

Protecting and Supporting Children and Young People Policy

1. Objectives – Policy Statement

Education has an important role to support children and young people and to identify where problems arise that may put their safety, welfare or wellbeing at risk.

All staff have a responsibility to report risk of harm concerns about children and young people, within their roles, and to provide support to children and young people.

Child protection reforms introduce an obligation for government and non-government agencies to coordinate decision making and delivery of services.

2. Audience and Applicability

All departmental employees, including those in state offices, schools, TAFE NSW, Adult Migrant English Service, Adult and Community Education and State Training Services.

3. Context

The NSW Government recognises that care and protection for children and young people is a shared responsibility. It begins with parents, but when government support becomes necessary, it is not the sole responsibility of community services but a collective responsibility. Keep Them Safe: A shared approach to child wellbeing provides the framework for parents, communities, government and non-government agencies to work together to support children and families.

3.2 Legislation

3.2.1 Children and Young Persons (Care and Protection) Act 1998; Crimes Act 1900, Privacy and Personal Information Protection Act 1998 Other relevant legislation: Privacy And Personal Information Protection Act 1998; Health Records And Information Privacy Act 2002; Commission for Children and Young People Act 1998; Ombudsman Act 1974, Education Act 1990

3.3 Document History and Details

Implementation date – 05/03/2010 Web publication date – 12/02/2015 Reference Number – PD/2002/0067/V02 Approval date – 5/3/2010 Approving officer Director-General of Education and Communities and Managing Director of TAFE NSW

Superseded documents

Policy for Protecting Children and Young People PD20020067/V01

Document history

Main changes since previous version

- The Policy released on 5/3/2010 reflects revisions to Child Protection Legislation under *Keep Them Safe: A shared approach to child wellbeing*
- From the beginning of the 2014 school year the requirement for Principals to provide a copy of Child Protection Form A reports to their Director, Public Schools NSW was removed. This requirement was deleted from the policy and procedures on 14/3/2014
- Terminology was updated to reflect the new model of support to schools on 14/3/2014.

Policy contact

Leader, Child Protection ph (02) 9244 5129

NSW TAFE Commission reference numbers

None

Publication data

Publicly-available – Yes

Storage location – www.policies – central Primary location – Schools | Wellbeing | Child protection Alt. location (I) – Schools | Wellbeing | Supervision Alt. location (II) – TAFE | Wellbeing | Child protection Leading and Managing the School categories – Educational programs | Student welfare Subject keywords – protecting, supporting, risk of harm, abuse, support, prohibited, child protection, employment declaration, working with children check, safety

4. Responsibilities and Delegations

4.1 Principals and Workplace Managers

- Ensure all staff have participated in an initial child protection induction and an update during the past year
- Ensure all staff are aware of the indicators of abuse and neglect of children and young people
- Ensure all staff are aware of their obligation to advise the principal or workplace manager of concerns about the safety, welfare and wellbeing of children and young people that arise during the course of their work
- Ensure that all staff are aware of their mandatory obligation to report suspected risk of significant harm and of the procedures for doing so
- Use appropriate tools to inform decision making, such as the online Mandatory Reporter Guide, professional judgment or specialist advice, where there are concerns about risk of harm
- Determine whether concerns about the safety, welfare or wellbeing of children or young people constitute risk of significant harm and, if they do, report these to Family and Community Services
- Seek advice from the Child Wellbeing Unit where there is uncertainty about whether concerns amount to risk of significant harm
- Contact the Child Wellbeing Unit about the safety, welfare and wellbeing of children and young people where:
 1. There are concerns about risk of harm, that do not meet the threshold of significant harm but are not trivial
 2. The Mandatory Reporter Guide indicates this should be done
 3. A case has been reported to Family and Community Services and did not meet the risk of significant harm threshold
 4. There is an observable pattern of cumulative harm that does not meet the threshold of significant harm.

4.1.3 Supporting children and young people

- establish effective systems in their workplace for:
 1. Child protection concerns to be identified in the course of the work of staff, reported and action taken, where appropriate, so vulnerable children and young people are supported
 2. Reasonable steps to be taken to coordinate decision making and coordinate services to children and young people and their families with other local service providers, if required
 3. Collaborative work with other agencies for the care and protection of children and young people in ways that strengthen and support the family and in a manner that respects the functions and expertise of each service provider
- Exchange relevant information to progress assessments, investigations and case management as permitted by law
- Use best endeavours in responding to a request for a service from Family and Community Services provided that the request is consistent with departmental responsibilities and policies.

4.2 Employees

- Participate in a child protection induction and in annual updates. This includes all staff – principals, workplace managers, teaching and non-teaching staff, part-time, temporary and casual staff and those who join during the year
- Adhere to mandatory procedures for conveying risk of harm concerns to the principal or workplace manager
- Adhere to mandatory procedures for reporting risk of significant harm to Family and Community Services
- Ensure, where they have reported any risk of significant harm concerns to the principal or workplace manager, that the principal or workplace manager has reported those concerns to Family and Community Services

- Report directly to Family and Community Services if they believe the principal or workplace manager has not reported risk of significant harm concerns to Family and Community Services, and they still have concerns about risk of significant harm
 - Ensure that any relevant information that they become aware of, subsequent to a report being made to Family and Community Services or following contact with the Child Wellbeing Unit, is provided to Family and Community Services or the Child Wellbeing Unit respectively. If the additional information forms concerns about risk of significant harm a report must be made to Family and Community Services
- 4.2.3 Supporting Children and Young People**
- Cooperate with reasonable steps to coordinate service delivery and decision-making with other relevant service providers
 - Avoid undertaking any investigation of the circumstances giving rise to a report where risk of significant harm has been reported, without the express prior approval of the relevant Family and Community Services case officer
 - Inform students, including apprentices or trainees, of their right to be protected from abuse and of avenues of support if they have concerns about abuse.

5. Monitoring, Evaluation and Reporting Requirements

Principals and workplace managers must maintain a workplace register of staff participation in annual updates and of inductions of new staff, or they must sight individual records of staff inductions. This applies to all staff including non-teaching staff, part-time, temporary and casual staff.

A record is to be kept of reports to Family and Community Services as confirmation that mandatory reporting requirements have been met. The report reference number should be recorded.

The record and related papers are to be retained by principals or workplace managers in secure storage and kept confidential. These records are to be provided to any successor.

Where a reference number has been provided by the Child Wellbeing Unit it must be recorded and kept. If serious safety issues remain after a report has been made to, and accepted by, Family and Community Services, principals or workplace managers will refer the matter to the departmental regional officer responsible for student services so the case can be taken up at a senior level within Family and Community Services.

6. Contact

Enquiries should be directed to the People and Safety Business Partner. Please refer to the People & Safety contacts here.

Matters are to be referred to the Employee Relations Unit