

# CHILD PROTECTION POLICY

## VOLUNTEER & EXTERNAL PROVIDER

The Lakes Christian College has a responsibility for ensuring children and young people in our care are safe. This is a shared responsibility we have together with parents, the community and the College.

It is important that all people who enter our College to work with children and young people understand that they are considered 'an employee' for the purpose of the child protection legislation. It is also important to know what the College's responsibilities are for reporting incidences of a child protection nature and what happens when an allegation is made against an employee.

### What is reportable conduct?

Under the *Children's Guardian Act 2019* reportable conduct means:

- any sexual offence, or sexual misconduct, committed against, with or in the presence of a child,
- any assault, ill-treatment or neglect of a child,
- an offence under section 43B or 316A of the *Crimes Act 1900*,
- any behaviour that causes psychological harm to a child.

### Examples of reportable conduct

Sexual misconduct includes behaviour that can reasonably be construed as involving an inappropriate and overly personal or intimate:

- relationship with
- conduct towards, or
- focus on;
- a child or young person, or a group of children or young people.

### Sexual misconduct includes:

- inappropriate conversations of a sexual nature
- comments that express a desire to act in a sexual manner
- unwarranted and inappropriate touching
- inappropriate personal correspondence (including electronic communications such as e-mails, Facebook and text messages) with a child or young person
- inviting a child to your home or other venue, or to drive in your car without permission from the parent and the principal
- watching children undress. For example, in change rooms or toilets when supervision is not required

### Physical assault

Assaults can include hitting, pushing, shoving, throwing objects or making threats to physically harm a child.

### Neglect

Neglect includes either an action or inaction by a person who has care responsibilities towards a child.

- i. An intentional or reckless failure to adequately supervise a child that results in the death of, or significant harm to, a child
- ii. An intentional or reckless failure to adequately supervise a child, or a significantly careless act or failure to act, that:
  - involves a gross breach of professional standards, and
  - has the potential to result in the death of, or significant harm to a child.
- iii. A reckless act, or failure to act, that:
  - involves a gross breach of professional standards, and
  - has the potential to result in the death of, or significant harm to, a child.

### Ill treatment

Ill-treatment can include disciplining or correcting a child in an obviously unreasonable or inappropriate manner e.g.

- making excessive and obviously unreasonable demands on a child
- malevolent acts towards children
- inappropriate and hostile use of force against a child.

### Psychological harm

Behaviour that is obviously or very clearly unreasonable and results in significant emotional



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harm or trauma to a child is termed psychological harm.

There needs to be a proven causal link between the inappropriate behaviour and the harm, and the harm must be more than transient.

### What happens when an allegation is made?

The following actions must occur:

- the principal/manager must be informed
- the allegation must be notified to the Principal
- if required the allegation will be notified to the Ombudsman's office which will oversee the investigation.

Many complaints are relatively minor and can be resolved in the workplace by the Principal.

Some allegations may require an investigation. The Principal or delegate investigator will undertake the inquiry and collect evidence.

The investigator will also carry out a risk assessment to determine what, if any, risks the employee may pose to children and young people. In serious matters a decision will be made whether or not the employee should remain on duty.

The employee will be advised of the process and will be kept informed as the investigation progresses.

The evidence collected will be analysed, and the

allegations will be specified as clearly as possible in writing.

The employee will be given time to respond to the allegations in writing or verbally.

The investigator analyses the response, seeks legal advice regarding the matter if required, and prepares an investigation report that recommends:

- further analysis or investigation, or
- that the matter be finalised as there is no case to answer, or
- there is insufficient information to sustain the allegation, or
- the allegation is sustained and appropriate action taken.

### What happens at the end of an investigation?

The employee will be advised in writing that:

- the matter is finalised and what the outcome is
- all documents relating to the investigation and its outcome will remain as a confidential file that will be held under restricted access in EPAC according to the provisions of the State Records Act 1998
- if the matter was a reportable allegation, a copy of all documentation related to the allegation and its outcome will be forwarded to the Ombudsman for review if their name has been reported to the CCYP and the implications of that report.

## ACKNOWLEDGEMENT

I \_\_\_\_\_ have understood and agree to comply with the terms of the CCM Child Protection Policy.

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Signed

\_\_\_\_\_  
Dated