibilities with regards to procedural fairness in dealing with allegations of abuse and neglect.

EXPLANATION:

Children attending the School should be safe from neglect and physical, emotional and sexual abuse.

PROCEDURES:

1. EMPLOYMENT SCREENING

COMMISSION FOR CHILDREN & YOUNG PEOPLE ACT 1998: CHILD PROTECTION (PROHIBITED EMPLOYMENT) ACT 1998

a) Definitions

- I Employee: Any person who is engaged in child related employment in any of the following ways paid employment, sub-contractors, volunteers, ministers of religion and students on placements.
- II Child related employment: Any employment that above all involves direct contact with children and where that contact is not directly supervised.
- III A Prohibited person: Is a person who has been convicted of a serious sex offence, other than where there is an order in force declaring that the Child Protection (Prohibited Employment) Act 1998 does not apply to the person in respect of the offence.

b) Registration with Approved Screening Agency

- I The Principal of the French School of Sydney has ensured that the School is registered as an employer with the Department of Community Services for the purpose of employment screening for all positions in child related employment.

c) Identify positions

- I Positions in the following areas have been identified as “child related employment”:
 - Management Committee
 - Principal
 - Administration staff
 - Preschool teachers and child care workers
 - Primary school teachers
 - High school teachers
 - Supervision Staff
 - Maintenance and cleaning staff
 - Cafeteria staff
 - SUPS workers
 - Community Services
 - Library
 - Students

- II The following statement will need to be included in all Job descriptions and contracts for positions identified as child related employment: "It is an offence under the NSW Child Protection (Prohibited Employment) Act 1998 for a person convicted of a serious sex offence to apply for/hold this position".
- III Any person at the School who has not completed a Prohibited Employment Declaration and/or a Working with Children Check and who has direct contact with children must be supervised at all times.

d) Existing staff

- I All existing employees in child related employment (permanent, casual or temporary) must have completed the Prohibited Employment Declaration Form.
- II Any employee in child related employment that becomes a prohibited person must inform the Principal and cease employment in that child related employment position.

e) Staff recruitment

- I The following statement will be included in all advertisements for any identified positions: " It is an offence under the NSW Child Protection (Prohibited Employment) Act 1998 for a person convicted of a serious sex offence to apply for/hold this position".
- II The applicants will find the above statement included in any verbal and/or written information provided to them.
- III The following forms must be completed by applicants considered for employment:
 - ❖ Prohibited Employment Declaration.
 - ❖ Consent Form to allow Working With Children Check to be completed.
- IV The following information must be provided by applicants considered for employment:
 - ❖ Documentation, which supports their true identity
 - ❖ Details of referees relating to previous employment
- V The Principal will complete the following before the preferred applicant is offered a position,
 - ❖ A Working With Children Check.
 - ❖ A structured referee check.
 - ❖ Proof of identity documentation check.

f) Rejected applications

- I If a decision is made to reject an applicant because of a risk assessment related to the Working With Children Check, the Director in consultation with the Principal will notify the Commission For Children and Young People. A rejected applicant notification form will need to be completed (Attachment 7).
- II Records regarding the basis of any such decision not to employ will be retained by the Principal, and kept strictly confidential.

2. MANDATORY REPORTING

THE CHILDREN & YOUNG PERSONS (CARE & PROTECTION) ACT 1998

a) Definitions

- I Child - under the Children & Young Persons (Care & Protection) Act, a child is a person under 16 years.
- II Young person - under the Children & Young Persons (Care & Protection) Act, a young person is a person who is aged 16 years or above but is under the age of 18 years.
- III At Risk of Harm - the Act states that there must be current concerns for the safety, welfare and well being of a child or young person for any of the following reasons:
 - ❖ The child or young person's basic physical or psychological needs are not being met or are at risk of not being met (neglect);
 - ❖ The parents/caregivers have not arranged necessary medical care for the child or young person, and are either unable or unwilling to do so;
 - ❖ The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated;
 - ❖ The child or young person is living in a household where there have been incidents of domestic violence, and as a consequence, is at risk of serious physical or psychological harm;
 - ❖ The parent or caregivers have behaved in such a way towards the child or young person that he/she has suffered, or is at risk of suffering serious psychological harm.

b) Requirements to report

- I All managers that hold positions with direct responsibility for the supervision of staff or provision of services are Mandatory Reporters. Teachers and staff in children's services are also considered to be Mandatory Reporters. This means that they must notify the Department of Community Services (DOCS) on 13 36 27 (Mandatory reporters only) if they believe on reasonable grounds, in the course of their work, that a child or young person is at risk of harm from child abuse or neglect.
- II Managers and staff in other areas identified by The French School of Sydney as child related employment are not considered to be Mandatory reporters. However, The French School of Sydney requires that they notify the Department of Community Services on 132 111 (General Public & Clients) if they believe on reasonable grounds, in the course of their work, that a child or young person is at risk of harm from child abuse or neglect.
- III Members of the general public, including parents, who suspect that a young child or person is at risk of harm or child abuse or neglect may report to the Department of Community Services on 132 111 (General public & clients).
- IV A person who makes a report in good faith receives protection under the Act. Provisions are in place to protect the identity of the person, or information from which the identity of the person could be deduced.

c) Procedures to report

- I Staff that have concerns of this nature must report them to the School Principal, and assist the Principal with the notification to the Department of Community services.
- II The Principal is required to report such concerns to the Department of Community Services as soon as practicable on the 24 hour DOCS Hotline 13 36 27
- III The Principal will keep a record of the call reference number given by the Department of Community Services and inform the staff member or carer assisting with the notification.
- IV If the Principal does not make the report, the school staff remain legally required to report to the

- V Reports should be treated with strict confidentiality and all documents relating to notification of child at risk are to be confidential.
- VI The Principal will work together with the Department of Community Services for ongoing management of the notification.
- VII The notification made by staff and carers is not to be discussed with other staff or carers, parents or children. The parents or child involved should not be questioned.

d) Training

- I The Principal and Deputy Principal are to successfully complete a VETAB accredited, nationally recognised Child Protection course to meet NSW Children's Services Regulation 2004.
- II Managers and staff in the school must attend training on child protection.

3. DEALING WITH ALLEGATIONS OF CHILD ABUSE OR NEGLECT

THE OMBUDSMAN ACT 1974; OMBUDSMAN AMENDMENT (CHILD PROTECTION & COMMUNITY SERVICES) ACT 1988;

COMMISSION FOR CHILD & YOUNG PEOPLE ACT 1988

a) Definition

- I Child abuse means:
 - ❖ Assault (including sexual assault) of a child,
 - ❖ Ill treatment,
 - ❖ Neglect of a child, &
 - ❖ Exposing the child or young person to behaviour that might cause psychologically harms.
- II Allegations - An allegation against an employee might involve behaviour that is reportable conduct or behaviour that is exempt from notification to the Ombudsman but is required to be investigated by the agency.
- III Conviction for child abuse - any conviction of a person of an offence involving child abuse (as described in the Crimes Act 1900 and the Children & Young Persons (Care & Protection) Act 1998).
- IV For the purposes of the Ombudsman Act employee means either:
 - ❖ Anyone employed by the French School of Sydney who receives a group certificate for taxation purposes, whether or not their position requires them to work with children; or
 - ❖ Anyone engaged by the French School of Sydney to provide services to children, including contractors, sub-contractors, volunteers, work experience placements, student placement, clergy, ministers of religion and members of religious orders.

b) Scope

- I The Principal will notify the Ombudsman within 30 days of the following:
 - ❖ All allegations of or convictions for child abuse or neglect involving any employee of the French School of Sydney, whether the incident occurred during or outside work hours;
- II All such allegations of child abuse or neglect against an employee must be reported to the Ombudsman irrespective of whether the allegation is considered to be unfounded, malicious or vexatious.

c) Reporting allegations or convictions

I Employees:

- ❖ Employees who become aware of any allegations or convictions for child abuse or neglect concerning another employee must inform the School Principal immediately.
- ❖ The Deputy Principal must inform the Principal of any such allegations or convictions.
- ❖ All discussions regarding these allegations must be strictly confidential.

II Clients and others:

- ❖ Clients and others who become aware of any allegations of or convictions for child abuse or neglect concerning employees should be encouraged to discuss these allegations with the School Principal.
- ❖ All discussions regarding these allegations must be strictly confidential.

d) Investigations

I The Principal will:

- ❖ Seek advice from the Ombudsman or the Department of Community Services before investigating any allegations of child abuse.
- ❖ Inform the employee/carer who is the subject of the report, and provide the person with reasonable opportunity to reply.
- ❖ Promptly investigate reports of any allegations of or convictions of child abuse or neglect to gather information needed to make a risk assessment.
- ❖ Document all aspects of the investigations including phone calls, meetings, conversations and decisions.
- ❖ Prepare a report and make recommendations about the management, disciplinary actions and/or continued employment of the employee/carer.
- ❖ Consult with the Deputy Principal about actions to be taken.
- ❖ Ensure all records of the investigation are kept in a secure manner and treated as highly confidential.

e) Report to the Ombudsman

- I The Principal will notify the Ombudsman of the outcome of the investigation, providing a copy of the report and recommendations, and details of any disciplinary proceedings.

f) Reporting to the Commission for Children & Young People

- I The Principal will notify the Commission for Children & Young People of details of any disciplinary proceedings.