



CHILD SAFEGUARDING POLICY

2023-1

Rosebank College promotes an inclusive, welcoming, healthy, and safe environment for all children, and provides transparent, accountable, risk-based approaches to ensure child safeguarding.

1. Purpose

Rosebank College owes a duty of care to the Children and Students by adopting preventative policies, processes, and practices to protect Children and Students from harm and abuse. This Policy outlines the principles, procedures, and provides guidance to ensure Children's rights are upheld, their voice is heard, and create and maintain a safe, supportive, and nurturing environment. Furthermore, this Policy sets out the roles and responsibilities of the College and Staff in implementing child safety procedures, reporting and compliance with legislation and regulations.

2. Statement of Commitment

Rosebank College has zero tolerance approach to child abuse. We are committed to providing a safe and nurturing culture and learning environment for all children and young people. At all times, the ongoing safety and wellbeing of children and young people in its care will be the primary focus of decision-making, with particular attention paid to the safety and wellbeing of Aboriginal and Torres Strait Islander young people, young people from culturally and/or linguistically diverse backgrounds, and young people with a disability. Staff must read and adhere to the College's *Safeguarding of Children and Young Persons Statement of Commitment*.

3. Scope

This Policy applies to all adults in the College community, including Staff, contractors, visitors, and volunteers. This Policy applies to the College's physical and online environment, on-site and off-site (e.g., excursions). Staff must report a breach to this Policy. A breach to this Policy may result in disciplinary and legal consequences.

4. Rosebank Child Safe Program

The College's Child Safe Program is a set of documents aimed at ensuring a child safe environment and reflect the College's zero tolerance for child abuse. The College's Child Safe Program comprises a systems, policies, and procedures, including:

- Safeguarding of Children and Young Persons Statement of Commitment
- Student Welfare Charter
- Staff Code of Conduct
- Child Safe Risk Management Plan
- Recruitment Policy
- Privacy Policy
- Risk Management Program
- Complaints Program.

5. Principles

Rosebank College's Child Safe Program is based on the NSW Child Safe Standards and National Catholic Safeguarding Standards.

a. NSW Child Safe Standards (NSW CSS)

The NSW Child Safe Standards, based on the National Principles for Child Safe Organisations published by the Australian Human Rights Commission, set out the principles that organisations must follow and implement to create and maintain a safe environment for Children. The NSW Child Safe Standards are:

1. Child safety is embedded in organisational leadership, governance, and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved.
4. Equity is upheld, and diverse needs are considered.
5. People working with children are suitable and supported.
6. Processes to respond to complaints of child abuse are child focused.
7. Staff are equipped with the knowledge, skills, and awareness to keep children safe through continual education.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.
10. Policies and Procedures document how the organisation is child safe.

b. National Catholic Safeguarding Standards (NCSS)

Similarly, to the NSW CSC, the National Catholic Safeguarding Standards provide guidance for the development, implementation, and maintenance of a child safe culture in Catholic organisations. The NCSS are:

1. Committed leadership, governance, and culture.
2. Children are safe, informed and participate.
3. Partnering with families, carers, and communities.
4. Equity is promoted, and diversity is respected.
5. Robust human resources management.
6. Effective complaints management.
7. Ongoing education and training.
8. Safe physical and online environments.
9. Continuous improvement.
10. Policies and procedures support child safety.

6. Human Resources

a. Recruitment

Adequate child safe recruitment practices are imperative in protecting children from harm; the screening of candidates is crucial for ensuring the selection of suitable persons to work with children and create a child safe environment and culture. The selection of appropriate persons Rosebank has robust recruitment practices that prioritise child safety, including:

- Rosebank's commitment to child safety is included in all job advertisements.
- Jobs descriptions outline the role's responsibility in relation to child safety.
- Candidates must respond to child safe related questions about their previous positions.
- Reference check includes child safe related questions.
- Recruitment process includes references and criminal checks (when required).
- Hiring panel must ask child-safe questions to candidates. Those questions are included in the interview mandatory bank of questions.
- Candidates must have a valid Working with Children Check (WWCC).

Recruitment Policy outlines in detail Rosebank's recruitment practices.

b. Onboarding and induction

All Staff, contractors and volunteers receive a set of documents to ensure they understand and comply with their reporting obligation and Rosebank's *Child Safe Program*. This includes:

- Code of Conduct
- Child Safeguarding Policy
- Staff Handbook
- Training modules, including Child Safeguarding, First Aid, Emergency Procedures, Incident Management, etc.

All Staff, contractors, and volunteers must complete Rosebank's induction program, including training on Rosebank's *Child Safeguarding Program* which aims to build Staff's capabilities to identify child abuse, grooming and other indicators of the risk of harm to children, as well as outlines the College' and Staff reporting obligations. The module must be completed before the start of employment or engagement.

Additionally, all Staff must:

- Hold and maintain a valid WWCC.
- Read and acknowledge Rosebank's *Staff Code of Conduct*.
- Read and acknowledge this Policy.

c. Continuous professional development and performance management

Rosebank recognises that child safety is the responsibility of all Staff and members of the College's community, it requires continuous training and must be an embedded practice. With that purpose, Rosebank has strict practices, including:

- Staff receive regular supervision.
- Managers and the leadership team support Staff on their day-to-day activities and in relation to their child safe obligations.
- Rosebank Board of Directors complete child safety training every 12 months.
- The probationary period for all new Staff is six months.
- Child safety training for all staff every 12 months, and all relevant additional training.
- Staff Performance Review considers Staff contribution and responsibilities concerning child safety.

Child safe human resources practices are outlined in Rosebank's *Recruitment Policy*.

7. Child Safe Behaviour

Staff must treat all Children with respect, comply with this Policy and Rosebank's *Code of Conduct*. All Staff must sign the *Code of Conduct*.

Staff must declare if they have interacted or interact with Students outside school hours, e.g., relationship of any nature with the Student (e.g., family related, family friends).

8. Responsibilities

All persons are responsible for contributing to a safe and healthy environment and culture. At Rosebank, the wellbeing and safety of Children is paramount.

a. Principal

The Principal (head of entity) is responsible for the operational management of the College and duly implementation of the Rosebank's *Child Safe Program*. The Principal is also responsible for

- Building, maintaining, and fostering a child safe culture.
- Setting the tone and leading by example.
- Ensure the implementation and compliance with systems to ensure Children's safety and wellbeing, e.g., policies and procedures.
- Receive reports relating to Child Safe Matter.
- Carry out or determine the investigation of a Child Safe Matter.
- Determine if concerns about the safety of a Child or Students may constitute Risk of Significant Harm (ROSH).
- Report a Child Safe Matter to the Statutory Authorities, including:
 - Mandatory reports to Department of Communities and Justice (DCJ) and
 - Reportable Conduct to the Office of the Children's Guardian (OCG).
- share information and notify the relevant parties of a Child Safe Matter investigation status and outcome.
- ensure confidentiality of the matter.

The Principal may delegate their responsibilities to another member of the Leadership Team, Principal's Delegate.

b. Leadership Team

The Leadership Team is responsible for overseeing their area of operation and ensuring their activities and environment are child safe. They are responsible for supporting Staff and Students, and ensuring the necessary resources are available for implementation of Rosebank's *Child Safe Program*.

The Leadership Team, together with the Principal, must build, maintain, and foster a child safe culture and environment.

c. All Staff

All Staff must comply with Rosebank's *Child Safe Program*, including this Policy and Rosebank's *Code of Conduct*.

All Staff must

- Be aware indicators of Abuse or Risk of Significant Harm.
- Report any concern or known fact regarding to a Child Safe Matter.
- Maintain confidentiality of a Child Safe Matter.
- Cooperate with the investigation of a Child Safe Matter.
- Maintain the confidentiality of any matter subject to this Policy.
- Ensure the records relating to a matter subject this Policy are securely stored.

Staff are not responsible for the investigation of a Child Safe Matter.

d. Child Safe Officer

Child Safe Officers are responsible for being the first point of contact and to provide support to Staff, Students, Parents, and the community in relation to Child Safe Matters. Child Safe Officers are appointed by the College and their responsibilities include:

- Assist and clarify with reporting obligations.
- Clarify questions about Rosebank's *Child Safe Program*.
- Receive and respond to Child Safe Matters.

Rosebank's Child Safe Officers are:

- House Coordinators
- Student Leadership Facilitator
- Dean of Pastoral Care
- Leadership Team members
- Counsellors.

9. Risk Management

Rosebank has a robust risk management framework to ensure a safety environment for all Students. Rosebank's Risk Management Framework applies to all College's activities and operations.

a. Child Safe Risk Management Plan (CSRMP)

The College has carried out a child safety focused risk assessment of its operations and premises. This risk assessment allowed the College to identify measures/action for risks of unacceptable level. The risks and respective actions/measures are outlined in the College's *Child Safe Risk Management Plan (CSRMP)*.

The CSRMP will consider several factors, including:

- The College's environment, e.g., buildings, and online environment.
- Activities undertaken by Students (on campus and off-campus).
- Students' profile.

The CSRMP is a live document, where the College records new risks (when identified), status of treatment measures, levels of risk, and monitoring of risks. The CSRMP will be reviewed every 12 months.

b. Excursions and other activities

Staff must carry a risk assessment for other activities such as excursions or events. This risk assessment must consider child safe risks, e.g., Abuse and Risk of Significant Harm.

c. Incident Management

All Staff are responsible for reporting Child Safe Matter according to this Policy. Staff must also report any other incident (i.e., an incident not related to a Child Safe Matter) according to Rosebank's Assurance Program.

10. Responding to a Child Safe Matter

Staff may become aware of a Child Safe Matter by witnessing, receiving a disclosure, or identifying red flags, indicators, or observation; these will guide the response and management of the matter.

a. Witnessing

If Staff witness a Child or Young Person at risk of harm or being harmed, Staff must act immediately. Staff must call emergency services (000) and report the matter, as outlined in the section below *Responding to an emergency*.

b. Disclosure

Staff may become aware of a Child Safe Matter through the disclosure made by a Child, Young Person or any third-party. Staff must be always available and accessible to listen to Students.

1. Private disclosure by a Student

At times, a Student making a disclosure might not be aware they are disclosing a Child Safe Matter, they might feel they are merely telling Staff something that happened to them or that they are not happy or comfortable about it. Staff must remain calm and support the Student, including

- Listen:
 - Allow the Student to speak and use their own words.
 - Give the Student time to elaborate. Do not interrupt.
 - Use open ended questions. Staff must not use leading questions.
 - Staff must not make assumptions.
 - Do not dismiss the Student's comments.
- Reassure:
 - Assure the Student the event/situation is not their fault.
 - Affirm the Student is trusted.
 - Affirm disclosing the matter/event was the right thing to do.

Staff must not promise the Student they won't report the Child Safe Matter. Staff must be truthful to the Student and explain it is the Staff and the College's obligation to address/report the matter. Staff must assure the Student the matter is confidential and there are no consequences for disclosures made in good faith.

2. Public Disclosure by a Student

If Staff observes a Student disclosing a Child Safe Matter to their peers, in class, or a group of people, Staff must attempt to prevent the Student by continuing the disclosure in public. This is called, Protective Interrupting: a strategy to prevent that matter from becoming public which might create other risk of harm to the Student, while offering the Student an opportunity to continue the disclosure in a safe and confidential environment.

When speaking privately with the Student, Staff must refer to the section above *Private Disclosure by a Student*.

3. Disclosure by a third-party

If Staff receives a disclosure from a third-party (a person other than the person subject to the Abuse/Risk of Significant Harm), Staff must:

- Listen and acknowledge the disclosing party concern.
- Advise them of the College's policies and procedures.

- Report the matter. Staff must refer to the section below *Reporting a Child Safe Matter*.

Staff must inform the disclosing party that the matter is confidential.

If the disclosed matter does not relate to a Child Safe Matter, Staff must refer and advise the disclosing party of Rosebank's *Complaint Handling Program*.

c. Recording information

Upon receiving a disclosure or witnessing an event that might raise a concern, Staff must

- Write notes of the disclosure / event as soon as possible. Notes must be unbiased. Staff may only include a factual report of the events. Staff must not use their judgment or assessment about a statement made by the Student. Staff must use the Student's words in describing the events.
- The notes must be comprehensive and contain as many details as possible, including date of disclosure(s).
- Report the matter internally.
- Report the matter to the Statutory Authorities (if applicable). Staff must refer the section below *Reporting a Child Safe Matter*.

All information about an event relating to a Child Safe Matter is crucial to enable and facilitate the investigation. Staff must document all communications relating to a Child Safe Matter.

d. Identifying barriers for disclosure

Rosebank recognises that Children and Young People might find challenging disclosing a concern or a Child Safe Matter. Rosebank encourages Students to speak-up and raise concerns with their teacher, all Staff, or any person whom they feel close to.

Rosebank runs students' surveys twice a year to assess their wellbeing and identify Students that might need support and any other issues students may wish to report.

e. Encouraging Students to speak-up

Rosebank encourages Students to speak-up and raise matters/concerns regarding their safety and wellbeing. Children and Young Persons must not be afraid to voice their concerns or disclose a Child Safe Matter. Rosebank implemented strategies to encourage and allow children to speak-up or disclose a Child Safe Matter, including:

- Rosebank's Child Safe Program: easy read/children friendly.
- Educating Students about Abuse and ROSH
- CARES
- Counselling

- Meeting with Students Champions
- Students' Wellbeing Survey.

l. Protective behaviours

Rosebank recognises that Protective Behaviours are a crucial tool in keeping Children and Young People safe and encouraging them to speak-up. Protective Behaviours provide children with a powerful tool for recognising situations where they might be unsafe, personal safety, and knowing their rights to not accept and say 'no' to those situations.

f. Observation

Staff may become aware of a Child Safe Matter by observing indicators of Abuse or Risk of Significant Harm. Knowing how to identify indicators of Abuse or ROSH, that alone or in conjunction with other observations is a crucial tool in identifying a Child Safe Matter. If Staff identifies an indicator, Staff must seek guidance and discuss the matter with a Child Safe Officer. Staff must make detailed notes of their observations and refer to the procedures outlined in this Policy.

Indicators include:

- Behaviour change: student becomes withdrawn, sad, or angry.
- Student avoids a specific person.
- Self-harm.
- Eating disorder.
- Sexualised behaviour.
- Staff breach to the Code of Conduct, e.g., Staff inappropriate behaviour.
- Grooming.

g. Grooming

Grooming is a strategy used by offenders to gain confidence or manipulate a Child/Young Person or their support network with the purpose of abusing the Child/Young Person and uncovering the Abuse.

Indicators of Grooming include:

- Breach of professional conduct.
- Breach of Rosebank's Code of Conduct.
- Seeking information about a Student's movements.
- Requesting Student's contact details.
- Secondary employment.

- Communication with Students for reasons other than professional.
- Physical contact with children.
- Special treatment of Student.
- Undermining peers to deflect their behaviour.
- Ignoring warnings about professional boundaries.
- Trivialising behaviour changes in Students.
- Unnecessary supervision of Students.

Staff must report Grooming concerns as outlined in this Policy.

11. Responding to an emergency: Call 000

In the event of an emergency, Staff must:

- Ensure the persons involved are safe, including their own safety.
- Administering first aid.
- Call the emergency services (000) if necessary.
- Notify the Principal, the Assistant Principal, or the Child Safe Officer.

12. Support

The College owes a duty of care to Students to ensure their safety and wellbeing. Upon an event or disclosure relating to a Child Safe Matter, the College will provide the Student with all necessary support. If required, the College will develop in consultation with the Student and relevant stakeholders (e.g., Parents, teacher) a Student Support Plan.

The College will also support Staff who witness, received a disclosure, or disclosed a Child Safe Matter.

All Child Safe Matters will be confidential, including the identity of the persons who made the report.

13. Reporting a Child Safe Matter

Staff must call the Police (000) if they have any concerns that a Child or Young Person is in immediate danger.

a. Internal Reporting

All Staff must report verbally or in writing a Child Safe Matter if they are concerned, become aware, suspect or know

- a Student is at Risk of Significant Harm, including Grooming.
- a Student is being abused, including:

- Sexual Abuse.
- Physical Abuse.
- Emotional Abuse.
- Neglect.
- Ill-treatment.

- of an unacceptable behaviour around/towards Students, including Sexual Misconduct.

to the Principal, the Assistant Principal or Child Safe Officer. Staff must refer to the section below *Definitions* for examples of Abuse and ROSH.

Staff must also encourage Students to speak up and raise any issues relating to a Child Safe Matter. Students are encouraged to reach to their teachers, House Coordinators, the Principal or any person who they trust and are comfortable speaking with. Students may also use CARES to report/disclose a Child Safe Matter.

If the matter refers to the Principal, the Staff may report to the Chair of the Board

chair@rosebank.nsw.edu.au

1. Verbal report

Upon receiving a verbal report, the Principal, Assistant Principal or Child Safe Officer must record the event in writing within 48 hours.

2. Child Safe Matter Register

Child Safe Matter reports will be recorded in the Child Safe Matter Register (CSMR). The purpose of the CSMR is to ensure the College has a comprehensive record of all Child Safe Matter reports, including date of the event/allegation, age, and date of birth of the Student, status, and outcome.

b. Obligation to Report / Mandatory Reporter

Rosebank College is a Mandatory Reporter, that is, the College is required by law to report any suspected (reasonable grounds to believe) or known risk or actual child abuse or neglect to Statutory Authorities. The College's obligation to report extends to all Staff, including:

- Board members.
- Principal.
- Teachers, including casuals.
- Counsellors.

At Rosebank, all Staff are responsible for responding and reporting to a Child Safety Matter. If Staff witness, receives a disclosure or is concerned that a Student might be at risk of harm, Staff must report the matter to the Principal, Assistant Principal, or Child Safe Officer.

If parents and members of the community have concerns about a child being at risk of harm or wish to disclose/report a Child Safety Matter, they should contact the Principal, Assistant Principal, or Child Safe Officer.

If the matter related to the Principal, the report must be made to the Chair of Rosebank Board at chair@rosebank.nsw.edu.au

All reports are confidential.

c. Mandatory Report Guide (MRG)

The Mandatory Report Guide (MRG) is a decision-making tool to assist Mandatory Reporters to determine if they are required to make a report to the DCJ, identify alternative supports, or refer the matter to or consult with other professionals.

Staff must complete the MRG every time they suspect or know of a Child Safe Matter. The MRG outcome will indicate the action Staff must implement for that specific matter. Staff must act accordingly.

The MRG can be accessed [here](#).

If Staff does not agree with the MRG outcome, Staff should consult with the Child Safe Officer, the Assistant Principal, or the Principal, or call the NSW Child Protection Helpline by calling 132 111.

Staff must print or PDF the MRG outcome. The MRG outcome must be included in the Child Safe Matter Internal Report and the information recorded in the Child Safe Matter Register.

d. Department of Communities and Justice (DCJ)

The College must report to the DCJ if they have reasonable grounds to believe a Child is at Risk of Significant Harm. Although not mandatory, the College will report concerns if a Young Person is at Risk of Significant Harm to the DCJ. Therefore, Staff must report any concerns relating to a Child Safe Matter involving a Child or Young Persons.

A report to the DCJ could be made by

- NSW Child Protection Helpline by calling 132 111
- eReport: child protection report

1. Information to make a report

It is crucial to have detailed information when making a report to the Child Protection Helpline, including:

- Name, date of birth, address and phone number of the Child or Young Person.
- Any other relevant background information (e.g., language barrier, disability, cultural identity).
- Parent' or carer's information.
- Any information relating to risk factors.
- Type of harm (e.g., physical abuse, neglect, emotional abuse).

If Staff does not have all the information, they still must report the matter to the DCJ. If Staff requires assistance, they must contact the Child Safe Officer.

The DCJ, Catholic Schools NSW and the Association of Independent Schools of NSW (AISNSW) signed a Memorandum of Understanding (MOU) that centralises the Mandatory Reporting obligation in the Principal. Therefore, upon receiving an internal report, the Principal will report the matter to the DCJ.

e. Reportable Conduct

Staff must report to the Principal if they believe another Staff has engaged in a Reportable Conduct with or involving a Child or Young Person.

The Principal must report to the Office of the Children's Guardian (OCG) within seven days of becoming aware of the Reportable Allegation or Reportable Conviction.

Staff must refer to Rosebank's *Code of Conduct* and report a breach to this Policy or the *Code of Conduct*.

An allegation of Reportable Conduct may also require a Report to the DCJ.

f. Police Assistant Line: Call 131 444

All Staff must report to the NSW Police any matter relating to

- Concerns that a Student is at immediate danger.
- Any situation Staff considers to be a criminal offence, e.g., Abuse, Grooming.
- A student being involved in criminal activity.

If the Student is 18 years old or older, the report must only be made if they consent with the report. In the absence of consent, the matter must be reported if to prevent or mitigate the risk of serious harm to the Student's life, health, safety or wellbeing.

Staff must call 131 444.

14. Investigation

Staff are not responsible for the investigation a Child Safe Matter.

Upon receiving a report of Child Safe Matter, the College will take appropriate action, including:

- Ensure the parties involved, e.g., Child, Young Person, Staff that report the matter (if know) are safe and supported.
- Reporting the Child Safe Matter to the Statutory Authorities (if required).
- Share information with external parties (if required).
- Review the Child Safe Program, including this Policy and the Child Safe Risk Management Plan.
- Any other required/identified measure.

The investigation process must start as soon as practical and must be a fair and transparent process. The persons involved in the investigation process must disclose any conflict of interest that might affect (or create the perception) the investigation. Staff must refer to Rosebank's *Conflict of Interest Policy and Procedure*.

The investigation process may be carried out internally or Rosebank may engage an external investigator.

The OCG may monitor or oversee the investigation process.

a. Preliminary Assessment

Upon receiving the report, the Principal will assess the report, make enquiries and determine the next steps, including:

- Ensure the Student's safety.
- Provide support.
- Report to the Statutory Authorities.
- Investigation.
- Assess the risks involved to the Student/Staff relating to that allegation.
- Decide on the action related to the person allegedly creating the ROSH or Abuse.

In matters relating to Reportable Conduct, the Principal must assess the risks the Employee subject to the Reportable Allegation poses to the Student, and mitigate such risks, including prevent contact between the Employee and the Child. The notification to the OCG must include information about the management of risks.

b. Investigation plan

The Investigator must prepare an Investigation Plan outlining the allegation/report, sources of information (e.g., documents, witnesses), assigning tasks, determining timeframes, and identifying any other relevant information or requirement (e.g., cultural factor, special needs).

c. Information gathering

The Principal will gather information about the reported Child Safe Matter, including:

- Notifying the Employee (if the allegation refers to an Employee)
- Interview witnesses and relevant persons
- Collect documents.

All information relating to the investigation and any other matter that arise during the investigation must be recorded.

d. Notify Employee

If the allegation involves an Employee, the Principal will consider the evidence and provide the Employee with an opportunity to respond to the allegation.

e. Draft report

The Principal will draft a report, which will include the evidence and submissions and their assessment. The report will be subject to the Leadership Team for endorsement.

f. Findings and next steps

The Principal will consider the evidence, submissions, Leadership Team's input and outline their findings, or seek more information. The Principal will consider breaches to legislation, standards, Rosebank's *Code of Conduct* and other relevant policies and procedures, and acceptable community standards.

The findings will determine the next steps.

If a Reportable Allegation investigation indicates that the Employee has committed an offence under the Crimes Act 1900 (NSW), the Principal must report the matter to the Police. If necessary, the Principal may suspend the internal investigation.

The investigation will be carried out according to the OCG's guidelines.

g. Communication

Upon conclusion of the investigation, Rosebank will notify the relevant parties of the outcome.

If the matter relates to a Reportable Allegation, the Principal must notify in writing the Employee subject to the allegation, and the OCG of the investigation outcome and next steps.

h. Other obligations

If the matter relates to a Reportable Conduct, the Principal must provide the OCG with an interim or final report within 30 days of becoming aware of the Reportable Allegation. The report must contain copies of the relevant documents, including transcripts of interviews and other evidence.

The Principal must cooperate with and provide the OCG with the required information, including the Reportable Allegation, Rosebank's response, Rosebank's systems and process.

15. Root cause analysis

Upon an incident relating to a Child Safe Matter, Rosebank will conduct a root cause analysis to identify the intrinsic causes of the event and identify action to prevent reoccurrence. The root cause analysis will consider:

- Organisational risks.
- Vulnerabilities.
- Physical/online environments.
- Any other relevant matter.

16. Record keeping

Rosebank College keeps a record of all reports relating to a Child Safe Matter, including:

- Child safe report.
- Responses by Staff/College.
- Notes, including dates, names, witnesses, and any other details.
- Investigation process, documented outcome.
- MRG outcome.
- Report to the Statutory Authority's details.

The College keeps and stores those records according to Rosebank's *Privacy Policy* and *Management of Records Policy* of any allegation relating to a Child Safe Matter are kept for a minimum of 50 years.

17. Failure to Protect

Staff has a duty to protect Children and Young Persons from Abuse or Risk of Significant Harm, and foreseeable risks. Staff must report and take reasonable (within your abilities and power) steps to remove or reduce the risks. A Staff commits a criminal offence or Failure to Protect (s. 43NB, Crimes Act 1900 (NSW)), if they:

- Know that another Staff at the College poses a serious risk of committing a child abuse offence against a Child or Young Person, and
- Fail to reduce or remove the risk, when they have – by reason of their position, the power or responsibility to do so.

18. Disclosing/sharing information to Students and Parents

The Principal must disclose information about a Child Safe Matter to the Child or Young Person to whom that information relates and the Parent, unless the Principal acknowledges it is not in the public interest to do so, e.g., protect the Child or Young Person, or disclosing the information may hinder the investigation (s. 57, Children's Guardian Act 2019 (NSW)).

The decision of disclosing or not information must be documented and recorded.

19. Students' voice

Rosebank has systems in place to enable, empower and support Students' voice, including:

- CARES
- SRC
- Student wellbeing survey
- Regular meetings with students' representatives, e.g., House Captains.

20. Parents and community

The College acknowledges the importance of connecting and communicating with Parents and the community. Rosebank has implemented several initiatives to foster a healthy and close relationship with Parents, as well as provide families with learning and feedback opportunities. These include:

- Parent's Code of Conduct
- Parents and Friends meetings
- Newsletters
- Parents survey.

21. Complaints and feedback

Rosebank College recognises and values Staff, Students, Parents and the community feedback. Staff, Students, Parents and the community are encouraged to provide feedback or raise a complaint (if they wish to do so). Complaints and feedback must be made according to Rosebank's *Complaints Handling Program*.

Staff, Students, Parents and the community may direct their feedback or complaint to complaints@rosebank.nsw.edu.au or a member of Staff or the Head of Audit, Risk and Reporting.

Complaints and feedback might be made anonymously and are confidential.

Staff, Students, Parents and the community may also refer to Rosebank's *Whistleblower Policy* to raise any matter.

Complaints relating to the investigation process may also be made directly to the OCG.

22. Any other concerns

If Staff must report to the Principal, Assistant Principal or Child Safe Officer any other concern about the safety or wellbeing of Students that do not relate to Abuse or Risk of Significant Harm.

If the report related to the Principal, Staff must report the matter to the Chair of the Board at chair@rosebank.nsw.edu.au

23. Privacy and confidentiality

Rosebank will keep and manage information about a Child Safe Matter according to Rosebank's Privacy Policy. All information will be kept confidential, including the identity of the persons reporting the matter, Child or Young Person, and Employee, subject to the legislation requirements (section *Disclosing information to Students and Parents*).

The College may be required to share information with Statutory Agencies. The College must keep a record if it shares any information with another party.

24. Breach to the Policy

Staff must report to the Principal, Assistant Principal or Child Safe Officer a breach to this Policy. A breach to this Policy may result in disciplinary actions, including dismissal, and legal consequences.

25. Definitions

Abuse means any form of abuse to a Child(ren) that might cause them harm or distress. Abuse includes:

Physical Abuse means the intentional or reckless use of physical force against a child that results in risk or actual harm to a Child(ren) health, development, dignity. Includes the threat of abuse.

E.g., physical punishment, pushing, shoving, punching, kicking.

Sexual Abuse means any act that exposes or includes a Child(ren) to/in sexual activity or sexual behaviour. It includes **Sexual Offence**: an offence of sexual nature under law or statute, e.g., touching, Grooming, or distribution or possession of child abuse material/child pornography; or **Sexual Misconduct**, a conduct sexual in nature with, towards or in the presence of a Child(ren) that is not a Sexual Offence, e.g., description of sexual acts without a legitimate reason, sexual comments, conversations, or communications.

Emotional Abuse means a behaviour towards a Child(ren) likely to damage their self-esteem, social competence, e.g., bullying, threatening of a Child(ren), abusive language,

intimidation, shaming, name calling, ignoring or isolating a Child(ren), exposure to domestic violence.

Neglect means the failure to provide adequate food, supervision, nursing, or medical assistance by a person responsible for the care of a Child(ren). E.g., failure to protect a child from child abuse, expose a child to a harmful environment.

Ill-treatment means a conduct towards a child that is unreasonable and seriously inappropriate, improper, inhumane or cruel. E.g., making excessive or degrading demands to a child, degrading comments to a child, use of inappropriate forms of behaviour management.

Allegation(s) means a report verbal or in writing made by any person of a Child Safety Matter concern. An Allegation may require a report to a Statutory Authority.

Child or Children means all persons younger than 18 years old.

Child Safety Matter means a concern, incident, event, or any matter related to Abuse, Risk of Significant Harm to a Child, safety, wellbeing, or welfare of a Child. Includes Reportable Conduct.

Child Safe Officer(s) means an employee appointed by the College to be a child safeguarding champion, receive reports relating to child safe matters, and perform their role as outline in this policy.

Concerning Sexualised Behaviour means a harmful sexual behaviour exhibit by a Child that is not age appropriate for that Child. Concerning Sexualised Behaviour may also result in Abuse or ROSH and must be reported.

Disclosure means the revelation verbal or in writing by a Child that they are being / had suffered Abuse or are at Risk of Significant Harm. A Child might not be aware or recognise that they are disclosing such information.

Grooming means a behaviour intended to manipulate and control a Child(ren), their family or support network with the purpose of gaining access to the child, obtaining their compliance and silence to cover the Abuse, it includes the use of alcohol and gifts. Grooming indicators include breach of Code of Conduct, e.g., spending time alone with a Child, attending a child's event not related to the professional relationship, inviting a child on holiday, secondary employment, contacting a child directly, using Social Network to connect and communicate with a child, especial treatment.

Incident means an event that involves a Child, but it does not relate to a Child Safety Matter, e.g., student injured during a sport activity.

Parent(s) means a parent of a Child, includes carers and legal guardians.

Principal means the head of Rosebank College, and responsible for the compliance with legislation and regulations.

Mandatory Reporter(s) means a class of persons required by law to report suspected or actual Risk of Significant Harm (e.g., Abuse or Neglect) to a Statutory Agency, includes the College's Employees.

Mandatory Reporter Guide (MRG) means the DCJ resource available to guide Mandatory Reporter's decision-making about their concerns relating to a Child Safety Matter.

Reportable Allegation means an Allegation that an Employee engaged in conduct that might be Reportable Conduct, includes conduct that might have happened before or during the Employee's employment with Rosebank. A Reportable Allegation must be reported to the OCG.

Reportable Conduct means Sexual Offence, Sexual Misconduct, Ill-treatment, Neglect, assault of a child, failure to protect and failure to report (s. 43B and 316A, Crimes Act 1900), behaviour that might cause significant harm to a child.

Reportable Conviction means a conviction or finding of guilt in relation to an Employee involving a Reportable Conduct.

Risk of Significant Harm (ROSH) means circumstances that are sufficiently serious to warrant a response by a Statutory Authority. A significant risk to a Child or Young Person safety, welfare or wellbeing. Includes Abuse.

Rosebank or College means Rosebank College.

Staff or Employee means all persons employed by Rosebank, paid or unpaid, on a casual or permanent basis, including contractors and volunteers.

Social Network means an online platform that allows users to connect with other people and share information, e.g., videos, photos, events, ideas. Social Networks includes Facebook, Instagram, TikTok, Twitter, Snapchat.

Student(s) means a Child, Young Person, or any person enrolled at the College. Includes former Students.

Statutory Authority means a government body established by legislation, includes the **Department of Communities and Justice (DCJ)** and the **Office of the Children's Guardian (OCJ)**.

26. Review

The College is committed to the continuous improvement of practices, policies, and procedures, particularly Rosebank's *Child Safe Program*. This Policy will be reviewed every 12 months or upon any event that requires the review of Rosebank's practices (e.g., change in legislation, Child Safe Report).

27. Related legislation, regulation, and standards

- Children's Guardian Act 2019 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Child Protection (Working with Children) Regulation 2013 (NSW)
- Children and Young Persons (Care and Protection) Act 1998
- Crimes Act 1900 (NSW)
- Children and Young Persons (Care and Protection) Regulation 2012
- Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015
- Education Act 1990 (NSW)
- Civil Liability Act 2002 (NSW)
- Disability Inclusion Act 2014 (NSW)
- Anti-discrimination Act 1977 (NSW)
- ISO 3100:2018

28. Rosebank Related Documents

- Staff Code of Conduct
- Privacy Policy
- Child Safe Risk Management Plan
- Child Safe Matter Register
- Safeguarding of Children and Young Persons Statement of Commitment
- Student Welfare Charter
- Recruitment Policy
- Risk Management Program
- Complaints Program
- Whistleblower Policy

29. Version control

Policy date	April 2023
Next review date	April 2024
Previous versions	N/A