

CHILD PROTECTION

POLICY

Suzuki Talent Education Association of Australia (NSW) Limited (Suzuki) is committed to providing an environment that fosters health, development, spirituality, self-respect and dignity, that is free from violence and exploitation. Under the Children and Young Persons (Care and Protection) Act 1998, children and young people must receive the care and protection necessary to ensure their safety, welfare and wellbeing. All staff and volunteers of Suzuki are Mandatory Reporters and are required to report to the Child Protection Helpline (Phone: 131 111) if they have “reasonable grounds” to suspect a child or young person is at risk of significant harm or have current concerns about the safety, welfare or wellbeing of a child or young person where the concerns arise during or from their work. We are committed to ensuring all staff have a full understanding of their responsibilities as a Mandatory Reporter and are supported in fulfilling these.

DEFINITIONS

Mandatory Reporter - In NSW, an individual is required under Section 27 of the Children and Young Persons (Care and Protection) Act 1998 to report to the Child Protection Hotline when he/she has reasonable grounds to suspect that a child or young person is at risk of significant harm from abuse, neglect and those grounds that arise during the course of or from the person’s work.

Personnel involved in teaching, such as those employed in organisations like Suzuki are **MANDATORY REPORTERS**.

At risk of Significant Harm (ROSH) - A “child or young” person is at ROSH, if the circumstances cause concern for their safety and well-being, present as significant; or any one or more of the following circumstances:

- 1) Neglect Concerns
- 2) Physical Abuse
- 3) Sexual Abuse
- 4) Psychological Harm
- 5) Child/Young Person is a danger to self and others
- 6) Relinquishing Care
- 7) Educator Concern
- 8) Unborn Child

Reasonable Grounds - Means that you suspect a child may be at risk of significant harm based on:

- Your observations of the child, young person or family; or
- What the child, young person, parent or another person has told you. It does not mean that you are required to confirm your suspicions or have clear proof before making a report.

PROCEDURES

SUZUKI WILL:

- Ensure that any adult working directly with children provides a Working With Children Check number and this is verified for clearance, prior to employment;
- Ensure every adult working with children is made aware of The Children and Young Persons (Care and Protection) Act 1998 and Child Story: A shared approach to child wellbeing and of their obligations under this law and action plan;
- Orientate every working adult to this Child Protection Policy;
- Ensure all staff and educators are aware of the guidelines around documenting using the on line reporting form including;
 - Understanding their duty of care requirements and responding to disclosures
 - Knows how to use the Child Story protocols and Mandatory Reporter responsibilities and ensuring their regular review of these;
 - Knows how to use the Mandatory Reporter Guide (MRG) and how to make a report
- Support staff through the process of documenting and reporting current concerns of children at risk of significant harm;
- Provide all staff and educators working directly with children with a copy of this Child Protection Policy and a copy of the Mandatory Reporters Guide to assist them in their reporting;
- Provide all staff and educators working directly with children with access to the Child Well- being and Child Protection NSW Interagency Guidelines; and
- Ensure the Mandatory Reporter Child Protection Helpline number (132 111) is displayed on all phone and lists of emergency contact numbers in the interests of timely reporting;
- Ensure all records are stored and disposed of as per regulations and the Preschool's Confidentiality Policy.

STAFF AND VOLUNTEERS WILL:

- Develop trusting and secure relationships with participants;
- Inform the Executive Officer of any incidents via email or verbally;
- Make reports of current concerns for any child at risk of significant harm to the Child Protection Helpline for Mandatory Reporters;
- Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff or volunteers of Suzuki;
- Complete the on-line documentation enquiry when any indicators are observed that may lead to the belief that there is a current risk of harm to a child or young person. (Information on indicators of risk of harm are outlined in the NSW Mandatory Reporters Guide);
- Keep observations as appropriate to the service on incidents, acts, omissions that concern them;
- Discuss any concerns with the Executive Officer;
- Advise the Executive Officer of their intention to make and when a report has been made to the Child Protection Helpline (132 111);
- Follow the Mandatory Reporting Procedure;
- Store any related documentation securely in the Executive Officer's filing cabinet.

ALLEGATIONS OF ABUSE AGAINST STAFF, VOLUNTEERS OR STUDENTS

Suzuki Executive Officer will:

- Ensure detailed documentation is kept and stored as required for all allegations using the *Allegations of Abuse Against Staff/Volunteer/ Students* form;
- Take all allegations of abuse seriously and clarify what is being alleged with the person who is making the allegation;
- Assess whether or not a child or young person is 'at risk of significant harm' and, if so, make a report to the Child Protection Helpline;
- Determine whether or not the allegation is a reportable allegation, a reportable conviction, or reportable conduct as defined in Child protection in the workplace: Responding to allegations against employees;
- Report reportable allegations and reportable convictions to the Ombudsman within 30 days of receipt;
- Consider whether or not the police need to be informed of the allegation and if so, make a report;
- Ensure confidentiality is maintained at all times;
- Undertake a risk management approach following an allegation to ensure the protection and safety of children, staff and volunteers of Suzuki. Based on this risk assessment, decisions will be made in order to manage the risks that have been identified;
- Develop an investigation plan of the matter. Obtain relevant information from a range of sources. This may include a statement from the person who made the allegation; statements from witnesses and a statement from the person against whom the allegation has been made and any other relevant documentation;
 - If the allegation is being investigated by Family and Community Services or the Police, Suzuki will be guided by their advice as to whether they should independently investigate the allegation;
 - If the investigation is carried out by Suzuki, the information that has been gathered will be assessed and a finding made as to whether the allegation is false, vexatious, misconceived, not reportable conduct, not sustained or sustained. The reasons for the finding will be clearly recorded to ensure that the decision-making has been transparent.
- The staff member, volunteer or student will be advised of the outcome of the investigation in writing. Advice will be provided about the investigation finding and any follow up action that may be required. Advice will also be provided about any rights of appeal and the person will be advised that the NSW Ombudsman has been notified and the Commission of Children and Young Persons also notified of the relevant employment proceeding (if relevant);
- Part B of the Ombudsman Notification form will be completed and sent to the Child Protection Division, NSW Ombudsman with all supporting documentation gathered during the investigation;
- Family and Community Services will also be informed of the outcome of the investigation.

INFORMING THE STAFF MEMBER/VOLUNTEER/ STUDENT

Suzuki Executive Officer will:

- Treat the staff member/volunteer/student with fairness at all times and uphold their employee rights at all times;
- Depending on the nature of the allegation, arrange to inform the person immediately (though be guided by the advice of FACS or the police);
- Arrange for the person against whom an allegation has been made to have a support person attend the meeting. This support person must not participate in the discussions throughout the meeting;
- Make accurate documentation of all conversations, and ensure all records are kept confidentially;
- Offer counselling or support to the person subject to the allegation;
- Depending on the nature of the allegation made, the person subject to the allegation may be suspended pending further investigation;
- After all investigations are completed, provide the staff member/volunteer/student with verbal and written notification of the outcome of the investigation.

RIGHTS OF ALL PARTIES

- The decision making process throughout the investigation will be based on the safety and wellbeing of the child/ren and the staff/carers/ carer's household members;
- Consideration will be taken in relation to actual or potential 'conflicts of interest' that may be held by the investigator;
- All reportable allegations will be notified to the Ombudsman. The person, against whom the allegation has been made, will be notified of this and will also be notified of the investigation findings and follow up action, including the notification to the Commission of Children and Young Persons, if relevant;
- The person, against whom the allegation has been made, will be notified of any appeal mechanisms if they are not satisfied with the investigation process or the outcome of the investigation;
- The Executive Officer, or other nominated person who conducts the investigation, will ensure that they act without bias, without delay and without conflict of interest; and
- All parties can complain to the Ombudsman if they are not satisfied with the conduct of the investigation.

CONFIDENTIALITY

Suzuki will handle any allegation of child abuse in a confidential manner. Records will be kept confidential and will be kept securely in the Executive Officer's filing cabinet until disposal required as per regulations. Disposal will involve shredding before disposal.

CHILD PROTECTION INFORMATION SHARING

Within NSW, Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* (Care Act) provides the legislative basis for the flow of information between certain government agencies and non-government organisations to facilitate collaboration in the provision of services.

The provision of information under Chapter 16A takes precedence over the protection of confidentiality or of an individual’s privacy because the safety, welfare and wellbeing of children and young people is paramount.

‘Prescribed bodies’ can use Chapter 16A to share information. ‘Prescribed bodies’ include the police, public service agencies, public authorities, schools, preschools, day care centres, family day care, health services, out-of-home care providers, adoption service providers, family law courts or any other organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services, or law enforcement, wholly or partly to children.

Statutory child protection bodies in other states and territories are ‘prescribed bodies’ for the purposes of Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* (Care Act). The new interstate prescribed bodies are:

- a) the Australian Capital Territory Community Services Directorate
- b) the Northern Territory’s Territory Families
- c) the Queensland Department of Child Safety, Youth and Women
- d) the South Australian Department for Child Protection
- e) the Tasmanian Department of Communities
- f) the Victorian Department of Health and Human Services
- g) the Western Australian Department of Communities

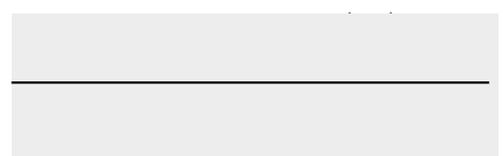
NSW prescribed bodies can share information with the interstate prescribed bodies listed above if the information relates to the safety, welfare or well-being of a particular child or young person or class of children or young persons and the NSW prescribed body reasonably believes the information will assist the interstate prescribed body to:

- Make any decision, assessment or plan or to initiate or conduct any investigation, or to provide any service, relating to the safety, welfare or wellbeing of the child or young person or class of children or young persons, or
- Manage any risk to a child or young person, or class of children or young persons that might arise in the recipient’s capacity as an employer.

Information may be disclosed with or without a request.

Resources:

AGENCY NAME	PURPOSE	PHONE CONTACT	WESITE & EMAIL CONTACT
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Department of Family and Community Services (FACS)	Supports and funds Services	02 9377 6000	http://www.community.nsw.gov.au facsinfo@facs.nsw.gov.au
Department of Family and Community Services (FACS)	Reporting the child's story - disclosure	132 111	https://kidsreport.facs.nsw.gov.au/ca ptchalmagePROD/default.aspx
Mandatory Reporter Guide	Reporting Online Mandatory Reporting.	132 111	https://reporter.childstory.nsw.gov.au/s
NSW Ombudsman	Advice about complaints. Online complaints form.	(02) 9286 1000	http://www.ombo.nsw.gov.au nswonbo@ombo.nsw.gov.au
NSW Family Referral Service (FRS)	Supports non-government and not-for-profit organisations	1800 066 757	http://www.familyreferralservice.com.au
NSW Office of Children's Guardian (WWCC)	Clearance Check required for persons working in child related employment	02 9286 7219	https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check check@kidsguardian.nsw.gov.au
Kids Help Line	Phone counselling service for Children	1800 55 1800	https://kidshelpline.com.au

Related Forms:

Complaints Record Form

FACS How to make a report?

http://www.community.nsw.gov.au/docs_menu/preventing_child_abuse_and_neglect/resources_for_mandatory_reporters/how_to_make_a_report.html

Online MRG interactive tool

<http://sdm.community.nsw.gov.au/mrg/screen/DoCS/en-GB/summary?user=guest>

2.32a How to Report

NSW Family & Community Services

2.32b Reporting Information Guide

NSW Family & Community Services

Related Policies:

Code of Ethics

Related documents with reference to:

"Keep Them Safe" framework

<http://www.keepthemsafe.nsw.gov.au/home>

Legislation:

Disability Services Act (NSW) 1993

The *Child Protection (Working with Children) Act 2012*

The Child Protection (Working with Children) Regulation 2013

NSW's *Children and Young Persons (Care and Protection) Act 1998*

NSW Children and Young Persons (Care and Protection) Regulation 2012

Ombudsman Act 1974

State Records Act 1998