



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

Contents

1. Policy Statement.....	3
2. Purpose	3
3. Scope	3
4. Definitions.....	3
5. Legislative and Regulatory Framework	6
6. Related Policies and Documents.....	6
7. NSW Child Safe Standards – College commitments.....	7
8. Rights of children and Young persons.....	8
9. Roles and Responsibilities.....	8
10. Identifying Child abuse and neglect.....	9
10.1 Types of abuse and neglect	9
10.2 Reporting Obligations and procedures.....	11
10.2.1 Mandatory reporting	11
10.2.3 Responding to a disclosure	11
10.2.4 Process for mandatory reporting.....	12
11. Reportable conduct scheme	12
11.1 What is Reportable conduct.....	12
11.2 College Obligations.....	13
11.3 Who can make a report.....	14
11.3.1 Staff members.....	14
11.3.2 Parents, carers and community members	14
11.4 Process for investigating an allegation of reportable conduct	14
11.4.1 Initial steps	14
11.4.2 Investigation principles	15
11.4.3 Investigation steps	15
11.5 Risk management throughout an investigation of a reportable conduct allegation	16
11.5.1 Initial risk assessment	16
11.5.2 Ongoing risk assessment.....	16
11.5.3 Findings	16
11.6 Information for the ESOA	16
11.7 Disciplinary action	17
12. Working with Children Check	17
13. Safe Recruitment and Screening.....	18
14. Child Safe Culture and Training	18
14.1 Training requirements.....	18
14.2 Code of Conduct	19



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

15. Child Safe Physical and Online Environments	20
15.1 Physical Environment	20
15.2 Online and Digital Safety	21
16. Student Participation and Voice	21
17. Families and Community Engagement	21
18. Complaints, Concerns and Feedback	21
P19. Privacy and Confidentiality	22
20. Record Management	22
21. Key contacts	22
Document Status	23
Previous Version History	23



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

1. Policy Statement

The College is committed to safeguarding and promoting the safety, welfare, and wellbeing of all children and young people. As a Christ-centred community, we affirm that every child is created in the image of God, is deeply valued, and deserves to be treated with dignity, care, and respect.

The College strives to maintain a child-safe environment and is dedicated to implementing the Child Safe Standards and the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

All staff, volunteers, contractors, and visitors share responsibility for the protection of children and are expected to uphold this commitment at all times. Any concern relating to a child protection matter must be reported promptly to the Head of College (also referred to as the Head of Entity), in accordance with this policy and any applicable legal obligations.

Failure to comply with this policy may constitute a breach of employment, contractual, or engagement terms and may result in disciplinary action.

2. Purpose

The purpose of this policy is to:

- establish a culture of child safety embedded in all aspects of College life.
- articulate the rights of children and young persons to be safe from harm.
- provide clear guidance on identifying, reporting and responding to child safety concerns.
- ensure compliance with NSW and Commonwealth legislative requirements.
- support the consistent implementation of the NSW Child Safe Standards under the Children's Guardian Act 2019.
- fulfil the College's obligations under the Reportable Conduct Scheme.

The safety, protection and welfare of students is the responsibility of all staff members and encompasses:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students which could reasonably have been foreseen; and
- obligations under child protection legislation

3. Scope

This policy applies to all persons associated with the College:

- all teaching and non-teaching staff (permanent, part-time, casual or contract)
- council members
- volunteers
- contractors
- third parties engaged for College activities

This policy applies to all College settings including classrooms, excursions, camps, co-curricular activities, online and digital environments, and any other context where students are under the supervision or care of the College.

4. Definitions

- **Child/Young person:** For the purpose of this policy, a 'child' or 'young person' means any individual under the age of 18 years, consistent with the Children's Guardian Act 2019 (NSW) Schedule 6. This encompasses students referred to as "children" (under 16 years) and 'young persons' (aged 16-17)



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

years) under the Children and Young Persons (Care and Protection) Act 1998 (NSW)) has the same meaning as defined in each piece of related legislation.

- **Child abuse:** any act or omission that results in harm or risk of harm to a child or young person, including physical abuse, sexual abuse, emotional/psychological abuse, neglect, and exposure to family violence (Children and Young Persons Act 1998)
- **Risk of significant harm (ROSH):** A risk of harm is significant if it is not trivial and merits a response by a statutory authority. Indicators include a child's basic physical, psychological, or educational needs not being met, or exposure to domestic violence (Children and Young Persons (Care and Protection) Act 1998).
- **Mandatory reporter:** A person who, in the course of their professional work or other paid employment, delivers the services listed in s 27 of the Children and Young Persons (Care and Protection) Act 1998 and has reasonable grounds to suspect a child is at risk of significant harm. This includes all school staff.
- **Reportable Conduct:** Conduct by an employee defined in s 20 of the Children's Guardian Act 2019, including: a sexual offence against a child; sexual misconduct involving a child; ill-treatment of a child; assault of a child; neglect of a child; and behaviour causing significant psychological harm to a child.
 - **Sexual offence:** an offence of a sexual nature under a law of the State, another State, a Territory, or the Commonwealth, committed against, with or in the presence of a child, such as:
 - sexual touching of a child;
 - a child grooming offence;
 - production, dissemination or possession of child abuse material.

Definitions of 'grooming', within child protection legislation, are complex. Under the Crimes Act, grooming or procuring a child under the age of 16 years for unlawful sexual activity is classed as a sexual offence. The Crimes Act (s73) also extends the age of consent to 18 years when a child is in a 'special care' relationship. Under Schedule 1(2) of the WWC Act, grooming is recognised as a form of sexual misconduct. The Children's Guardian Act 2019 and this Child Protection Policy reflect these definitions within the context of the Reportable Conduct Scheme (Division 2).

An alleged sexual offence does not have to be the subject of criminal investigation or charges for it to be categorised as a reportable allegation of sexual offence.

- **Sexual misconduct:** conduct with, towards or in the presence of a child that is sexual in nature (but not a sexual offence). The Act provides the following (non-exhaustive) examples:
 - 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.

Note – crossing professional boundaries comes within the scope of the scheme to the extent that the alleged conduct meets the definition of sexual misconduct. That is, the conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence).

- **Assault:** an assault can occur when a person intentionally or recklessly (i.e. knows the assault is possible but ignores the risk):
 - applies physical force against a child without lawful justification or excuse – such as hitting, striking, kicking, punching or dragging a child (actual physical force); or
 - causes a child to apprehend the immediate and unlawful use of physical force against them – such as threatening to physically harm a child through words and/or gestures regardless of whether the person actually intends to apply any force (apprehension of physical force)



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

- **Ill-treatment** is defined as conduct towards a child that is:
 - unreasonable; and
 - seriously inappropriate, improper, inhumane or cruel.

Ill-treatment can include a range of conduct such as making excessive or degrading demands of a child; a pattern of hostile or degrading comments or behaviour towards a child; and using inappropriate forms of behaviour management towards a child.
 - **Neglect:** defined as a significant failure to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for a child that causes or is likely to cause harm - by a person who has care and/or has responsibility towards a child.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child's physical or psychological needs, or a single significant incident where a caregiver fails to fulfill a duty or obligation, resulting in actual harm to a child where there is the potential for significant harm to a child. Examples of neglect include failing to protect a child from abuse and exposing a child to a harmful environment.
 - Behaviour that causes significant **emotional or psychological harm** to a child is conduct that is intentional or reckless (without reasonable excuse), obviously or very clearly unreasonable and which results in significant emotional harm or trauma to a child.

For a reportable allegation involving psychological harm, the following elements must be present:

 - An obviously or very clearly unreasonable or serious act or series of acts that the employees knew or ought to have known was unacceptable, and
 - Evidence of psychological harm to the child that is more than transient, including displaying patterns of 'out of character behaviour', regression in behaviour, distress, anxiety, physical symptoms or self-harm, and
 - An alleged causal link between the employee's conduct and the significant emotional or psychological harm to the child.
- **Reportable allegation** is an allegation that an employee has engaged in conduct that may be reportable conduct.
 - **Reportable conviction** means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.
 - **ESOA** (Employee Subject of the Allegation).
 - **Head of Entity:** The most senior executive officer of the College, being the person who meets the definition of "head" under section 17 of the *Children's Guardian Act 2019 (NSW)* and who is responsible for fulfilling the College's obligations under the NSW Reportable Conduct Scheme. The Head of College fulfils this role for the College.
 - **Working with Children Check (WWCC):** A background check required under the Child Protection (Working with Children) Act 2012 (NSW) for people who work or volunteer in child-related work.
 - **Child Safe Standards** refer to the standards contained within the Royal Commission Final Report Volume 6, that form the NSW Child safe scheme framework for organisations working with children.
 - **Staff** as defined in the Staff Code of Conduct refers to all employees, whether full or part-time, permanent, temporary, or casual and contractors to work at William Clarke College, including approved volunteers
 - **Office of Children's Guardian:** is an independent statutory body that promotes the interests, safety and rights of children and young people in NSW. The core functions of the Office of the Children's Guardian include administering Working with Children Checks, Reportable Conduct Scheme and implementation of the Child Safe Standards.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

5. Legislative and Regulatory Framework

This policy is informed by the following legislation, standards, and guidelines

Legislation:

- The Children and Young Persons (Care and Protection) Act 1998 (NSW) (the Care and Protection Act)
- The Child Protection (Working with Children) Act 2012 (NSW) (the WWC Act)
- Children's Guardian Act 2019 ("Children's Guardian Act")
- The Crimes Act 1900 ("Crimes Act")
- Part 3A Child Safe scheme ("Children's Guardian Act").
- Education Act 1990 (NSW)
- Privacy Act 1988

Standards and Frameworks:

- NSW Child Safe Standards (10 Standards) under the Children's Guardian Act 2019
- National Principles for Child Safe Organisations (Royal Commission into Institutional Responses to Child Sexual Abuse)
- NESA Registration requirements for Non – Government Schools
- Independent Schools NSW (ISNSW) Child Safe Framework

6. Related Policies and Documents

- Staff Code of Conduct
- Volunteer Code of Conduct and Training manual
- Work Health and Safety Policy
- Complaints Handling Policy & Flowchart
- Student Anti-Bullying Policy
- Working with Children check policy
- ICT Acceptable use Policy
- Child safe Code of Conduct (BAASC)
- Child safe Environment Policy (BAASC)
- Child Safe Risk management plan (BAASC)



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

7. NSW Child Safe Standards – College commitments

Standard	Description	College Commitment
Standard 1	Child safety embedded in leadership, governance, and culture	Child safety policy: annual review of Child safety policy, College has a clearly articulated behaviour expectation of staff and other adults as set out in key documentation such as Staff Code of conduct, Parent Code of conduct, Providing a culture of safety; Complaint management and information sharing and reporting processes documented and available to all staff to ensure an effective child safe culture at College.
Standard 2	Children participate in decisions affecting their safety	The College values student voice and empowers students to raise concerns through a pastoral care program and various feedback mechanisms, including anonymous and online options. Student leadership structures also enable meaningful contribution to decisions that affect them.
Standard 3	Families and communities are informed and involved	The College partners with families, caregivers, and the broader community to promote student wellbeing and safety. Families are kept informed of our child safety commitment through clear communication, easily accessible feedback processes, and resources available via our website and Connect posts.
Standard 4	Equity and diverse needs of all children are upheld	The College provides culturally safe, inclusive services for all students, recognising and respecting their diverse needs, abilities, and backgrounds. As far as reasonably practicable activities are designed to encourage equitable participation. Tolerance and inclusion are actively promoted throughout the school (Antibullying policies in place).
Standard 5	People working with children are suitable and supported	Human resource practices reinforce our child safe culture through rigorous recruitment practices, including safety-focused advertising and thorough referee checks; job descriptions and contracts that reflect our child safe values; and induction processes covering the Child Safe Policy, Staff Code of Conduct, and relevant child protection policies; WWCC for all staff and volunteers (WWCC policy); ongoing professional development
Standard 6	Processes to respond to complaints of child abuse	Clear reporting pathways; transparency within policy regarding investigation, confidentiality practices, prompt investigations. Complaints are taken seriously and responded respectfully and appropriately.
Standard 7	Staff equipped with knowledge to keep children safe	Relevant Child safety training at induction and as per legislative requirements.
Standard 8	Physical and online environments minimise opportunity for abuse	The College actively minimises opportunities for harm in both physical and online environments. Staff understand behavioural standards across all settings, and specific risk management controls are applied to higher-risk activities such as excursions, peripatetic teaching. Physical spaces are designed to maximise natural lines of sight while respecting student privacy. Students, staff, and families receive education on online risks including grooming, cyberbullying etc. Online Safety Hub available as a resource to parents with programs run under the digital citizenship and Respectful relationships aids build understanding; Risk



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

		management plans identify risks to child safety in physical and online environments, and how these will be managed.
Standard 9	Implementation is continuously reviewed and improved	Child safety working group committed to growing maturity of our child safe policy and practices,
Standard 10	Policies and procedures document how the organisation is child safe	Policy suite publicly available; staff acknowledgement recorded (Providing culture of Safety); version control

8. Rights of Children and Young persons

The College affirms that every child and young person has the right to:

- feel and be safe at the College, both physically and emotionally
- be treated with dignity, respect, and fairness
- have their cultural identity, language, religion, and background respected
- be heard and have their views taken seriously
- receive information in a way they can understand
- access support, complaints mechanisms and trusted adults
- be protected from all forms of abuse, neglect, exploitation, and harm
- have their privacy protected and personal information treated with confidentiality

9. Roles and Responsibilities

Council

- approve Council's Child Safety policy
- receive annual reports on child safety practices and incidents
- ensure adequate resourcing for child safe practices

Head of College

- lead the implementation of child protection policy across the College community
- report reportable allegations or convictions to the children's guardian within 7 business days
- acts as the Head of Entity for reportable conduct scheme purposes
- be the first point of contact for child protection concerns and reports
- maintain current knowledge of child protection legislation and best practice
- provide advice, support, and guidance to staff on child protection matters
- coordinate mandatory reports to the child protection helpline (132 111)
- manage reportable conduct investigations in line with the children's guardian act 2019
- maintain confidential child protection records
- liaise with the Office of the Children's Guardian (OCG) as required

Head of Strategy and Research

- coordinate and record annual child protection training
- ensure all staff complete mandatory child protection training

Director of People and Culture

- maintain a register of WWCC clearances for all relevant staff.



WILLIAM CLARKE COLLEGE

MANAGEMENT POLICY

CHILD PROTECTION

All staff

- understand and comply with this policy and all associated procedures
- complete mandatory child protection training at induction and annually
- hold a valid working with children check clearance at all times
- maintain professional boundaries with students in accordance with the code of conduct
- report any reasonable grounds to suspect a child is at risk of significant harm to the Head of College immediately
- use the [MRG tool](#) to assess concerns, and where directed by the tool, submit a mandatory eReport

Note: Staff may seek support from the Head of College/Deputy Head if assistance is required with the MRG tool and can also contact the Child Protection Helpline for advice or guidance

- report any allegations of reportable conduct against a colleague to the Head of College. if the allegation involves the Head of College, a report should be made to the Chair of College Council.

Note: contact details for the above mentioned roles are available in the Key contact section of this policy.

- maintain confidentiality of child protection matters except as required by law.

Volunteers and Contractors

- hold a valid WWCC clearance (where required under the Child Protection (Working with Children) Act 2012)
- be familiar with and comply with this Policy and the Code of Conduct
- report any concerns about a child's safety to the Head of College immediately via email.

10. Identifying Child abuse and neglect

10.1 Types of abuse and neglect

There are different forms of child abuse. These include neglect, sexual, physical, and emotional abuse.

- 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.
- 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.
- 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 punishing a child (in a non-trivial way) is a crime.
- Emotional abuse can result in serious psychological harm, 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.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

Significant/Serious 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:

- basic physical or psychological needs are not being met or are at the risk of not being met
- necessary medical care has not been arranged, and caregivers are unable or unwilling to do so
- the child is not receiving education as required under 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.
- the child has been, or is at risk of being, physically or sexually abused
- the child lives in a household affected by domestic violence, posing a risk of serious harm
- a caregiver's behaviour has caused or risks causing serious psychological harm
- a pre-natal report was made under s25 of the Care and Protection Act, and the birth mother did not successfully engage with support services to address the identified risk factors
- where someone shares or threatens to share, an intimate image or video of a child without their consent. An image or video is considered 'intimate' if it appears to show a child nude or partly naked, a child's genitals or bottom, a person doing a private activity (toilet/showering), a person without clothing of religious or cultural significance (if they normally wear it in public e.g. turban)
- AI generated or manipulated fake images placing students in inappropriate situations circulated online or rapid spread of edited images among peers

"Significant" means sufficiently serious to warrant a statutory response regardless of family consent – not minor or trivial, and reasonably expected to have a substantial adverse impact on the child's safety, welfare, or wellbeing. Significance may arise from a single act or omission, or an accumulation of concerns.

Staff must be able to recognise possible indicators of the following categories of abuse and neglect:

Type	Possible Indicators
Physical Abuse	Unexplained bruises, burns, fractures, or injuries; injuries inconsistent with explanation; fear of going home; flinching at sudden movements
Sexual Abuse	Age-inappropriate sexual knowledge or behaviour; withdrawal, anxiety, or depression; physical complaints without medical cause; drawings or play of a sexual nature
Emotional / Psychological Abuse	Low self-esteem; extreme behaviour (aggression or withdrawal); developmental delays; persistent absence without explanation
Neglect	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.
Exposure to Family Violence	Anxiety, fearfulness, or hypervigilance; unexplained absences; regressive behaviour; disclosures about conflict at home
Image based abuse (including deepfakes)	Students reporting fake images circulating online, reports of coercion, threats or blackmail, sudden anxiety, or distress

This list is not exhaustive. Staff should trust their professional judgment and err on the side of caution. If in doubt, consult the Head of College and report their concern regardless. Staff members are required to deal with all reports regarding the safety, welfare or wellbeing of a student confidentially and only disclose it to the Head of College and any other person the Head of College nominates.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

10.2 Reporting Obligations and procedures

Key legislation requires reporting of particular Child Protection concerns. However, as part of the College's overall commitment to Child Protection, all staff are required to report any Child Protection or child wellbeing concerns about the safety, welfare or wellbeing of a child or young person to the Head of College.

10.2.1 Mandatory reporting

The Care and Protection Act provides for mandatory reporting of children at risk of significant harm. A child is a person under the age of 16 years, and a young person is aged 16 years or above, but who is under the age of 18, for the purposes of the Care and Protection Act.

Under the Care and Protection Act, mandatory reporting applies to persons who:

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

All staff (teaching and non-teaching) are mandatory reporters under the Children and Young Persons (Care and Protection) Act 1998 (NSW) s 27.

A mandatory report must be made when a staff member has, in the course of their work:

- reasonable grounds to suspect that a child is at risk of significant harm (ROSH); and
- those grounds arise from the person's current concerns about the child, or from the person's knowledge of, or belief about, the child's circumstances.

Making a mandatory report is an individual obligation and cannot be delegated. A staff member who makes a mandatory report in good faith is protected from civil and criminal liability.

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:

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

'Reasonable grounds' does not mean a person is required to confirm their suspicions or have clear proof before making a report.

Staff can make a MRG report and provide a copy to the Head of College (refer to 11.3). In the independent school sector, a mandatory reporter will meet their obligation if they report to the Head of College in the College. This centralised reporting model ensures that a person in a College has all the information that may be relevant to the circumstances of the child at risk of significant harm and addresses the risk of a College not being aware of individual incidences that amount to cumulative harm.

10.2.3 Responding to a disclosure

When a child discloses abuse or raises concern, staff must:

- remain calm and listen without displaying shock or disbelief
- reassure the child they have done the right thing by telling someone



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

- not promise confidentiality - explain that you need to tell someone who can help
- not investigate, interview, or ask leading questions
- use the child's own words and record them accurately as soon as possible
- not confront the alleged perpetrator
- ensure the child's immediate safety

10.2.4 Process for mandatory reporting

- staff member must, where they have reasonable grounds to suspect that a child (under 16 years of age) is at risk of significant harm, refer to the MRG Decision Tree on the Department of Communities and Justice (DCJ) website as soon as practicable.
- staff member must follow any appropriate action as advised by MRG.
- all MRG reports and outcomes from the Decision Tree must be provided to the Head of College.
- if unsure, staff should raise their concerns about a child or young person who may be at risk of significant harm with the **Head of College** or Deputy Head as soon as possible to discuss whether the matter meets the threshold of 'risk of significant harm' and the steps required to report the matter.
- staff members are required to deal with all reports regarding the safety, welfare or wellbeing of a student with confidentiality and only disclose it to the Head of College and any other person the Head nominates. Failure to maintain confidentiality will not only be a breach of this policy but could incite potential civil proceedings for defamation.

If there is an immediate danger to the child or young person and the **Head of College** or Deputy is not contactable, staff members should contact the police and/or the Child Protection Helpline (13 21 11) directly and then advise the Head of College or Deputy at the College as soon as possible.

Staff members must not and are not required to undertake any investigation of the matter. Staff members are not permitted to inform the parents or caregivers that a report to DCJ has been made.

Step 1	OBSERVE & RECORD - Document observations, disclosures or concerns factually and objectively as soon as possible. Do not investigate or pressure the child for information.
Step 2	REPORT INTERNALLY - Notify the Head of College promptly. If the concern involves the Head of College, report directly to the Chair of Council or directly to the Child Protection Helpline.
Step 3	MANDATORY REPORT (if required) - Staff to complete the MRG and notify the Head of College. Staff can contact the Child Protection Helpline on 132 111 (24 hours, 7 days). In an emergency where a child is in immediate danger, call 000.
Step 4	DOCUMENT - Provide the MRG record and outcomes to the Head of College. The Head of College records and securely stores all documentation. For BAASC related child safety concerns: Head of College/delegate shall update the Child protection register
Step 5	FOLLOW UP - The Head of College/delegate coordinates follow-up, monitors the child's welfare and liaises with external agencies as required. Staff are informed of the outcome to the extent permitted by confidentiality obligations.

11. Reportable conduct scheme

11.1 What is Reportable conduct

Under the Children's Guardian Act 2019, reportable conduct is defined as:

- a sexual offence;



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

- sexual misconduct;
- an assault against a child;
- ill-treatment of a child;
- neglect of a child;
- an offence under section 43B (failure to protect) or section 316A (failure to report) of the Crimes Act 1900; and
- behaviour that causes significant emotional or psychological harm to a child.

Reportable conduct does not extend to:

- (a) conduct that is reasonable for the purposes of the discipline, management, or care of children, having regard to the age, maturity, health, or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- (b) the use of physical force that, in all circumstances, is trivial or negligible and the circumstances in which it was used have been investigated and the result of the investigation has been recorded in accordance with appropriate procedures; or
- (c) conduct of a class or kind exempted from being reportable conduct by the Children's Guardian under section 30.

Example of conduct for paragraph (a)—

- a school teacher raising his or her voice in order to attract attention or restore order in a classroom

Examples of conduct for paragraph (b)—

- touching a child in order to attract the child's attention
- momentarily restraining a child to prevent the child hurting themselves or others
- touching a child to guide or comfort the child

11.2 College Obligations

- The Head of College (as Head of Entity) must notify the Children's Guardian within 7 business days of becoming aware of a reportable allegation or conviction.
- The notification should include the following information:
 - (a) that a report has been received in relation to an employee of the School, and
 - (b) the type of reportable conduct, and
 - (c) the name of the employee, and
 - (d) the name and contact details of School and the Head of Entity, and
 - (e) for a reportable allegation, whether it has been reported to Police, and
 - (f) if a report has been made to the Child Protection Helpline, that a report has been made, and
 - (g) the nature of the relevant entity's initial risk assessment and risk management action,

The notice must also include the following, if known to the Head of College:

- (a) details of the reportable allegation or conviction considered to be a reportable conviction,
- (b) the date of birth and working with children number, if any, of the employee the subject of the report,
- (c) the police report reference number (if Police were notified),
- (d) the report reference number if reported to the Child Protection Helpline,
- (e) the names of other relevant entities that employ or engage the employee, whether or not directly, to provide a service to children, including as a volunteer or contractor.

Maximum penalty for failure to notify within 7 business days —10 penalty units.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

- The Head of College must conduct or arrange for an investigation and provide a final report to the Children's Guardian within the required timeframe.
- The alleged employee must be notified and afforded procedural fairness.
- All staff involved must maintain confidentiality of investigations except as required by law.
- All staff involved must cooperate with any investigation by the Children's Guardian.

11.3 Who can make a report

11.3.1 Staff members

- any concerns about any other employee engaging in conduct that is considered inappropriate, or reportable conduct, or any allegation of inappropriate, or reportable conduct made to the employee or about the employee themselves must be reported to the **Head of College**. Where it is uncertain if the conduct is reportable conduct but is considered inappropriate behaviour, this must also be reported to the Head of College.
- staff members must also report to the **Head of College** when they become aware that an employee has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving reportable conduct. This includes information relating to the employee themselves.
- staff members must report to the **Head of College** when they become aware of conduct that occurred in the past that would now meet the reportable conduct definitions.
- if the allegation involves the Head of College, the staff member must report to the **Chair of the College Council**.

11.3.2 Parents, carers and community members

Parents, carers and community members are encouraged to report any conduct that is in their view inappropriate, reportable or criminal conduct to the Head of College or their delegate. All such reports will be dealt with in accordance with the College's Complaint Handling procedures.

11.4 Process for investigating an allegation of reportable conduct

The Head of College is required to adhere to the following steps to investigate an allegation of reportable conduct.

11.4.1 Initial steps

Once an allegation of reportable conduct against an employee is received, the Head of College is required to:

- determine on face value whether it is an allegation of reportable conduct
- assess whether DCJ or the police need to be notified (i.e., if reasonable grounds to suspect that a child is at risk of significant harm or a potential criminal offence). If they have been notified, seek clearance from these statutory agencies prior to the school proceeding with the Reportable Conduct investigation
- notify the child's parents (unless to do so would be likely to compromise the investigation or any investigation by DCJ or police)
- notify the OCG within 7 business days of receiving the allegation (Section 35 of the WWCC Act). A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault must be referred to the OCG's Working with Children Check Directorate (WWCC Directorate). The College may also be obliged to report, amend or provide additional information to the OCG as outlined in the WWCC Act.
- carry out a risk assessment and take action to reduce/remove risk, where appropriate
- provide an initial letter to the ESOA advising that an allegation of reportable conduct has been made against them and the College's responsibility to investigate this matter under Section 34 of the Children's Guardian Act 2019
- investigate the allegation or appoint someone to investigate the allegation.
- notify NESA as appropriate



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

11.4.2 Investigation principles

During the investigation of a reportable conduct allegation the College will:

- follow the principles of procedural fairness
- inform the ESOA of the substance of any allegations made against them, at the appropriate time in the investigation, and provide them with a reasonable opportunity to respond to the allegations
- make reasonable enquiries or investigations before making a decision
- avoid conflicts of interest
- conduct the investigation without unjustifiable delay
- handle the matter as confidentially as possible
- provide appropriate support for all parties including the child/children, witnesses and the ESOA.

11.4.3 Investigation steps

In an investigation the Head of College or appointed investigator will generally:

- interview relevant witnesses and gather relevant documentation
- provide a letter of allegation to the ESOA
- provide the ESOA with the opportunity to provide a response to the allegations either in writing or at Interview
- consider relevant evidence and make a preliminary finding in accordance with the OCG guidelines
- inform the ESOA of the preliminary finding in writing by the Head of College and provide them with a further opportunity to respond or make a further submission prior to the matter moving to Final findings
- consider any response provided by the ESOA
- make a final finding in accordance with the OCG guidelines
- decide on the disciplinary action, if any, to be taken against the ESOA. If it is completed, send the final report to the OCG within 30 days after having received the allegation, as per section 36 of the Children's Guardian Act 2019.

Should the final report be unfinished within 30 days, the Head of College must provide, at minimum, an interim report to the OCG within 30 days of having received the allegation, as per section 38 of the Children's Guardian Act 2019.

Submission of an interim report must include:

- a reason for not providing the final report within 30 days and an estimated time frame for completion of the report
- specific information, including (if known); the facts and circumstances of the reportable allegation; any known information about a reportable conviction; action taken since the OCG received a notification about the reportable allegation or reportable conviction; further action the Head of College proposes to take in relation to the reportable allegation or reportable conviction; including if the Head of College 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 College's possession, including transcripts of interviews and copies of evidence.

The steps outlined above may need to be varied on occasion to meet particular circumstances. For example, it may be necessary to take different steps where the matter is also being investigated by DCJ or police.

An ESOA may have an appropriate support person with them during the interview process. Such a person is there for support only and as a witness to the proceedings and not as an advocate or to take an active role.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

11.5 Risk management throughout an investigation of a reportable conduct allegation

The Head of College is responsible for risk management throughout the investigation and will assess risk at the beginning of the investigation, during and at the end of the investigation.

11.5.1 Initial risk assessment

Following an allegation of reportable conduct against an employee the Head of College conducts an initial risk assessment to identify and minimise the risks to:

- child(ren) who are the subject of the allegation
- other children with whom the employee may have contact
- ESOA
- College
- proper investigation of the allegation.

The factors which will be considered during the risk assessment include the:

- nature and seriousness of the allegations
- vulnerability of the child(ren) the ESOA has contact with at work
- nature of the position occupied by the ESOA
- level of supervision of the ESOA
- disciplinary history or safety of the ESOA and possible risks to the investigation.

The Head of College will take appropriate action to minimise risks. This may include the ESOA being temporarily relieved of some duties, being required not to have contact with certain students, being asked to take paid leave, or being suspended from duty. When taking action to address any risks identified, the College will take into consideration both the needs of the child(ren) and the ESOA.

A decision to take action on the basis of a risk assessment is not indicative of the findings of the matter. Until the investigation is completed and a finding is made, any action, such as an employee being suspended, is not to be considered to be an indication that the alleged conduct by the employee did occur.

11.5.2 Ongoing risk assessment

The Head of College will continually monitor risk during the investigation including in the light of any new relevant information that emerges.

11.5.3 Findings

At the completion of the investigation, a finding will be made in relation to the allegation and a decision made by the Head of College regarding what action, if any, is required in relation to the ESOA, the child(ren) involved and any other parties.

11.6 Information for the ESOA

The ESOA will be advised:

- that an allegation has been made against them (at the appropriate time in the investigation)
- of the substance of the allegation, or of any preliminary finding and the final finding.
- when informing an employee of a finding of reportable conduct against them, the College should alert them to the consequent report to the WWCC Directorate in relation to sustained findings of sexual misconduct, a sexual offence or a serious physical assault.

The ESOA does not automatically have the right to:

- know or have confirmed the identity of the person who made the allegation
- be shown the content of the OCG notification form or other investigation material that reveals information provided by other employees or witnesses.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

The Working With Children's Act enables a person who has a sustained finding referred to the OCG under the Act to request access to the records held by the College in relation to the sustained finding of misconduct involving children once final findings are made. The entitlements of a person to request access to information in terms of section 46 of the WWC Act is enlivened when a finding of misconduct involving children has been made.

11.7 Disciplinary action

As a result of the allegations, investigation or final findings, the College may take disciplinary action against the ESOA (including termination of employment).

In relation to any disciplinary action the College will give the ESOA:

- details of the proposed disciplinary action
- a reasonable opportunity to respond before a final decision is made.

11.8 Reporting

- Section 35 of the WWCC Act requires the College to notify the OCG of the findings that have been made after completing a reportable conduct investigation, including whether they have made a finding of reportable conduct. A finding of reportable conduct in relation to sexual misconduct, a sexual offence or a serious physical assault must be referred to the OCG's Working with Children Check Directorate (WWCC Directorate).
- The Head of College will fulfil this obligation.

12. Working with Children Check

The College has a Working with Children's Check policy to comply with the Child Protection (Working with Children) Act 2012 (NSW). Refer to the policy for detailed information.

Key College obligations are noted below:

- all paid staff engaged in child-related work must hold a current WWCC clearance (Employee category) before commencing work.
- all volunteers engaged in child-related work must hold a current WWCC clearance (Volunteer category).
- the College verifies WWCC status through the Service NSW verification portal before engagement and at regular intervals.
- WWCC clearances are recorded and maintained by People and Culture team
- a person with an Interim Bar or who is barred must not work in a child-related role. It is an offence for an employer to knowingly engage a child-related worker who does not hold a WWCC clearance or who has a bar.
- if the College receives a risk assessment notice from the OCG, the Head of College must take immediate action as required.

Key staff member obligations:

Staff members who engage in child-related work and eligible volunteers (including those volunteers working at overnight camps) are required to:

- hold and maintain a valid WWCC clearance;
- not engage in child-related work at any time that they are subjected to an interim bar or a bar;
- report to the Head of College in writing, if they are no longer eligible for a WWCC clearance, the status of their WWCC clearance changes or are notified by the OCG that they are subjected to a risk assessment; and



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

- notify the OCG of any change to their personal details within 3 months of the change occurring. Failure to do so may result in a fine.

13 Safe Recruitment and Screening

The college applies rigorous screening and recruitment practices to ensure all persons working with children are suitable, as outlined in College's Recruitment and Selection policy. This includes:

- advertising that explicitly states the College's commitment to child safety
-
- verification of WWCC clearance prior to commencement
- structured interviews that include questions about child safety attitudes and values
- a minimum of two referee checks, at least one being a direct supervisor
- structured supervision and review
- induction training including acknowledging this Policy, the Code of Conduct, and mandatory child protection training

All volunteers are required to:

- sign Volunteer Code of conduct and
- complete the Volunteer training and quiz to ensure they understand and are aware of the expected standards of behaviour outlined in the Code of Conduct.

Refer to Volunteering at William Clarke College under Parents Group (A-Z College Information)

14. Child Safe Culture and Training

14.1 Training requirements

We provide ongoing professional learning and refresher training to maintain and strengthen staff capability in recognising and responding to harm, neglect and grooming behaviours. This includes reinforcing knowledge of mandatory reporting obligations, professional boundaries, safe supervision practices and appropriate interactions with children.

Who	Training required	Frequency
All new staff (teaching & non-teaching) <i>Includes permanent, temporary, and casual staff</i>	Child protection induction – <i>acknowledging Child protection policy, Code of conduct, mandatory reporter training and any other child protection -related training identified as a part of induction.</i> Volunteers prior to commencement : - <i>Read & acknowledge Volunteers training manual.</i> - <i>Complete Volunteer Online Training Quiz.</i>	Within 14 days of commencement
All staff (teaching and non-teaching) <i>Includes permanent, temporary, and casual staff</i>	Child protection awareness and reporting training and annual competency check	Annually



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

BAASC – Nominated supervisor, persons in day-to-day charge	Approved State Child Protection Training Course (Children (Education and Care Services) National Law - Section 162 A) CHCPRT025 (<i>Identify and report children and young people at risk</i>)	Not applicable
All staff and Volunteers in BAASC (including persons in management, nominated supervisors, persons in day-to-day charge)	Children (Education and Care Services) National Law - Section 162 B requires: - National Child safety training in Geccko (Foundation) - National Advanced Child safety Training	Foundation National Child safety training (Gecko) must be completed prior to commencement working directly with children or 14 days after person is employed, engaged, or appointed at service, whichever occurs first. Advanced Child safety training must be completed within 3 months of starting work. Child safety training (both Foundation and Advanced) must be completed once every two years
	Education and Care Services National Regulation 84 requires: - Refresher Child safety training	Refresher training (every 12-24 months)

14.2 During Recruitment and Induction

The College's "Providing a Culture of Safety at William Clarke College" commitment requires all staff to familiarise themselves with, and formally acknowledge, the policies that govern child-safe practices and professional conduct within the College.

The Staff Code of Conduct sets out behavioral expectations including:

- maintaining appropriate physical and emotional boundaries with students
- prohibition on one-to-one unsupervised interactions with students in non-transparent settings
- appropriate use of digital communication with students
- obligations regarding the use of photographs and images of students
- prohibition on the giving of gifts or personal favors to individual students
- respectful, age-appropriate, and inclusive language
- obligations to report concerns, breaches, or near-misses

14.3 External Reporting obligations

14.3.1 Failure to protect offence (Crimes Act 1900 – NSW)

An adult working in a school, therefore all staff members, will commit an offence if they know another adult working there poses as serious risk of committing a child abuse offence and they have the power to reduce or remove the risk, and they negligently fail to do so either by acts and/or omissions.

This offence is targeted at those in positions of authority and responsibility working with children who ignore a known and serious risk rather than using their power to protect children.

14.3.2 Failure to report offence (Crimes Act 1900 – NSW)

Child Protection Policy

Reviewed: 22 September 2026



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

Any adult, and therefore all staff members, will commit an offence if they know, believe or reasonably ought to know that a child abuse offence has been committed and fail to report that information to Police, without a reasonable excuse. A reasonable excuse would include where the adult has reported the matter to the Head of college and is aware that the Head of College has reported the matter to the Police.

14.3.3 Special Care Relationships (Crimes Act 1900 – NSW)

It is a crime in NSW for a staff member, volunteer, or contractor to have a sexual relationship with a student where there is a special care relationship. The Act provides that a young person is under an adult's special care if the adult is a member of the teaching staff of the School at which the young person is a student; or has an established personal relationship with the young person in connection with the provision of religious, sporting, musical or other instruction.

The Special Care (sexual intercourse) offence under s73 was supplemented by an additional special care offence involving sexual touching now under s73A of the Crimes Act. The new offence under s73A will expand special care offences to also apply to non-penetrative sexual touching. The offence will protect children aged 16-17 years from inappropriate sexual contact with teachers and others who have special care of the child.

14.3.4 Negative notices or change to educator's accreditation or registration

A negative notice prohibits employment and engagement in child related work.

Staff Notification Requirement

All staff must **notify the Head of College in writing** if they:

- receive a negative Working with Children Check (WWCC) notice from the NSW Office of the Children's Guardian or another jurisdiction; or
- become aware of any change to their teacher accreditation or registration status

Notification must occur within **72 hours of the event occurring, or 24 hours of the staff member becoming aware of the event**, whichever occurs first.

Upon receipt of **notification from the Office of the Children's Guardian or other authorised agency or from an employee** that a person engaged by the College has received a negative notice,

Head of College in consultation with Director, People and Culture shall ensure

- that the staff member is removed from any child-related work
- inform the NSW Education Standards Authority if the employee is an accredited teacher

Business Manager must

- if related to a BAASC staff member, inform the NSW Early Learning Commission as required under Section 174AB of the Children (Education and Care Services) National Law (NSW) within 24 hours of becoming aware via email on information@earlylearningcommission.nsw.gov.au

15. Child Safe Physical and Online Environments

15.1 Physical Environment

- supervision ratios are maintained in all settings including classrooms, playgrounds, excursions, and camps.
- visitor sign-in procedures require all visitors to be identified and supervised.
- facilities are designed and maintained to minimise isolated spaces.
- the College conducts risk assessments of high-risk physical environments to identify and mitigate risks to child safety.



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

15.2 Online and Digital Safety

- the College implements relevant policies and frameworks to encourage responsible and acceptable use of technology and online platforms e.g., ICT Acceptable use policy, Digital citizenship framework, Respectful Relationships programs. Governance structures in place to monitor ongoing implementation of applicable eSafety Commissioner guidelines.
- staff may only use College-approved communication channels to contact students.
- the College has processes to monitor, identify and respond to online safety risks, including cyberbullying and online grooming.
- students receive age-appropriate education on online safety, digital citizenship and recognizing unsafe online behaviour.

16. Student Participation and Voice

The College values and actively encourages students to participate in decisions that affect their safety and wellbeing:

- students are taught what abuse is, their right to be safe, and how to seek help in age-appropriate health and wellbeing programs
- students know who to and how to report a safety concern
- student wellbeing surveys and feedback mechanisms include child safety elements.
- the College ensures students from diverse backgrounds can express concerns in culturally safe ways.
- students are informed about their rights under this Policy through the Student Handbook and wellbeing programs.

17. Families and Community Engagement

The College actively engages families and the broader community in child safety:

- this Policy is published on the College's website and made available to all families.
- the complaints and feedback process is clearly communicated to families and available on the College website.
- the College seeks family input into the College child safe practices regularly e.g., via focus groups.

18. Complaints, Concerns and Feedback

The College maintains accessible and transparent mechanisms for raising child safety concerns and complaints:

- concerns may be raised with the Head of College, or any trusted staff member.
- complaints can be made verbally or in writing (including anonymously via the College's designated reporting channel).
- all complaints will be acknowledged within 2 business days and investigated promptly and fairly.
- complainants will be kept informed of the progress of their complaint.
- the College will not tolerate victimization of any person who raises a child safety concern in good faith.

External complaints and escalations may be directed to:

- Office of the Children's Guardian
- Child Protection Helpline (DCJ) (24/7)
- NSW Education Standards Authority (NESA)
- NSW Ombudsman



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

19. Privacy and Confidentiality

Information relating to child protection concerns is sensitive and must be handled with care:

- child protection records are held securely and accessed only by authorised staff with a need to know.
- confidentiality will be maintained except where disclosure is required by law or necessary to protect a child from harm.
- staff must not discuss child protection matters with parents or other staff beyond what is necessary.
- information about alleged perpetrators is handled with procedural fairness.
- the College complies with the Privacy Act 1988 (Cth), the Health Records and Information Privacy Act 2002 (NSW) and applicable Privacy Principles.
- no employee may comment to the media about an allegation of reportable conduct unless expressly authorised by the Head of College to do so. Staff who become aware of an actual or suspected breach of confidentiality in relation to a reportable conduct allegation must promptly report the matter to the Head of College.

20. Record Management

The following records in relation to Child safety are managed

- Signed copy of "Providing a culture of safety at William Clarke College"
- Child Protection Concern Reports (all concerns, regardless of whether a mandatory report was made)
- Records of mandatory reports made to the Child Protection Helpline
- Records of reportable conduct investigations and outcomes
- WWCC verifications
- Child safety and protection training completion records
- BAASC training register
- Risk assessment records

Records are retained in accordance with the State Records Act 1998 (NSW) and for a minimum of 45 years from the date of creation, or until the child turns 25 years of age, whichever is later, consistent with best practice.

21. Key contacts

Role / Organisation	Contact	Purpose
Head of College	head@wcc.nsw.edu.au .	Internal first point of contact
Chair of Council	chair@wcc.nsw.edu.au .	If conduct is about Head of College
Child Protection Helpline (DCJ)	132 111 (24/7)	Mandatory reports; urgent concerns
Police (Emergency)	000	Immediate danger to a child
Office of the Children's Guardian	02 8219 3700 ocg.nsw.gov.au	Reportable conduct; WWCC; Child Safe Standards



WILLIAM CLARKE COLLEGE MANAGEMENT POLICY CHILD PROTECTION

Document Status

Document Approver	Executive
Document Author	Governance, Risk and Compliance Manager in consultation with Policy Review Committee
Version	7
Date of Executive adoption	22 September 2026
Date for Review	As per Register

Previous Version History

Version 1	16 February 2018
Version 2	11 March 2019
Version 3	18 October 2019
Version 4	25 November 2020
Version 5	9 August 2022
Version 6	12 March 2024