

CHILD PROTECTION POLICY

Safeguarding Children and
Young People



King's Baptist
Grammar School



July 2022



King's Baptist
Grammar School



Child Protection Policy

Safeguarding Children and Young People

SECTION 1 Policy

Safeguarding Children and Young People

SECTION 2 Procedural Matters

Safeguarding Children and Young People

Purpose

The intention of this policy is to ensure that protective practices for children, young people (under 18 years of age) and families are implemented by King's Baptist Grammar School (KBGS) to keep them safe (inclusive of cultural safety) from deliberate or inadvertent risk of harm and provide them with an understanding of such protective practices. This policy provides all KBGS personnel with an understanding of their responsibilities to keep children and young people safe, while fostering a culture of openness and respect of cultural diversity, recognising all children have a right to be safe from harm, regardless of age, culture, religion, gender, sexuality, identity or disability. It also sets out the responsibilities of all workers across KBGS.

Context

This policy represents the position of KBGS as a prescribed organisation as defined in the *Children and Young People (Safety) Act 2017 (Chapter 8, s114(7), and Chapter 5)* and the duty KBGS and associated school personnel are obligated to ensure children and young people are kept safe from harm.

Policy Number	Version 1
Applies to	All KBGS workers
Issued by	KBGS Inc
Delegated Authority	KBGS Principal
Policy Custodian	KBGS Principal
Version Implementation	25 th October 2022
Version Approval	25 th October 2022
Review Date	October 2025
Confidentiality	Official

Child Protection Policy

Safeguarding Children and Young People

Policy in place:

The Principal will ensure that current and compliant policies and procedures regarding child safe environments and mandatory reporting are in place.

Policy Communication:

This policy will be communicated across the KBGS constituency, for dissemination through the communication networks, online services, and promoted through the school Child Protection Officer/s.

Policy Review:

The Children and Young People (Safety) Act 2017 requires a review of policies and procedures at least once in a 5-year period. KBGS will review this policy every three years and on a needs basis to respond to any identified risks. The Principal will be responsible for initiating this process.

Policy Scope:

All workers of KBGS involved in governance oversight and direct service to children and young people across all settings and activities are expected to comply with this policy and associated procedures.

This policy stands in direct relation to the Code of Conduct – Safeguarding Children and Young People.

Policy Approval:

This policy was approved by the KBGS Board of Governors and adopted for use by KBGS on 25th October 2022.

Policy Access

This policy is available internally via the KBGS Policies Portal on SEQTA in the Care Section.
This policy is available publicly <https://www.King'sbaptist.sa.edu.au/>

Policy Communication

This Policy will be regularly communicated to the parent body, staff and students. This will happen through:

- access on SEQTA
- an abbreviated version in the school diary
- reference to the policy in both the Prospectus and Welcome Packs
- updates when appropriate through the E-Newsletter and in Staff meetings



SECTION 1:

Policy

Safeguarding Children and Young People

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1. Definitions:

This policy uses many of the definitions from the *Children and Young People (Safety) Act 2017*.

At Risk

is defined by the Children and Young People (Safety) Act 2017.

A child or young person will be taken to be at risk if:

- They have suffered harm (of a kind against which they should have ordinarily been protected).
- There is a likelihood they will suffer harm.
- There is a likelihood they will be removed from the State for the purpose:
 - Of a medical procedure that would be unlawful in South Australia (including female genital mutilation)
 - Taking part in a marriage that would be void or invalid under the Marriage Act 1972
 - Taking part in an activity that would be illegal in South Australia
- Their parent/s or guardian/s are unable or unwilling to care for them, have abandoned them, cannot be found or are dead.
- They are of compulsory school age and are persistently absent from school without explanation.
- They are homeless or of no fixed address.

Child / Children / Young person

are persons under the age of 18 years as defined by *s16(1) Children and Young People (Safety) Act 2017*

CYPSA

is the Children and Young People (Safety) Act 2017 which relates to creating child safe environments.

Employer school

is King's Baptist Grammar Inc. which employs or engages the worker.

Harm

is defined by the CYPSA as physical or psychological harm (whether caused by an act or omission), including harm caused by sexual, physical, mental or emotional harm, abuse or neglect.

Mandatory reporting

is an obligation upon KBGS workers to report a reasonable suspicion a child or young person is, or may be, at risk of harm, in accordance with s30 & 31 CYPSA,

Victim

is a child who is reasonably suspected of being subjected to harm or is at risk of harm.

Worker

is all Staff, Board of Governance members, volunteers, or any other person who is involved in the oversight and/or direct service of the school to children and young persons.

2. Preamble

The objects of this policy are to protect as far as possible children from being at risk of harm or likely harm and to ensure their safety and wellbeing while they attend school or take part in activities authorised by the school.

We acknowledge our duty of care to provide a safe and caring environment, where students are enabled to develop and reach their full God-intended potential.

Therefore, we undertake to:

- take all reasonable care to provide safe premises
- make use of a comprehensive screening and selection process in the employment of all workers
- develop an ongoing cycle of professional development and training for staff in Risk Assessment and Protective Practices
- take all reasonable care to provide procedures which ensure that no student is exposed to inappropriate risk of harm
- respond promptly to any allegations of harm or likely harm to children
- regularly review our policy and procedures and the effectiveness of their implementation

Protection for children: Child Safe Environments

This Policy framework seeks to meet legislative requirements as outlined in the Children and Young People (Safety) Act 2017, the Child Safety (Prohibited Persons) Act 2016, and accords with the belief that all people, created in the image of God, should be treated with dignity, respect, compassion and justice. It aligns with the National Principles for child safe organisations, (a set of 10 national child safe standards arising out of the Royal Commission into Institutional Responses to Child Sexual Abuse) which were implemented in South Australia from 1 July 2021 and are underpinned by the United Nations Convention on the Rights of the Child.

These principles and standards affirm that every child and young person has a right to be always safe from harm. It is recognised that the wellbeing and best interests of children and young people are the responsibility of the entire school community who must act to ensure that every environment where children and young people are present is safe.

The focus of a child safe school is not simply to create an environment that minimises risk or danger. It is about building environments which are both child-safe and child-friendly, where children and young people feel respected, valued and encouraged to reach their full potential.

Child protection legislation in South Australia aims to ensure that all children are safe from harm and are cared for in a way that allows them to reach their full potential and contain obligations for people who work or volunteer with children.

In alignment with SA State legislation and the National Principles, KBGS is committed to giving due attention to:

- a. the safety and protection of children and young people
- b. how workers recognise and respond to suspicions a child or young person is at risk
- c. standards of care for ensuring the safety of children and young people including standards for addressing bullying by children within the organisation
- d. codes of conduct for workers within the school
- e. standards of care for workers within the organisation that reflect the organisation's duty of care to children and young people

In particular this policy affirms that:

- 2.1 The safety and wellbeing of children is to be the paramount consideration insofar as it is within the power of KBGS to promote it
- 2.2 Children are to be protected from any form of harm or risk of harm
- 2.3 In dealing with harm to children KBGS is to put the interests of victims and children generally above those of the school

3. General Principles

- 3.1 The principles and philosophy that underpin child safety in Australia are based on the United Nations Convention on the Rights of the Child which emphasise that:
 - a. all children have equal rights to protection from abuse and neglect
 - b. all children should be encouraged to fulfil their potential and inequalities should be challenged
 - c. all children should be encouraged to participate fully in a cultural and artistic life and appropriate and equal opportunities should be provided for cultural, artistic, recreational and leisure activity
 - d. everybody has a responsibility to support the care and protection of children
 - e. organisations shall take all appropriate legislative, administrative, social and educational measures to protect children from all forms of abuse, neglect or negligent treatment, while in their care
 - f. organisations have a duty of care to children with whom they work and with whom their agents, contractors and sub-contractors' work
 - g. if organisations work through partners (such as contractors, subcontractors or agents), they have a responsibility to meet minimum standards of protection for the children in their partners' programs.
- 3.2 We see such a commitment as flowing naturally from our vision and mission to operate according to Biblical, Christian principles for living, and to recognise the unique value and potential of every person, regardless of age, culture, religion, gender, sexuality, identity or disability.

4. Mandatory reporting

An obligation rests upon all KBGS workers to report a reasonable suspicion a child or young person is, or may be, at risk of harm, in accordance with s30 & 31 CYPsA.

All Workers including those persons who comprise the Governance oversight of KBGS workers are recognised as mandatory reporters and therefore are expected to comply fully with their obligations of mandatory reporting under the CYPsA.

In addition to the requirements of mandatory reporting, all workers must also comply with the reforms under the Statutes Amendment (Child Sexual Abuse) Act 2021, which changed the Criminal Law (Consolidation) Act 1935 in relation to the protection of children from sexual abuse.

Under these changes, religious institutions have been captured in the definition of an institution under section 64 (Division 11B – Institutional child sexual abuse) of the Criminal Law (Consolidation) Act 1935. This has an impact on all religious institutions with significant penalties for failure to report suspected child sexual abuse (S.64A) and Failure to protect a child from sexual abuse (65).

As a faith-based entity KBGS recognises these obligations, alongside meeting the legislative requirements of the Children and Young People (Safety) Act 2017.

A presentation by former Attorney-General the Hon Vickie Chapman MP provides further commentary on the definitions of 'institution' and 'prescribed

<http://hansardpublic.parliament.sa.gov.au/Pages/HansardResult.aspx#/docid/HANSARD-11-42587>.

Simply:

In relation to failure to report suspected child sexual abuse (Section 64A), penalties apply IF:

- (1) A prescribed person is guilty of an offence if the person knows, suspects or should have suspected that another person (the **abuser**)—
 - (a) has previously engaged in the sexual abuse of a child while an employee of the institution or, if the prescribed person provides out of home care, while also providing out of home care, and—
 - (i) the child is still under the age of 18 years; or
 - (ii) the abuser is still an employee of the institution or another institution or still provides out of home care; or
 - (iii) the sexual abuse occurred during the preceding 10-year period; or
 - (b) is an employee of the institution or, if the prescribed person provides out of home care, is providing out of home care, and is engaging, or is likely to engage, in the sexual abuse of a child,

In relation to failure to protect a child from sexual abuse (Section 65A), penalties apply IF:

- (1) the prescribed person knows that there is a substantial risk that another person (the **abuser**) who is also an employee of the institution or, if the prescribed person provides out of home care, who is also a provider of out of home care, will engage in the sexual abuse of a child—
 - (a) who is under 17 years of age; or
 - (b) in relation to whom the abuser is in a position of authority; and
- (2) the prescribed person has the power or responsibility to reduce or remove that risk but negligently fails to do so.

Appendix A provides specific excerpts of this legislation.

5. Involvement of perpetrators of harm in school activities

Where KBGS knows, believes or reasonably suspects that any person associated with KBGS is or has been a perpetrator of harm towards children, it will act to reasonably protect children from any risk that person might pose in accordance with Section 2 Part A, 5 and 6 of the Procedures contained herein, and having due regard to the provisions of the Child Safety (Prohibited Persons) Act 2016 and the Statutes Amendment (Child Sexual Abuse) Act 2021.

A key aspect of this is to ensure that all people who will be working with children or undertaking child-related work have undergone a comprehensive screening and suitability assessment prior to their engagement by KBGS.

The Prohibited Persons Act 1 July 2019 has established a *working with children check* scheme in South Australia to strengthen and simplify the laws for people working or volunteering with children and young people. KBGS will comply in full with the requirements of the Prohibited Person Act.

6. Co-operation with authorities

KBGS will responsibly and reasonably co-operate with government law enforcement and child protection agencies.

7. Interim measures pending determination of allegations of harm

Where a worker is reasonably suspected of perpetrating harm against a child, their continued role with KBGS during the period taken to report to C.A.R.L and gain a final determination of whether that worker is guilty of any offence, is to be determined by the Principal in accordance with Section 2 Part A Para 5.4 of the Procedures contained herein.

However, to ensure the safety and protection of children during this reporting and investigatory stage, the person will not be permitted to work with children and young people until an outcome is known with no prohibiting reason. It is recognised that even a finding of not guilty may not mean that the person does not pose a risk to children. Accordingly, such risk will be assessed and satisfied before any further role engagement.

In performing this function, the Principal does not serve as an investigator, but only determines interim measures for engagement of the worker pending any legal investigation.

8. Training

KBGS will ensure the provision of specialised training for all workers in child protection issues and mandatory notification requirements. All “workers” as defined in this policy, must meet the requirements of ‘Responding to Risk of Harm, Abuse and Neglect – Education and Care’. (RRHAN-EC)

9. Serving covenants

All workers who do not have a current written employment contract are to enter either a signed serving covenant (**Appendix E**) or supplementary employment contract Appendix F as relevant to their engagement, dealing with their suitability to be workers and agreeing to these child protection policies and Safeguarding procedures.

10. Manual of procedures

KBGS will publish a manual (contained herein) containing procedures for implementing these safeguarding policies.

11. Responsible behaviour framework

KBGS shall adopt a Responsible behaviour framework to guide to all participants in a children or youth service. (Appendix H)

12. Code of Conduct – Safeguarding Children and Young People

Applies to all workers who serve in children and young people services.

A Code of Conduct for all Adults who serve children or young people in KBGS shall be adopted by the schools and signed by all workers and KBGS shall provide a sample template (Appendix H). This **Code of Conduct** aims to detail the standards of conduct expected by staff and all who serve in the performance of their duties in working with children and to provide guidance in areas where there is a need to make personal and ethical decisions.

A breach this Code of Conduct, will in accordance with school policy and associated HR employment conditions, lead to the implementation of actions which may include, but are not limited to:

- Temporary suspension from duties with or without pay while a decision is reached on the breach.
- Modification of duties.
- Imposition of conditions on any continued employment or involvement in school activities.
- Requirement of non-communication with children, young persons or specified persons.
- Suspension of employment
- Being reported to the police and charged with a criminal offence.

13. Review of policies

The Children and Young People (Safety) Act 2017 requires a review of policies and procedures at least once in a 5-year period. KBGS will review this policy every three years and on a needs basis to respond to any identified risks. The KBGS Principal will be responsible for initiating this process.

This policy will be reviewed in October 2025



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SECTION 2:

Procedural Matters Safeguarding Children and Young People

Part A Further definition of “harm”

Part B Worker and child safety responsibilities

Part C Miscellaneous

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1. Preamble

This manual sets out specific procedures to give effect to the Child Protection Policy (Safeguarding Children and Young People) of the King's Baptist Grammar Inc. in meeting legislative requirements. It also prescribes other good practice procedures that are expected to be applied by the school in ensuring a child safe environment.

2. Definitions

Unless the context otherwise requires:

At Risk

is defined by the CYPsA: A child or young person will be taken to be at risk if:

- They have suffered harm or there is a likelihood that they will suffer harm, being harm of a kind against which ordinarily they should have been protected
- There is a likelihood they will be removed from the State for the purpose:
 - Of a medical procedure that would be unlawful in South Australia (including female genital mutilation)
 - Taking part in a marriage that would be void or invalid under the Marriage Act 1972
 - Taking part in an activity that would be illegal in South Australia
- Their parent/s or guardian/s are unable or unwilling to care for them, have abandoned them, cannot be found or are dead
- They are of compulsory school age and are persistently absent from school without explanation
- They are homeless or of no fixed address

KBGS

is King's Baptist Grammar School Inc.

C.A.R.L.

is the Child Abuse Report Line 13 14 78.

Child / Children /Young person

are persons under the age of 18 years. Any reference to child or children in this policy also refers to young people up to the age of 18.

CPS

is *Child Protection Solutions* – an agency providing high-level training and advice.

CPO

is the lead school Child Protection Officer (CPO), which will normally be Director of Faith and Culture. This Officer will have specific responsibilities as identified in the CPO job description and to be a key contact person between the DPS and the school.

DPS

is the KBGS Independent Director of Professional Standards or his/her delegate.

Employer school

means KBGS which employs or engages the worker.

Head of School

means the person responsible for daily operations of a sub-school (Early Years, Primary, Middle, Senior)

Harm

means physical harm or psychological harm (whether caused by an act or omission) and includes harm caused by sexual, physical, mental or emotional abuse or neglect.

Refer Section2 Part A Para 3.

Principal

means a person who has been formally appointed by the School Board (as CEO) to exercise the Executive oversight of the school, programs and appointed staffing. But where a suspected perpetrator of harm is the Principal or someone closely associated with him or her, or where the Principal is not readily available, it means the designated Second In Charge or appropriate delegated Executive.

WHS

is Work Health & Safety.

Worker

is all Staff, Board members, volunteers, or any other person who is involved in the oversight and/or direct service of the school to children and young persons.

WWCC

is a Current Not Prohibited "Working With Children Check" provided by the Department of Human Services Screening Unit, that has been undertaken within the previous five (5) years.

PART A: FURTHER DEFINITION OF HARM

3. What is harm?

Legislative definition of harm (*s17 Children and Young People (Safety) Act 2017*)

Physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental or emotional abuse or neglect.

Psychological harm does not include emotional reactions such as distress, grief, fear or anger that are a response to the ordinary vicissitudes of life.

The following descriptors relate to the types of harm identified in the CYP SA.

3.1 Emotional harm, meaning: A chronic attitude or behaviour directed at a child whereby a child's self-esteem and social competence is undermined or eroded over time or the creation of an emotional environment which is detrimental to or impairs the child's psychological and/or physical development. Behaviours may include devaluing, ignoring, rejecting, corrupting, isolating, terrorising or family violence.

3.2 Physical harm, meaning: Any non-accidental act inflicted upon a child, which results in physical injury to the child. Such abuse results from practices such as but not limited to:

3.2.1 Hitting, punching, kicking (indicators: marks from belt buckles, irons, fingers, cigarettes, etc)

3.2.2 Shaking (particularly young babies)

3.2.3 Burning, biting, pulling out hair

3.2.4 Alcohol or other drug administration

3.3 Sexual harm, meaning: any sexual behaviour imposed on a child. The child concerned is considered to be unable to alter and/or understand the perpetrator's behaviour due to his or her early stage of development and/or powerlessness in the situation. Sexual abuse occurs when someone in a position of power to the child uses her/his power to involve the child in sexual activity.

Behaviour can include sexual suggestion; exhibitionism, mutual masturbation, oral sex; showing pornographic material e.g., DVDs, internet; using children in the production of pornographic material; penile or other penetration of the genital or anal region and child prostitution.

3.4 Neglect, meaning: the failure of a carer for a child to provide a child with the basic necessities of life, and which can occur by deliberate action or inaction, and can stem from an inability to understand and provide basic necessities such as food, clothing, shelter, hygiene, medical treatment and supervision.

- 3.5 **Grooming**, meaning: the deliberate actions of a perpetrator to befriend and influence a child, and possibly also that child's family or community, with the intention of engaging in sexual activity of any kind with that child.

4. Reporting a suspicion that a child or young person may be at risk

- 4.1 This obligation is placed on all workers by s30 & 31 CYPSA. It is a criminal offence not to comply with this obligation without a lawful excuse. The school cannot negate or modify this obligation (refer **Appendix A**).

- 4.2 Any worker who suspects, on reasonable grounds, that a child or young person is, or may be at risk, and this suspicion is formed in the course of their work, must report this suspicion to the C.A.R.L. as soon as practicable

- 4.3 Reporting to C.A.R.L. is done by telephoning the 24-hour Child Abuse Report Line on 131478.

After a report is made, the worker should ensure that the child or young person gains adequate support. This could include:

- referring the child, young person or the relevant teacher or other leader
- referring the child to other appropriate services
- continuing to provide support to the child or young person and their family and monitoring their circumstances

- 4.4 Reasonable grounds to form a suspicion that a child or young person may be at risk may include but is not limited to:

- 4.4.1 When a child tells you they are at risk or have been harmed
- 4.4.2 When your own observations of a particular child's behaviour and/or injuries lead you to suspect they are at risk or harm is occurring
- 4.4.3 When a child tells you that they know of someone who is at risk or has been harmed (they may possibly be referring to themselves)
- 4.4.4 When you hear about a child at risk from someone who is able to provide reliable information, such as a relative, friend, neighbour or sibling of the child

It does not require proof that any child has or may suffer harm.

- 4.5 Where a report is made to the C.A.R.L., but only if the child and/or the suspected perpetrator of harm is associated with the school, the worker must immediately inform the Principal of the incident.

If the concern relates to the Principal, the worker should inform another person in accordance with the Principal definition in 2 above. A written report in the form of **Appendix B** is also to be given by the worker to the Principal or person otherwise designated as soon as practicable.

- 4.6 A worker does not require approval to make a report to C.A.R.L. and must adhere to the reasonable instructions of C.A.R.L. in order to ensure that all proper processes are followed.

- 4.7 If a worker has any concern about whether the matter meets the threshold for mandatory reporting, they can consult with the school Child Protection Officer (CPO) on whether a report should be made to C.A.R.L. or they can contact C.A.R.L. to discuss.
- 4.8 In addition to the requirements of mandatory reporting, all workers must also comply with the reforms under the Statutes Amendment (Child Sexual Abuse) Act 2021, which changed the Criminal Law (Consolidation) Act 1935 in relation to the protection of children from sexual abuse. Refer Section 1 of this Policy No 4.

Child Protection Reporting Overview

NOTIFICATIONS OF HARM OR LIKELY HARM



WHEN A MANDATED REPORTER OR ANOTHER PERSON HAS REASONABLE SUSPICION A CHILD IS AT RISK OF HARM OR LIKELY HARM - CONTACT THE CHILD ABUSE REPORT LINE ON
131 478



TO REPORT CRIMINAL ABUSE (CHILD SEXUAL ABUSE) UNDER THE STATUTES AMENDMENT (CHILD SEXUAL ABUSE) ACT 2021 - CONTACT SEX CRIMES INVESTIGATION BRANCH (SAPOL) ON
8207 5800



WHEN CHILDREN ARE IN IMMEDIATE DANGER OF HARM CONTACT THE
POLICE ON 000

In the process of safeguarding Children and Young People, the school will ensure guidance and support of all workers in the process. Key personnel include:

- ♦ **The Principal**, or their absence the designated Second In Charge or appropriate delegated Executive will be responsible for the school's response.

They will:

- a) receive the information as valid
- b) check that the Child Abuse Report Line has been notified
- c) preserve confidentiality
- d) consider immediate measures to protect the safety of the alleged victim and other students
- e) ensure the school does not undertake an investigation whilst the Child Abuse Report Line are responding, or the Police are conducting an investigation
- f) ensure any internal investigation takes place only if the Child Abuse Report Line or the Police are not going to conduct their own investigation, or their action has concluded
- g) recognise that if the Police or the Child Abuse Report Line wish to interview a student, it is their responsibility to determine when a parent or guardian will be informed
- h) sight and read any order from the Court if the Department for Child Protection wish to remove a student from school,
- i) ensure that all reports and actions are documented and securely stored in a discrete file
- j) ensure relevant information is entered into SEQTA for Heads of School/CPO/Director, Faith and Culture access only.

◆ **The Child Protection Officer/s**

The school will provide a lead Child Protection Officer/s in accordance with the definition in Section 2:2. Additionally, male and female staff will serve as reference points for children, young people, parents and staff regarding Child safeguarding matters. These will normally comprise of two members of the Executive leadership.

◆ **The Child Safeguarding Committee**

The Child Safeguarding Committee will meet regularly throughout the year to review and implement the Child Safeguarding Policy and Procedures. Their role will include:

- being trained in and keeping up to date with the issues of child abuse and neglect, including the nature, indicators and prevention of child abuse
- keeping staff and volunteers informed of any new legislation, information and training
- taking responsibility for communicating this policy to the school community
- taking responsibility for ongoing evaluation and review of this policy

KEY FORMS TO COMPLETE (SEQTA/Staff Information/Forms) (Appendix B)

There are 2 forms, which have been devised to aid staff when faced with making a notification.

a. **Mandatory Notifiers Record Proforma**

This form is designed to assist in gathering information for making a notification and to make notes while speaking to the Child Abuse Report Line. This is for the notifier's information only. A checklist is attached to the Proforma to help gather the required information for making a report.

b. **Mandatory Notification Principal's Record**

This form is a record of any notifications that have been made, with minimal details (This document is to be given to the Principal/Principal's P.A. and will be kept in a secure file indefinitely.

These forms need to be filed securely until the student is 25 years of age.

c. **Mandatory Notifiers Record Proforma**

To be filed with the notifier.

d. **Mandatory Notification Principal's Record**

To be filed with the Principal.

5. General provisions in all cases of suspicion of risk of harm

- 5.1 The DPS (or delegate) is available to provide crisis response and ongoing consultancy, support and direction to workers and KBGS throughout the entire process. After-hours access to the DPS can be arranged through the Principal or delegate.
- 5.2 A worker is not to inform anyone else of the suspected harm or risk of harm without the permission of the Principal. The Principal in consultation with the DPS will determine who else should be informed of it. (There is a danger of defamation liability against the worker if ultimately an allegation cannot be proved).
- 5.3 Where a worker reasonably suspects a child is at risk of harm, and is not confident making the notification themselves, they are to be instructed to report such matters immediately to a relevant Line Staff who will then assist the worker to comply with the necessary procedures. Otherwise, the person should make the report directly to C.A.R.L. as soon as possible.

- 5.4 Where a worker is reasonably suspected of perpetrating harm or likely harm against a child, and, having regard to current Employment Contracts or Serving Covenants, their continued role with KBGS during the period taken to report and gain a final determination of whether that worker is guilty of any offence, is to be determined by the Principal in liaison with the relevant Head of School. However, the person will not be permitted to work with children and young people until an outcome is known with no prohibiting reasons. The purpose is to ensure the safety and protection of children during this reporting and investigatory stage.
- 5.5 KBGS workers will responsibly and reasonably cooperate with law enforcement and child protection authorities in their investigation and any prosecution of harm.
- 5.6 No workers are to make any statement to the media about any risk of harm or actual harm (either suspected or formally prosecuted) encountered in the course of their employment with KBGS. All inquiries about these matters from the media are to be referred in the first instance to the principal who may choose to seek advice from the DPS. (see Section 2, Part C, paragraph 33).
- 5.7 Workers are not to make any statements about any risk of harm or actual harm (either suspected or formally prosecuted) encountered in the course of their employment by the school to any alleged perpetrator or anyone associated with or representing that alleged perpetrator.
- 5.8 Upon receiving any report about risk of harm or actual harm, and a report having been made to C.A.R.L., a Principal may choose to consult with the DPS as soon as practicable about what steps should be taken in respect of it by the school.
- 5.9 The relevant HOS is to ensure that all appropriate care/professional support is made available to all persons associated with the school who are impacted by an allegation. This support will align with relevant policies and procedures.
- 5.10 Workers are to be alert to any trauma related behaviours and indicators which may be the result of harm including:
- When a child says that he/she has been harmed
 - When a child or adult says that he/she knows of a child subject to harm; or
 - Observations of a child's behaviour, change in behaviour, emotional state and/or injuries.

Indicators in many cases overlap and can interrelate to all forms of harm and risk of harm. An indicator in isolation does not automatically mean that a child is being harmed.

Workers should:

- Listen to the child/young person.
- Not ask leading questions.
- Reassure the child that you believe them, and that there are people who can help to protect them.
- Reassure the child that what has happened is not their fault.
- Reassure the child that telling you was the right thing to do.
- Document the child's disclosure as soon as possible.
- When documenting the disclosure use the same terminology as the child.
- Not make promises, which cannot be kept, such as confidentiality.

A worker is not an investigator and must not do any detective work. Even if the harm that is disclosed has ceased, reporting it is still necessary to protect other children from the perpetrator.

- 5.11 Where a person 18 years or over discloses that they were subject to harm while they were a child these procedures do not apply. However, with their permission, the person should be supported to make a formal report to police.

6. Managing potential perpetrators in the school

A child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people. A child safe organisation consciously and systematically creates an environment where children's safety and wellbeing is the centre of thought, values and actions, and creates conditions that reduce the likelihood of harm to children and young people. This proactive intent has specific application in a school context where many people who attend a school (public) event, may not be subject to worker or server provisions.

While the Child Safety (Prohibited Persons) Act 2016 has specific provisions and associated regulations relating to persons who are prohibited from working with children or young people, a person's attendance at a school (public) event does not ordinarily constitute work or service. In this regard a person may attend or seek to attend who is or becomes a known convicted sex offender and / or a Prohibited Person.

In such a case, the safety and protection of children must remain paramount, and a specific proactive protective response must be applied.

The intent is not to create obstacles for such persons to attend school programs, but rather to create pathways for that to occur safely. This may include but is not limited to Individual Attendance and Safety Agreements, Accountability mechanisms, alternative arrangements outside of the school, referral to another suitable school context, or one on one style engagement.

The specific nature of the response and protective strategies should be determined in liaison with DPS but will necessarily be more conditional and restrictive than the general provisions of 6.1 following.

6.1 A person who

- 6.1.1 is the subject of an unresolved complaint or suspicion of alleged harm to a child; or
- 6.1.2 is reasonably suspected by KBGS of having at any time engaged in harming a child or placing a child at risk of harm

is not to be permitted unsupervised access at any premises controlled by the school. If such a person seeks to access to any function controlled by the school, it must respond in such a way that ensures there is no contact or communication with any child or young person at that function. The Principal in liaison with the school leadership, having regard to the context and particular circumstances, will manage the nature and implementation of this requirement.

PART B: WORKER AND CHILD SAFETY RESPONSIBILITIES

7. Role of Workers

Any person in KBGS working with children must:

- Have a Not Prohibited Working with Children Check conducted by the Department of Human Services Screening Unit
- Be emotionally and spiritually suited to the role to be undertaken.
- Be properly trained in mandatory reporting / awareness
- Have been selected for their role in work with children after a proper investigation and screening of their suitability for such work (see para's 8-10).
- Have a current written employment contract, or if not, enter either a signed serving covenant (**Appendix E**) or supplementary employment contract (**Appendix F**) as relevant to their engagement.
- Have their performance in such work periodically reviewed.

8. Staff/worker/ screening and selection processes

A major form of prevention relates to an appropriate stringent screening and suitability assessment processes. Every worker engaged in child related services must be interviewed, screened and recommended as suitable by the leader who has ultimate oversight or management responsibility for that area of service.

An important part of this process will involve:

- An immediate report to the DHS screening unit if certain information becomes known concerning serious criminal offence, child protection information, or disciplinary or misconduct matters relating to children.
- The completion of an application form.
- Presentation of references.
- The follow up of references.
- A planned and prepared interview process approved by School leadership.
- Agreement to undergo a WWCC.
- Evidence of a current WWCC
- Agreement by the applicant to meet with Principal if required.
- An agreement to read and sign that the Safeguarding Children and Young People Policy has been read and accepted. (**Appendix F**) or (**Appendix G**)

A written recommendation must then be prepared by the worker who has the lead oversight responsibility for that area and be submitted to the Principal or delegate for endorsement/approval. The school may include a panel such as Principal, Professional Standards Committee members or (equivalent personnel), as a part of an accountable recruitment, selection and appointment team.

Under normal circumstances no individual should be permitted to volunteer in the area of children's services until being a part of the school community for a period of not less than one (1) year. Special circumstances may apply and include intimate knowledge of an applicant by people within the school leadership, or impeccable references from other schools. Even in these circumstances the applicant should serve a supervised probationary period of not less than six months, with no key leadership responsibilities. It is recognised that long term and intimate knowledge of a person engaged in this area of service, may reduce components of the above screening and interview process.

It is acknowledged that from time-to-time additional helpers may be engaged to provide support in relation to special events/activities. This may include parents or other people within the school who generously volunteer their services in terms of additional transport, or supervision during special events. It may be unrealistic to expect those who fall into this category on a random basis to undergo additional training, however where possible a WWCC should be obtained and in some cases must be obtained (see **Appendix I**). In rare instances where a WWCC isn't obtained for an additional/occasional helper in accordance with The Prohibited Persons Act an authorised leader/worker must be in attendance and accompany an "unauthorised" person at all times. It is a good practice for the school to think ahead and have a pool of "occasional" helpers suitably trained and screened.

9. Screening/Working With Children Checks

To meet the requirements of the Child Safety (Prohibited Persons) Act 2016 all workers, governance team members, as well as all volunteers over the age of 14 years who serve children must have a valid Working with Children Check (WWCC) issued by the Screening Unit of the Department of Human Services. The relevant leader must sight this with details lodged with the school's Child Protection records system.

It is the responsibility of the school to identify and ensure that the above people obtain a WWCC every 5 years and undertake appropriate training every three years and maintain appropriate records/registers.

If a WWCC check determines a person is prohibited, it will remain the discretion of the school to permit individuals to serve within the life of the school that does not involve them working with people under the age of 18 years. Depending on the nature of other offences, strict conditions may be applied to such an individual attending school and or associated school programs having regard to Section 2 Part A Para 6 above.

Sexual abuse related offences will preclude that person from having any contact with, or responsibilities involving children and young people. In some cases, an offender may not be permitted to attend the school, or any associated program under any circumstances. The DPS (or delegate) must be contacted and consulted.

If any worker or pending staff member refuses to undergo a WWCC check, they must not be appointed to the position that requires them to undergo such a check and must be excluded from any regular programs which involve them working with people under the age of 18 years.

Staff members and other workers, who for whatever reason have not undergone a WWCC, are required to immediately do so and cease working with children and young people until they are able to provide a Not Prohibited WWCC.

Any person undertaking a service role full/part time, paid/unpaid, who does not have a current written employment contract must complete and sign a service covenant form ([Appendix E](#)). For those with a pre-existing written employment contract, the Supplementary Employment Contract ([Appendix G](#)) should be completed and signed.

10. Working with Children Checks - Tradespeople

All tradespersons engaged to carry out work on school premises where children are present must produce a current WWCC prior to being engaged/employed.

11. Character Reference Requests

Leaders, workers or others who are seen to be a school representative are not to accept requests to provide a character reference for anyone known to have been charged with a criminal offence.

12. Visitor identification

All visitors should have photo ID confirmation upon check in to the school.

13. Punctuality

Workers and designated helpers should keep to timetables to the best of their ability. If an activity is running significantly overtime, parents should be notified as soon as possible of the new anticipated time that their child/ren may arrive at the pre-determined point. If the activity is off-site and a delay has occurred, it may be appropriate to telephone one person who could inform all parents of the circumstances.

14. Moral wellbeing

Workers must ensure that any online streaming, television programs, videos, music, magazines and/or displays shown or used as part of the group's activities are suitable in content and appropriate to the age group represented, with due regard to Christian values.

Whilst official television and movie ratings should be observed, there will be situations where those in leadership will have the responsibility of approving the viewing of certain material.

Every worker is expected to maintain a high moral code. Foul, demeaning, bullying, racist or sexist language is not acceptable, and will not be tolerated by anyone working in service at KBGS.

15. Inappropriate behaviour of a worker

Any person who is concerned about the behaviour of any worker in terms of harm or possible harm as defined under *(s17 Children and Young People (Safety) Act 2017)* and outlined in Part A 3, must contact C.A.R.L. first, and then refer the matter to the relevant leader of the school for consideration of what response is deemed appropriate.

As role models for our students, and as ambassadors of King's Baptist Grammar School, staff, volunteers and contractors will meet the following behavioural expectations:

- treat all people with dignity and respect and without favouritism or discrimination.
- be objective in carrying out school procedures, judgements and reporting
- use a Restorative Practice approach to build, repair and maintain healthy relationship
- abide by all Government laws, policies, procedures and guidelines regarding the safety of children
- perform all tasks with diligence and the highest standards
- follow lawful directions from the line manager
- promptly raise all concerns, issues and problems with the line manager
- promptly report and record all allegations or suspicions of harm in line with this policy
- maintain professional boundaries, physically and emotionally.
- do not establish connections with current students other than at a professional level, using only school endorsed technologies
- display care for the school's property and environments, inside and out
- refrain from public comment about the school
- to not consume alcohol at any function at which staff have a Duty of Care.
(For events beyond normal school hours, the direction of the Principal is to be sought)

All who work alongside students are expected to familiarize themselves with these broad expectations in all interactions. Staff should raise concerns, issues and problems with the Principal or relevant Head of School.

A more detailed Code of Conduct to be signed by all workers is provided in **Appendix I**.

16. Bullying

Bullying is a form of persistent harassment, which demeans, threatens, intimidates or humiliates a person. For any worker to act in such a manner towards a child is unacceptable and will not be tolerated and must be reported as soon as possible to Principal and / or the school Child Protection Officer.

17. Child Safety Responsibilities

- 17.1 KBGS and its workers are to do everything reasonably available to them to promote the physical, emotional, and mental wellbeing and safety of the children who are involved in the life of that school ("the duty of care"). What is reasonable in a particular situation depends on its circumstances including the nature of the risk of harm to children and the practicability of the steps needed to eliminate it.
- 17.2 While no set of detailed rules can be devised which when applied to a particular situation will clearly show what is the applicable duty of care, the paragraphs in this section 2 No 8 to 36 contain some processes that are always prudent to observe.
- 17.3 While the current Part B area applies generally to risk of harm, that issue is dealt with specifically in Part A.

18. Participation of Children

- 18.1 KBGS imbed child safe awareness within the school curriculum, and the school student diary. However, in order to further instil a culture of safety and awareness, children who attend regular children's service programs will participate in an awareness session (held at least annually) of the following, led by the workers who oversee these class or related activities.

Areas that should at least be covered, include the following:

- 18.1.1 expectations concerning appropriate behaviour by children and workers
- 18.1.2 when, how, and who to speak to if they feel uncomfortable
- 18.1.3 protective behaviour strategies
- 18.1.4 other rights, responsibilities and expectations in line with the Codes of Conduct and Children and Young People Safeguarding Policy
- 18.1.5 WHS information and procedures applicable to child related services/programs
- 18.1.6 How to make a complaint or raise a concern over any matter

For each of the above, workers will use consultation methods suited to each group, considering factors such as children's age, developmental level and cultural backgrounds. It will be important to plan ahead to ensure people are involved who have sufficient early childhood communication expertise, along with any interpretation support that may be required.

Parents should be notified of when and with whom this consultation will take place ahead of time and will also be made aware that the KBGS Children and Young People Safeguarding Policies and the Codes of Conduct can be obtained on the KBGS website.

Whenever there is first contact with a student and then at least annually the local school process for feedback/complaints should be explained to children and their family/carers

- 18.2 Information may be provided in the student diary, a simple hand out and/or on a wall poster about services that can assist children, young people and their families (such as the Kids Helpline on 1800 55 1800 and Youth Helpline on 1300 13 17 19) in areas accessed by them.
- 18.3 Adults and children (who are not prescribed mandated notifiers) can discuss or disclose harm related matters or seek support and advice by contacting the CPO's.
- 18.4 Children and their parents should be enabled full opportunity to provide feedback on and make suggestions re children's services regularly. The school cultural and communications systems will determine the process. This may include focussed discussion sessions, survey, suggestion box, etc). The process will be advised to families and children at least annually as a component of 18.1.

19. Care and supervision ratios of workers to children

19.1 There is no fixed ratio, which will necessarily satisfy the duty of care in all situations. It will depend on all the circumstances which KBGS staff will have regard to.

This will include:

- School regulatory authority guidelines.
- The age needs and behavioural history of the children present.
- The skills and experience of the workers.
- The environment in which the children are placed.
- The nature of any risks to which the children may be exposed.
- The ready availability of backup if there are difficulties.

20. Junior school/programs check in/out procedures

The school will have in place check in and out-processes in relation to students who attend the school.

For example: Children in junior programs (under 12 years of age) once check in must not be permitted to leave unless collected by a parent or authorised person.

General medical permission and information forms (**Appendix C**) should be completed and filed in relation to all children attending the above programs.

21. Physical health and safety

The physical environment should always be such that the safety of children is paramount, e.g., any electrical equipment used is in safe working order, floors are kept free of slippery surfaces, food is handled with the utmost care to as far as possible avoid contamination.

It is the role and responsibility of the school's Work Health and Safety (WHS) Officer to be responsible for and oversee all established WHS standards. Relevant accredited training must be undertaken for the appointed officer to carry out his/her duties.

Any faulty equipment/plant, which constitutes a hazard to the safety of a child, should be immediately removed where possible, and its condition should be reported to the WHS Officer/school Office, in writing, without delay. For specific WHS information refer to the Member school WHS document.

All the processes in 21 above will be aligned with and subject to the prevailing school Risk Management policy as approved by the KBGS Board of Governors.

22. Transportation

When a young person is travelling in a vehicle driven by a worker, or designated person, the vehicle will be driven carefully, always adhering to the legal speed limits and road laws. At no time should there be more passengers in a car than the number of seat belts which are in working order and available for use. Cars must be registered and driven by licensed drivers, in accordance with the conditions subject to that licence and the type and class of vehicle driven.

In addition, the registered owner may use motorcycles, but the carrying of children and youth during official school activities as a pillion passenger without parental consent is prohibited.

In the event of an accident in which any person is injured, the Principal, lead staff and parents must be informed as soon as possible. All state legislation regarding the reporting of an accident must be followed.

Negligent driving can have painful emotional and legal consequences. Anyone who is observed or reported as not driving according to prevailing road rules and generally accepted due care, will not be permitted to transport children. In addition, drivers must take children directly to and from arranged venues and not spontaneously detour or make additional arrangements without parental/leadership consent.

No child should be permitted to travel in a vehicle driven by a worker who possesses a learner permit or probationary licence except in the case of a genuine emergency.

Alcohol must not be consumed eight hours prior to driving for or during school activities. The use of illicit substances is not permitted at any time.

In addition, no driver may provide transport if there is any possibility that they may be driving under the influence of illegal, illicit, or prescription drugs that can inhibit a person's ability to drive safely, or alcohol, or under any condition that would inhibit their ability to safely control a motor vehicle. It is the responsibility of the driver to inform senior or key leaders of any situation that may inhibit their ability to safely be in charge of a motor vehicle.

23. Risk Management

KBGS recognises that it is not possible to eliminate all risks of child exploitation and harm.

However, the school is accountable for having a due process for identifying, managing, recording and mitigating risks within the school and its environment and to understand the legal requirements involved with safeguarding children as detailed in this policy. (**Appendix J**).

Risk assessment and risk management practices are embedded in procedures for all services, programs or activities authorised by the school.

In situations where a person with a record of offending in child abuse of any kind seeks to attend or join the school community, the provisions outlined in Section 2 Part A No 6 will serve as the prime guide for responding to and managing the process of risk management.

All persons involved with KBGS who notice matters of concern, must raise these concerns with a key leader who will then determine the appropriate response in accordance with this policy.

See **Appendix J** for a Risk Assessment Template tool and examples of potential risks.

24. Camping/Excursions/Activities

The school Leadership must approve of and endorse all camps and excursions as an official school activity, and parental/guardian consent must be always obtained for activities that are conducted off site. All standards previously identified in this document in terms of transportation, child/youth management and ethical standards apply.

In the case of camps and off-site special events, parents/guardians must be supplied (in writing) with specific information about the activity, including venue, contact details, all proposed activities as well as transport and sleeping arrangements, emergency/first aid arrangements and the names of designated leader/s.

Special event medical permission and information forms (**Appendix C**) (**Appendix D**) must be supplied to, completed by parents/guardians, and maintained by the responsible program/service leader and workers.

Leaders who have the ultimate oversight and responsibility must be appointed and have undergone all relevant training and preparation for such events. All leaders and workers must have completed a KBGS approved mandatory reporting/child protection awareness training program as well as hold a current WWCC.

For camps/overnight activities each person must have separate bedding and provision must be made for private changing and showering facilities. Where possible adult leaders supervising children and young people in overnight sleeping arrangements are to be of the same gender as the children they are supervising.

Leaders and workers are not permitted to share accommodation with one child/young person, unless they are a parent or guardian of that child. In accordance with our Christian values, other than married couples, leaders and workers are not permitted to share a bed together at any time.

Children should not (where possible) be permitted to sleep in close proximity to leaders or workers. If unavoidable, or for younger children requiring closer supervision, increased levels of supervision and monitoring procedures must be implemented. No less than two approved leaders should be always present. This also applies to children of a different gender sleeping in close proximity to each other.

No persons are permitted to shower together at any time.

At no time are leaders or workers permitted to provide, allow, or consume alcohol, or illegal and illicit substances.

If leaders are taking prescribed medication that would impair their ability to perform their role effectively, it is their responsibility to advise their designated leader.

In the case of campfires, the leaders and workers in charge must follow all local statutory rules and regulations always including total fire ban and ensure that appropriate fire safety precautions are in place.

Activities where a degree of risk is involved, for example pioneering, boating, air activities, abseiling, bushwalking, rock climbing, water activities, including sailing, scuba diving, canoeing etc, such activities must only be undertaken under the direction and supervision of fully qualified persons. All laws, rules and regulations pertaining to these activities must be always followed.

Precautions must be taken by leaders and workers in relation to swimming/water activities. The safety of the swimming area must be thoroughly examined in relation to depth, currents and obstacles. A leader/worker must be appointed to oversee and supervise the activity at all times.

It is desirable to pair swimmers off ("Buddy System") with each swimmer taking responsibility for keeping the other in view and immediately reporting any mishap or disappearance. At least one person with suitable lifesaving and first aid qualifications must be on standby at all times.

All persons must always wear appropriate swimming attire.

It is the responsibility of individual school Leaderships to familiarise themselves with all legislative standards and safety procedures in relation to activities undertaken.

25. Internet Access

Internet access, email, social media and 'smart-phone' facilities are in most cases available for the purpose of communication, research and business purposes.

In using these means of communication workers hold positions of trust and leadership and are at all times prohibited from: sending, receiving, downloading, displaying, printing or otherwise disseminating material that is sexually explicit, obscene, profane, discriminating, fraudulent, offensive, defamatory or otherwise in any way unlawful.

The School Digital Citizenship Policy will guide all online digital communications.

26. Initiation/secret ceremonies

Initiations and or secret ceremonies are prohibited.

27. Meetings/Locations

To ensure that safety and integrity is maintained for all concerned, workers should always conduct a one-on-one meeting in an area that is private but not isolated. It is not wise to meet with an individual child in a secluded/blind area. Where possible it is desirable that the room used for such sessions have glass inserts in doors, which will maintain confidentiality, whilst eliminating a secluded or blind area.

28. Hiring out of school facilities to outside groups

Groups privately hiring or using school facilities where children will be a part of that program must provide proof that persons responsible for any program relating to the care and supervision of children, have completed a South Australian Government Child Safe Environment Compliance process and that staff have current WWCCs.

29. Care/Support/Counselling

It is the responsibility of School to ensure that all workers are made aware of the difference between a qualified "counsellor", and a person providing "pastoral care" and support. The term "counsellor" relates only to a suitably qualified person.

Workers should always keep their Principal/supervisor informed of their service caseload, who they are meeting with, and who they are providing direction or support to via an ongoing process of supervision and support.

Workers must not visit young people in the home or at isolated locations if no other person is present.

PART C: Miscellaneous

30. Privacy

All information concerning children must be kept confidential and only disclosed to authorised persons. Procedures for storage of information concerning children associated with the school should be arranged with the Privacy Officer. Refer to the KBGS Privacy Policy as amended from time to time.

31. Communication

The KBGS Child Protection Contact Officer (CPCO) will annually:

- Communicate the availability of these policies to attendees of the school community.
- Encourage and facilitate feedback on all school services/activities relating to children (ref Section 2 Part B paragraph 18).

32. Workers' awareness

(The following is a brief outline only. If you wish to know more on these topics, you should seek further advice on them.)

Workers should be aware:

- 35.1 Section 166 (4) of the CYPsA protects workers against civil and criminal liability for having reported suspected risk of harm to C.A.R.L. under s30 & 31 of the CYPsA. S163 (1) of the CYPsA provides that the identity of a notifier to C.A.R.L. is not to be disclosed, but by the Service Covenant this does not prevent some officers of the school being told of it.
- 35.2 By s165 of the CYPsA it is an offence to cause detriment to a person who makes a report to C.A.R.L.
- 35.3 Apart from a report to C.A.R.L. a worker who informs another person of suspected risk of harm, which cannot ultimately be proved, can be liable for civil damages for defamation. Extreme care needs to be taken in sharing allegations to anyone other than C.A.R.L. and the Principal or delegate of the school. A worker acting as a worker for the school in making such an allegation is likely covered by school insurance against any damages, which may be awarded for defamation.
- 35.4 If workers become liable in law to pay damages to any person who has suffered loss from any breach by them of their duties, they are likely to be covered for such damages by the school insurance.
- 35.5 Other than for damages for defamation, the Volunteers Protection Act 2001 relieves an unpaid worker acting for the school from civil liability for any breach of duty provided they have acted in good faith and without recklessness.

33. Media Management

As a part of the KBGS commitment to open, accountable and professional responses, the persons authorised to make media comment concerning matters pertaining to alleged breaches of the Child Protection Policy and any other matters relating to the Child Protection process in this policy, are limited to:

- Senior Leaders (who must first seek approval of the Principal who may receive advice from the DPS)
- The Principal and/or KBGS Board of Governors Chair

APPENDICES

Appendix A

EXCERPTS - SOUTH AUSTRALIAN LEGISLATION SA

The main statutory provisions which create and describe the obligation to report a reasonable suspicion that a Child is, or may be, at risk are set out below and taken from the Children and Young People (Safety) Act 2017

16—Interpretation

(1) In this Act, unless the contrary intention appears — **child or young person** means a person who is under 18 years of age;

17—Meaning of *harm*

(1) For the purposes of this Act, a reference to **harm** will be taken to be a reference to physical harm or psychological harm (whether caused by an act or omission) and, without limiting the generality of this subsection, includes such harm caused by sexual, physical, mental or emotional abuse or neglect

(2) In this section— **psychological harm** does not include emotional reactions such as distress, grief, fear or anger that are a response to the ordinary vicissitudes of life

18—Meaning of *at risk*

(1) For the purposes of this Act, a child or young person will be taken to be **at risk** if—

- (a) the child or young person has suffered harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (b) there is a likelihood that the child or young person will suffer harm (being harm of a kind against which a child or young person is ordinarily protected); or
- (c) there is a likelihood that the child or young person will be removed from the State (whether by their parent or guardian or by some other person) for the purpose of—
 - (i) being subjected to a medical or other procedure that would be unlawful if performed in this State (including, to avoid doubt, female genital mutilation); or
 - (ii) taking part in a marriage ceremony (however described) that would be a void marriage, or would otherwise be an invalid marriage, under the *Marriage Act 1972* of the Commonwealth; or
 - (iii) enabling the child or young person to take part in an activity, or an action to be taken in respect of the child or young person, that would, if it occurred in this State, constitute an offence against the *Criminal Law Consolidation Act 1935* or the *Criminal Code* of the Commonwealth; or
- (d) the parents or guardians of the child or young person—
 - (i) are unable or unwilling to care for the child or young person; or
 - (ii) have abandoned the child or young person, or cannot, after reasonable inquiry, be found; or
 - (iii) are dead; or
- (e) the child or young person is of compulsory school age but has been persistently absent from school without satisfactory explanation of the absence; or
- (f) the child or young person is of no fixed address; or
- (g) any other circumstances of a kind prescribed by the regulations exist in relation to the child or young person

(2) It is immaterial for the purposes of this Act that any conduct referred to in subsection (1) took place wholly or partly outside this State

- (3) In assessing whether there is a likelihood that a child or young person will suffer harm, regard must be had to not only the current circumstances of their care but also the history of their care and the likely cumulative effect on the child or young person of that history
- (4) In this section— *female genital mutilation* means—
- (a) clitoridectomy; or
 - (b) excision of any other part of the female genital organs; or
 - (c) a procedure to narrow or close the vaginal opening; or
 - (d) any other mutilation of the female genital organs, but does not include a sexual reassignment procedure or a medical procedure that has a genuine therapeutic purpose; ***sexual reassignment procedure*** means a surgical procedure to give a female, or a person whose sex is ambivalent, genital characteristics, or ostensible genital characteristics, of a male
- (5) A medical procedure has a genuine therapeutic purpose only if directed at curing or alleviating a physiological disability or physical abnormality

Part 1—Reporting of suspicion that child or young person may be at risk 30—Application of Part

- (3) This Part applies to the following persons:
- (a) prescribed health practitioners;
 - (b) police officers;
 - (c) community corrections officers under the Correctional Services Act 1982;
 - (d) social leaders;
 - (e) ministers of religion;
 - (f) employees of, or volunteers in, an organisation formed for religious or spiritual purposes;
 - (g) teachers employed as such in a school (within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011*) or a pre-school or kindergarten;
 - (h) employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children and young people, being a person who—
 - (i) provides such services directly to children and young people; or
 - (j) holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people;
 - (k) any other person of a class prescribed by the regulations for the purposes of this subsection

31—Reporting of suspicion that child or young person may be at risk

- (1) A person to whom this Part applies must, if—
- (a) the person suspects on reasonable grounds that a child or young person is, or may be, at risk; and
 - (b) that suspicion was formed in the course of the person's employment, report that suspicion, in accordance with subsection (4), as soon as is reasonably practicable after forming the suspicion Maximum penalty: \$10 000

- (2) However, a person need not report a suspicion under subsection (1)—
- (a) if the person believes on reasonable grounds that another person has reported the matter in accordance with that subsection; or
 - (b) if the person's suspicion was due solely to having been informed of the circumstances that gave rise to the suspicion by a police officer or child protection officer acting in the course of their official duties; or
 - (c) in any other circumstances prescribed by the regulations for the purposes of this subsection
- (3) A person to whom this Part applies may (but need not), if—
- (a) the person suspects on reasonable grounds that the physical or psychological development of an unborn child is at risk (whether due to an act or omission of the mother or otherwise); and
 - (b) that suspicion was formed in the course of the person's employment,
 - (c) report that suspicion in accordance with subsection (4)
- (4) A person reports a suspicion under this section by doing 1 or more of the following:
- (a) making a telephone notification to a telephone number determined by the Minister for the purposes of this subsection;
- Note** - This telephone line is currently known as the ***Child Abuse Report Line*** or ***CARL***
- (b) making an electronic notification on an electronic reporting system determined by the Minister for the purposes of this subsection;
 - (c) by reporting their suspicion to a person of a class, or occupying a position of a class, specified by the Minister by notice in the Gazette;
 - (d) reporting their suspicion in any other manner set out in the regulations for the purposes of this paragraph, and, in each case, providing—
 - (e) —
 - (i) in the case of an unborn child—the name and address (if known) of the mother of the unborn child; or
 - (ii) in any other case—the name and address (if known) of the child or young person; and
 - (f) information setting out the grounds for the person's suspicion; and
 - (g) such other information as the person may wish to provide in relation to their suspicion

163—Protection of identity of persons who report to or notify Department

- (1) A person who, in the course of the administration, operation or enforcement of this Act, receives a report or notification that a child or young person may be at risk, or who otherwise becomes aware of the identity of a person who has made such a report or notification, must not disclose the identity of the person who made the report or notification to any other person unless the disclosure—
- (a) is made with the consent of the person who gave the notification; or
 - (b) is made by way of evidence adduced in accordance with subsections (2) and (3); or
 - (c) is otherwise authorised by the regulations.

Maximum penalty: \$10 000

Source:
National Council on Crime and Delinquency (NCCD)
Mandatory Reporting Guide, South Australia
24 HOUR CHILD ABUSE REPORT LINE (C.A.R.L.) 13 14 78

South Australia

Statutes Amendment (Child Sexual Abuse) Act 2021

Obligations

In addition to the requirements of mandatory reporting under s30 & 31 the Children and Young People (Safety) Act 2017(CYPSA), which places an obligation all GBG workers to report a reasonable suspicion a child or young person is, or may be, at risk of harm, all workers must **also** comply with the reforms under the Statutes Amendment (Child Sexual Abuse) Act 2021, which changed the Criminal Law (Consolidation) Act 1935 in relation to the protection of children from sexual abuse.

Under these changes, religious institutions have been captured in the definition of an institution under section 64 (Division 11B – Institutional child sexual abuse) of the Criminal Law (Consolidation) Act 1935.

This has an impact on all religious institutions with significant penalties for failure to report suspected child sexual abuse (S.64A) and Failure to protect a child from sexual abuse (65).

As a faith-based entity GBG recognises these obligations alongside meeting the legislative requirements of the Children and Young People (Safety) Act 2017.

Refer to a presentation by former Attorney-General the Hon Vickie Chapman MP for further commentary on the definitions of 'institution' and 'prescribed' <http://hansardpublic.parliament.sa.gov.au/Pages/HansardResult.aspx#/docid/HANSARD-11-42587>.

Simply there are two significant areas for compliance.

1. **Failure to report suspected child sexual abuse** (Section 64A). Penalties apply IF:

- (2) A prescribed person is guilty of an offence if the person knows, suspects or should have suspected that another person (the **abuser**)—
 - (a) has previously engaged in the sexual abuse of a child while an employee of the institution or, if the prescribed person provides out of home care, while also providing out of home care, and—
 - (i) the child is still under the age of 18 years; or
 - (ii) the abuser is still an employee of the institution or another institution or still provides out of home care; or
 - (iii) the sexual abuse occurred during the preceding 10 year period; or
 - (b) is an employee of the institution or, if the prescribed person provides out of home care, is providing out of home care, and is engaging, or is likely to engage, in the sexual abuse of a child

2. **Failure to protect a child from sexual abuse** (Section 65A), penalties apply IF:

- (3) the prescribed person knows that there is a substantial risk that another person (the **abuser**) who is also an employee of the institution or, if the prescribed person provides out of home care, who is also a provider of out of home care, will engage in the sexual abuse of a child—
 - (a) who is under 17 years of age; or
 - (b) in relation to whom the abuser is in a position of authority; and
- (4) the prescribed person has the power or responsibility to reduce or remove that risk but negligently fails to do so.

Refer to the following excerpts of this legislation.

South Australia

Statutes Amendment (Child Sexual Abuse) Act 2021

An Act to amend the [Criminal Law Consolidation Act 1935](#), the [Criminal Procedure Act 1921](#), the [Evidence Act 1929](#), the [Sentencing Act 2017](#), the [Summary Offences Act 1953](#) and the [Young Offenders Act 1993](#).

7 - Insertion of Part 3 Division 11B

After section 63D insert:

Division 11B—Institutional and out of home care child sexual abuse

64—Interpretation

In this Division—

adult means a person who is not a child;

child means a person under 18 years of age;

institution means—

- (a) an entity (whether private or public) that operates facilities or provides services to children who are in the care, or under the supervision or control, of the institution and includes (without limitation) medical and religious institutions and any services or functions provided by persons as part of the duties of a medical practitioner or of a religious or spiritual vocation; or
- (b) an entity of a class prescribed by the regulations;

out of home care means—

- (a) care provided to a child where—
 - (i) the child is under the guardianship or custody of the Chief Executive under the [Children and Young People \(Safety\) Act 2017](#); and
 - (ii) the care is provided by a person with whom the child is placed pursuant to section 84 of that Act; and
 - (iii) the care is provided on a residential basis in premises other than the child's home; and
 - (iv) the provider of the care receives, or may receive, payment, or financial or other assistance, in relation to the care provided; or
- (b) any other care of a kind declared by the regulations to be included in the ambit of this definition;

prescribed person means an adult who—

- (a) is an employee of an institution, including a person who—
 - (i) is a self-employed person who constitutes, or who carries out work for, an institution; or
 - (ii) carries out work for an institution under a contract for services; or
 - (iii) carries out work as a minister of religion or as part of the duties of a religious or spiritual vocation; or
 - (iv) undertakes practical training with an institution as part of an educational or vocational course; or
 - (v) carries out work as a volunteer for an institution; or
 - (vi) is of a class prescribed by the regulations; or
- (b) provides out of home care;

sexual abuse of a child includes any unlawful conduct of a sexual nature committed to, or in relation to, a child

64A—Failure to report suspected child sexual abuse

- (1) A prescribed person is guilty of an offence if the person knows, suspects or should have suspected that another person (the *abuser*)—
 - (a) has previously engaged in the sexual abuse of a child while an employee of the institution or, if the prescribed person provides out of home care, while also providing out of home care, and—
 - (i) the child is still under the age of 18 years; or
 - (ii) the abuser is still an employee of the institution or another institution or still provides out of home care; or
 - (iii) the sexual abuse occurred during the preceding 10 year period; or
 - (b) is an employee of the institution or, if the prescribed person provides out of home care, is providing out of home care, and is engaging, or is likely to engage, in the sexual abuse of a child, and the prescribed person refuses or fails to report that to the police. Maximum penalty: Imprisonment for 3 years.
- (2) For the purposes of [subsection \(1\)](#), a defendant should have suspected that another person has engaged, is engaging or is likely to engage in sexual abuse of a child if a reasonable person in the defendant's circumstances would have held the relevant suspicion and the defendant's failure to hold that suspicion, if judged by the standard appropriate to a reasonable person in the defendant's position, amounts to criminal negligence.
- (3) A prescribed person may be guilty of an offence under this section in respect of any knowledge, suspicion, or circumstances in which they should have held a suspicion, occurring before the commencement of this section, but in such a case the person will not be guilty of the offence unless—
 - (a) the relevant child is still under the age of 18 years and is still in the care, or under the supervision or control, of the institution or is still in out of home care; or
 - (b) the abuser is still an employee of the institution or another institution or still provides out of home care.
- (4) It is a defence to a charge of an offence under this section if the defendant had a reasonable excuse for the refusal or failure to report.
- (5) Without limiting the circumstances in which a person might be found to have had a reasonable excuse for a refusal or failure to report, a person will be taken to have had a reasonable excuse if the person refused or failed to report the matter to the police because the person believed on reasonable grounds that the matter had already been reported to the police or had been reported under Chapter 5 Part 1 of the [Children and Young People \(Safety\) Act 2017](#).
- (6) If a prescribed person reports a matter to the police, in good faith, believing that the report was required under this section—
 - (a) no civil or criminal liability lies against the person for making the report; and
 - (b) the person cannot be held to have breached any code of professional etiquette or ethics, or to have departed from any acceptable form of professional conduct, for making the report.
- (7) Sections 163 (other than section 163(1)(ab)) and 165 of the [Children and Young People \(Safety\) Act 2017](#) apply in relation to a prescribed person who reports a matter to the police under this section as if they had provided the information under Chapter 5 Part 1 of that Act.

65—Failure to protect child from sexual abuse

- (1) A prescribed person is guilty of an offence if—
 - (a) the prescribed person knows that there is a substantial risk that another person (the *abuser*) who is also an employee of the institution or, if the prescribed person provides out of home care, who is also a provider of out of home care, will engage in the sexual abuse of a child—
 - (i) who is under 17 years of age; or
 - (ii) in relation to whom the abuser is in a position of authority; and

- (b) the prescribed person has the power or responsibility to reduce or remove that risk but negligently fails to do so.
Maximum penalty: Imprisonment for 15 years.
- (2) For the avoidance of doubt, it is not necessary for the prosecution to prove that sexual abuse of a child occurred to make out an offence against this section.
- (3) For the purposes of this section, a person is in *a position of authority* in relation to a person under the age of 18 years (the *child*) if—
 - (a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or
 - (b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or
 - (c) the person provides religious, sporting, musical or other instruction to the child; or
 - (d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or
 - (e) the person is a health professional or social worker providing professional services to the child; or
 - (f) the person is responsible for the care of the child and the child has a cognitive impairment; or
 - (g) the person is employed or providing services in a correctional institution (within the meaning of the *Correctional Services Act 1982*) or a training centre (within the meaning of the *Young Offenders Act 1993*), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or
 - (h) the person is employed or providing services in a licensed children's residential facility (within the meaning of the *Children and Young People (Safety) Act 2017*), or a residential care facility or other facility established under section 36 of the *Family and Community Services Act 1972*, or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or
 - (i) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment .



Appendix B

King's Baptist Grammar School Inc. South Australia (KBGS)

RISK OF HARM PRELIMINARY REPORT FORMS

There are 2 forms which have been devised to aid staff when faced with making a notification.

a. **Mandatory Notifiers Record Proforma**

(SEQTA/Staff Information/Forms)

This form is designed to assist in gathering information before a notification is made and to make notes while speaking to the Child Abuse Report Line. This is for the notifier's information only. A checklist is attached to the Proforma to help you gather the required information for making a report.

b. **Mandatory Notification Principal's Record**

(SEQTA/Staff Information/Forms)

This form is a record of any notifications that have been made, with minimal details (This document is to be given to the Principal/Principal's P.A. and it will be kept in a secure file indefinitely).

These forms need to be filed securely until the student is 25 years of age.

a. **Mandatory Notifiers Record Proforma**

To be filed with the notifier

b. **Mandatory Notification Principal's Record**

To be filed with the Principal

Appendix C

**King's Baptist Grammar School Inc. South Australia
(KBGS) PERMISSION FOR MEDICAL INTERVENTION (EXAMPLE)***Excursion Description**Excursion Details*

* Required

1. Students First Name *

2. Students Surname *

3. Students Pastoral Class *

4. Does your child have any medication at school that will need to be taken with them on this excursion? *

☐ Yes☐ No

5. If yes, what medication is required and reason please *

6. I consent for my child to be given Paracetamol if required *

☐ Yes N☐

7. I consent for my child, as named above, to take part in the (Event name) to be held at (event site/venue) and from (Date) to (Date)/or on (Date). *

☐ Yes

8. I have seen a copy of the program and details for this excursion/camp and acknowledge that risk of injury is inherent in physical activities. While I am aware that staff will take all due care, I recognise that accidents may occur.

The staff and supervisors have my authority to take whatever action they think is necessary to ensure the safety, wellbeing and successful conduct of the participants as a group or individually in this excursion. *

☐ Yes

9. If my child becomes ill or is accidentally injured, I consent to staff and supervisors obtaining the necessary medical treatment my child requires.

I also acknowledge that the staff and supervisors can accept no personal liability for any personal injury or property loss suffered by my child during the period of the event. *

☐ Yes

10. Parents/Caregiver Name *

11. Date of Permission *

Please input date (dd/MM/YYYY)

Appendix D

King's Baptist Grammar School Inc. South Australia (KBGS)

Questions for Enrolment Process – [Online Form](#)

(Medical Permissions Excerpt)

1. Student's Name:
2. Gender:
3. Next of Kin/Primary Contact for notification of any information:
- Relationship:
- Contact Number:
- Email Address:

Disability

1. Does your child have a known disability?
2. Please give details relating to their disability?
3. Is your child on an NDIS plan?
4. Which outside agencies are involved in your child's plan?
5. Are there any mobility issues that the school needs to be aware of?
6. Details of mobility issues
7. Has your child received support through a support worker at Kindy or previous school? If so, did they work on:
8. What support services does your child access?
9. Please list the contact people for these services, including phone number:
10. Please list the type and amount of support:
11. Will this support continue?
12. Will these agencies provide consultancy support in school?
13. Does your child require particular supervision or management? If yes, please give details.
14. Are there any Occupational Health, Safety and Welfare and Duty of Care issues for your child and others? If yes, please give details.
15. Will your child require particular arrangements or consideration to participate in sport, games, camps and excursions? If yes, please give details.

Medical Permissions & Health Issues

First aid facilities, first aid personnel and first aid kits will be provided in accordance with the WH&S Regulations and relevant Codes of Practice. First aid rooms and Senior First Aid trained staff are located in key areas around the school ensuring that requirements and assistance is available promptly. For more information, please see the [King's First Aid Policy](#).

1. Do you give permission for medical intervention (including ambulance services) in the case of an emergency and you are not able to be contacted immediately.
2. Is the student covered by a private medical benefit fund? Fund Name (if applicable):
- Medicare Number:
3. Regular Dr's Name and details (including address & Phone number)
4. Date of most recent tetanus immunisation.

5. Are there any medical conditions which the school should be aware of regarding the health and well-being for the student?

Asthma
Anaphylaxis
Allergies to
food/medicines/drugs
Diabetes
Epilepsy
Convulsions/Seizures
Other
N/A

6. Please provide brief details for any medical issues selected above. (Relevant medical action plans and other extensive information should be discussed with and emailed to Student Services staff.

7. Does the student have / had any of the following conditions?

Speech Disorder
Speech Delay
Mental Illness
Global Development
Delay
ASD
ADHD
ADD
Other
N/A

8. Is the student on any regular prescribed medication for any of the conditions detailed in this section?

9. If your child is prescribed medication, the School requires you to provide a Health Care Plan and/or Emergency Action Plan for any medical conditions.

10. If you do not already have a Health Action Plan please notify us and we will provide you with a form for your Health Practitioner to complete.

11. Can your child manage personal care needs on their own?

Authorisation

I authorise relevant staff at King's to access and share information which may be of benefit to the education of my child. In granting this authority I understand that it will remain current for the period of my child's enrolment at King's.

Parent Name:

Dated:

Appendix E

King's Baptist Grammar School Inc. South Australia (KBGS)

I, _____ of _____
(name of worker) (address)

1. Declare that except as is stated below I have never:

- Been guilty of any sexual misconduct against any person;
- Have never committed any criminal offence involving fraud, violence or drugs;
- Have no recorded offences against road traffic laws (except parking offences);
- Am of good character and suitable for service within the King's Baptist Grammar School environment.

(If there are exceptions to the above, please provide details below.)

- Acknowledge I have read and agreed to the Safeguarding Children and Young People Policy and have signed the Code of Conduct – Safeguarding Children and Young People and have a current Working with Children Check that has been provided to the School.
- Agree I will cooperate with the Director of Professional Standards (DPS) in any investigation undertaken by the DPS in relation to the school.
- Agree I will attend and take part in any education and training courses deemed necessary by the school to ensure I am fit for service with children.
- Acknowledge that by signing this covenant no legal contract is created between myself and the School but accept that it acts as a willing consent for the operation of the Safeguarding Children and Young People Policy and Procedure Manual, and compliance with the Code of Conduct – Safeguarding Children and Young People, and that legal consequences may follow if I have knowingly given false answers to any of the questions above.

Signature _____ Date _____

Appendix F

King's Baptist Grammar School Inc. South Australia (KBGS)

I, _____ of _____
(name of worker) (address)

1. Agree that this document contains additional terms for my employment by King's Baptist Grammar School and my continued employment is conditional upon my executing it.

2. Declare that except as is stated below I have never:

- a. Been guilty of any sexual misconduct against any person;
- b. Have never committed any criminal offence involving fraud, violence or drugs;
- c. Have no recorded offences against road traffic laws (except parking offences);
- d. Am of good character and suitable for service within the King's Baptist Grammar School environment.

(If there are exceptions to the above, please provide details below.)

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3. Acknowledge I have read and agreed to the Safeguarding Children and Young People Policy and have signed the Code of Conduct – Safeguarding Children and Young People.

4. Agree that if any allegation of harm to a child is made against me the Interim Measures Committee (IMC) is to have jurisdiction to determine whether, and on what conditions, my employment should be continued until the allegation is finally determined.

5. Agree I will cooperate with the Director of Professional Standards (DPS) in any investigation undertaken by the DPS in relation to the school.

6. Agree I will attend and take part in any education and training courses deemed necessary by the school to ensure I am fit for service with children.

7. Agree that I have received and provided evidence of a current "not prohibited" WWCC.

Signature _____ Date _____

Appendix G

King's Baptist Grammar School Inc. South Australia (KBGS) Responsible Behaviour Policy

Policy: R – 12 Responsible Behaviour Policy

Audience: Staff, Parents and Students

Rationale:

At King's, we adopt a behaviour policy framework for students in order that they might participate fully and successfully in school life. It indicates the standards of behaviour which are expected by all members of the King's community and in the case of students, the School's responses to behaviour that does not meet this expectation.

The school's aim in dealing with such behaviours, is to work through the process of restoration in order for relationships to be repaired.

Education within King's Baptist Grammar School takes place in the context of a Christian community and therefore, our curriculum delivery and approach are underpinned with God's love for the world. Students will experience a caring environment and will demonstrate the ***Fruit of the Spirit*** (love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control).

The school recognises the individuality of each student, their inherent differences, strengths and God-given gifts.

In all that we think, say and do, the whole King's Community should abide with the Principles of FISHER – **Fairness, Integrity, Service, Humility, Excellence, Respect & Responsibility.**

Policy Position:

The School will insist on responsible behaviour because:

- all students have a right to a supportive learning environment
- it is our role to mentor students in a range of matters including behaviour
- it is our role to support parents as they shape their children's character

Operational Aspects:

King's has a pastoral structure to support students to choose responsible behaviour. It is every student's right to an education and the partnership between parents, students and staff is critical in achieving optimal outcomes for students.

When students choose to behave in a manner that does not meet the expectation, a model of restorative practice will be implemented. This focusses on four key aspects:

- What happened? – establishing the truth and taking responsibility for the action
- Affect – how have people been affected?
- Repair – how can we fix and restore the damage that has occurred?
- Moving Forward – How can we move forward positively, and what have we learnt that we can take with us?

Decisions, consequences and sanctions derived from the policy and procedures, comply with the principles of:

- Procedural fairness
- Rule against bias - impartiality, objectivity and absence of prejudgement
- Rule of opportunity to be heard - reasonable notice and opportunity is given to present participants' points of view
- Rule of evidence - records, both verbal and written, are completed and retained

In an effort to be proactive and mitigate against inappropriate behaviour, each sub-school will embed specific age and gender appropriate programs to assist in building efficacy, understanding and responsibility in our students.

Each sub-school has a sub-school specific procedure document:

- Junior School: Teaching Responsible Behaviour
- Middle School: Teaching Responsible Behaviour
- Senior School: Expecting Responsible Behaviour

Related Documents:

- Junior School: Teaching Responsible Behaviour
- Middle School: Teaching Responsible Behaviour
- Senior School: Expecting Responsible Behaviour
- Anti-Bullying and Anti-Harassment Policy
- Workplace Discrimination and Harassment Policy
- National Safe Schools Framework

Review: every 3 years

Policy approved by the Principal on: 22 September 2020

Communication: by Director's through sub-schools; SEQTA

Version Control: Director's

Signed: _____ Date: ____ / ____ / ____
Principal

Appendix H

King's Baptist Grammar School Inc. South Australia (KBGS) CODE OF CONDUCT - staff, volunteers, and contractors

Staff Code of Conduct

Audience: staff, volunteers, and contractors

Purpose:

The purpose of the school's Code of Conduct is to create a safe and supportive learning environment in which students can discover who they are and how to live well with physical, mental, emotional, spiritual and social agility. It aims to guide staff, volunteers and contractors in their conduct to maintain trust and integrity ensuring the desired learning environment [described above] within the school and wider community.

Rationale:

Our whole-school approach affirms God's idea of community, reflected through the school's FISHER principles:

- to be **Fair** in our relationships and interactions
- to live with **Integrity** in the seen and unseen parts of our lives
- to follow Jesus' example to **Serve**, not to be served
- to learn to be **Humble** and comfortable with who we are, without pride or arrogance
- to strive for our own **Excellence** in all our endeavours
- to show **Respect** to all people and in all environments
- to take **Responsibility** for our actions and choices

Policy Position:

As role models for our students, and as ambassadors of King's Baptist Grammar School, staff, volunteers and contractors will meet the following conduct expectations:

- treat all people with dignity and respect and without favouritism or discrimination.
- be mindful of the reactions of others to your tone and manner
- be objective in carrying out school procedures, judgements and reporting
- use a Restorative Practice approach to build, repair and maintain healthy relationships
- observe strict confidentiality on all matters requiring student issues
- abide by all Government laws and school policies, procedures and guidelines regarding the safety of children
- perform all tasks with diligence and the highest standards
- follow lawful directions from the line manager
- promptly raise all concerns, issues and problems with the line manager
- promptly report and record all allegations or suspicions of abuse or neglect
- maintain professional boundaries, physically and emotionally. In particular:
 - *do not engage in rough physical games or activities*
 - *do not physically restrain or grab any child unless there is an issue of safety*

- *do not use inappropriate, abusive or threatening language [or behaviour] including name calling, swearing, yelling, gesturing or throwing any object*
- *never hold, kiss, cuddle or touch children or young people in an inappropriate and/or culturally insensitive way*
- *do not make sexually suggestive comments to a child or young person, even as a joke*
- *do not do things of a personal nature that a child or young person can do for themselves, such as going to the toilet or changing clothes*
- *do not take a child to your home, or encourage meetings outside the program activity*
- *do not establish connections with current students other than at a professional level, using only school endorsed technologies*
- display care for the school's property and environments, inside and out
- refrain from public comment about the school
- ensure the ethical use of information and school resources
- to not consume alcohol at any function at which staff have a Duty of Care .

(For events beyond normal school hours, the direction of the Principal is to be sought)

All who work alongside students are expected to familiarize themselves with and follow this Code in all interactions. Staff should raise concerns, issues and problems with the Principal or relevant Director.

A breach of the Code of Conduct may result in a grievance or complaint from a student, staff member or parent. If the basis for any such grievance is upheld, a range of disciplinary responses may result, including:

- performance management
- a formal warning
- contact with appropriate authorities [including Teacher Registration Board]
- dismissal

Related Policies:

- Social Media Policy
- Child Protection Policy
- Volunteer Policy
- Staff Grievance Policy
-

Review: 3 yearly (August 2023)

Policy approved by the Principal on: 31 August 2020

Communication: via eNews, SEQTA Engage, Policy Pack to go out at the start of each year to parents

Version control: Directors

Appendix I

King's Baptist Grammar Inc. South Australia (KBGS) WORKING WITH CHILDREN CHECKS (WWCC) – EXCLUSIONS

Policy: Working with Children Check Policy (WWCC)

Audience: The King's Community

Rationale: This policy sets out to clarify who is required to undertake a WWCC in order for the school to comply with the *Child Safety (Prohibited Persons) Act 2016*, including who is responsible for the payment of the WWCC.

The School holds that all people are created in the image of God and therefore should be treated with dignity, respect, compassion and justice at all times.

Policy Position: King's Baptist Grammar School is a child safe school. We acknowledge that abuse of any kind must not be tolerated. We are committed to the safety and well-being of all the students while they attend school or take part in activities authorised by the school. One way the school manages this is via screening of all staff and volunteers who have contact with children.

Operational Aspects:

Screening - Working with Children Checks

- a. Teachers who are currently registered with the Teacher's Registration Board [TRB] in South Australia are required to undergo a WWCC as part of their registration process. The cost of the WWCC is borne by the teacher.
- b. All other paid staff, [including Instrumental Teachers who are NOT Registered Teachers] and non-volunteer coaches over the age of 14 are required to undergo a WWCC. The cost of the WWCC is borne by the staff member.
- c. ALL volunteers are required to undergo a WWCC. The cost of the WWCC is borne by the State Government; there is no cost to the Volunteer.
- d. Contractors/Companies used by King's to provide a service over more than 10 consecutive days or more than one day in any month are required to provide a WWCC to the School, in accordance with the Children's Protection Regulations 2010. This must be provided by the Contractor to the School PRIOR to any work commencing with any students. The cost of the WWCC is borne by the contractor.
- e. Families offering to billet students and who have members over 18 years of age are required to undergo a WWCC. The cost of the WWCC is borne by the State Government; there is no cost to the Volunteer.
- f. Pre-Service Teachers are required to undergo a WWCC through their Tertiary Institution and are required to provide a copy to the School prior to their commencement.

Exclusions:

Whilst King's seeks to use the best practice approach of ensuring ALL volunteers have a WWCC, the school acknowledges that in the circumstances listed below, a WWCC may not be required:

- Children under the age of 14 years
- A sworn South Australian Police Officer or an Australian Federal Police Officer

Appendix J

King's Baptist Grammar Inc. South Australia (KBGS) Risk Assessment / Management Template

Use the following Tables to complete the Child Protection Risk Assessment

As strategies are identified and implemented the risk level should be reviewed and re-assessed. Risk management should be an ongoing process.

In Table 1 (a) Detail all activities; (b) Identify associated risks; (c) Determine the level of Likelihood; (d) Decide the level of Consequence; (e) Insert the level of Risk assessed from the **RISK RATING (table 2)**; (f) Develop Strategies to minimise risk.

Any activity area that rates as a **High Risk** must have a specific plan of response and have a heightened awareness by all.

TABLE 1 – RISK ASSESSMENT

ACTIVITY AREA (Detail)	RISKS (Identify)	LIKELIHOOD (Determine) -Almost certain - Likely -Unlikely -Rare	CONSEQUENCES (Decide) -Minor -Moderate -Major Catastrophic	RISK RATING (See table below) Low (Green) Med (Yellow) High (Red)	STRATEGIES TO MINIMISE RISK (Develop)

ACTIVITY AREA

- Describe the activity.
- State whether it is ongoing or a stand-alone event.
- Describe if it is on or off site.

RISKS

- Identify which risks have potential to impact on the exposure and protection of children.

LIKELIHOOD

- Determine the likelihood of the identified risk occurring with the controls in place.
- Ratings are: Likely or Unlikely

CONSEQUENCES

- Decide re the child and school: Insignificant; Minor; Moderate; Major; Catastrophic.

Risks to children and young people could include:

- transportation from one place/environment to another
- taking images of children and young people
- supervision of children and young people
- physical environment
- physical contact
- cyber safety and social media guidelines
- protecting privacy and confidentiality
- offence.

TABLE 2 - RISK RATING

Use this table to insert the relevant RISK level colour in the 'RISK RATING' cell in Table 1 above.

Likelihood	Insignificant Consequences	Minor Consequences	Moderate Consequences	Major Consequences	Catastrophic Consequences
Almost Certain	Low	Medium	High	Extreme	Extreme
Likely	Low	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Medium	Medium	Medium

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