

Child Safety Statement

PURPOSE

The purpose of this Child Safety Statement (Statement) is to demonstrate the commitment of Kincoppal - Rose Bay School of the Sacred Heart (KRB) to the care, safety and wellbeing of all KRB Students and to upholding our legal obligations. This Statement is based on the Child Safety Standards (CSS) which are prescribed by the Children's Guardian Act 2019 (NSW) (Act). This Statement provides a context for the policies, procedures and strategies developed by KRB to keep KRB Students safe from all forms of harm and child abuse, and to ensure the safety, welfare and wellbeing of all KRB Students in the School Environment.

The Statement provides the framework for:

- the development of work systems, practices, policies, and procedures that promote child protection;
- the creation of a positive and robust child protection culture;
- the promotion of, and open discussion of, the safety of children;
- the education of KRB Staff, KRB Parents and others about child abuse;
- responding to allegations of child abuse; and
- compliance with laws, regulations, and standards relevant to child protection.

The principles set out in this Statement apply at all times to KRB Staff and KRB Parents, including when using or in the School Environment and in all engagements and communications with other KRB Staff and KRB Parents and also KRB Students and other members of the KRB Community.

DOCUMENT MANAGEMENT

Relevant to	All KRB Staff and KRB Parents
Reviewed by	The Principal
Modification history	Created November 2022 Amended 1 February 2023
Related documents	KRB Child Protection and Procedures KRB Code of Conduct KRB Complaints Policy KRB Whistleblower Policy KRB Child Safe Code of Conduct
Related legislation	The Children's Guardian Act 2019 (NSW) The Crimes Act 1900 (NSW) The Child Protection (Working with Children) Act 2012 (NSW) The Child Protection (Working with Children) Regulation 2013 (NSW) Privacy Act 1988 (Cth) Sex Discrimination Act 1984 (Cth) Fair Work Act 2009 (Cth)
Review	The policy is to be reviewed every three years or in the event of any information or incident that would warrant a review (including legislative or organisational change).

SACRED HEART EDUCATION GOALS

KRB has a long tradition of particular care for every KRB Student. It is the policy of KRB to live out the goals of Sacred Heart Education, which are:

1. a personal and active faith in God;
2. a deep respect for intellectual values;
3. the building of community as a Christian value;
4. a social awareness that impels to action; and
5. personal growth in an atmosphere of wise freedom, (collectively, Sacred Heart Education Goals).



By following the Sacred Heart Education Goals, KRB Students, KRB Staff and KRB Parents should foster and promote the core KRB values of respect, compassion, responsibility, perseverance, forgiveness and integrity. Protection for KRB Students is based upon the belief that each person is made in the image and likeness of God and that the inherent dignity of all should be recognised and fostered.

KRB is entrusted with the holistic education of each KRB Student in partnership with KRB Parents. KRB Staff therefore have a duty of care to KRB Students by taking reasonable care to avoid acts or omissions which they reasonably foresee may result in harm or abuse of the KRB Student and to work for the positive wellbeing of all KRB Students.

NATIONAL CATHOLIC SAFEGUARDING STANDARDS (NCSS)

Catholic schools, including KRB, have a moral, legal and mission-driven responsibility to create nurturing school environments where children and young people are respected, their voices are heard, and they are safe and feel safe.

KRB is committed to complying with NCSS, which are as follows:

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

In keeping with the NCSS, the following principles underpin KRB's commitment to child safety:

- All KRB Students deserve, as a fundamental right, safety and protection from all forms of child abuse;
- KRB works in partnership with KRB Parents and the KRB Community to ensure that they are engaged in decision-making processes, particularly those that have an impact on child safety and protection;
- All KRB Students have the right to a thorough education in all aspects of personal safety, in partnership with KRB Parents;
- All KRB Staff and KRB Parents have a responsibility to care for KRB Students to positively promote their wellbeing and to protect them from any kind of harm or abuse;

- The policies, guidelines and codes of conduct for the care, wellbeing and protection of KRB Students are based on honest, respectful and trusting relationships between adults and children and young people;
- The policies and practices demonstrate compliance with legislative requirements and co-operation with the Catholic Church, state and federal governments, the police and human services agencies;
- All persons involved in situations where harm or abuse of a child or young person is suspected or disclosed must be treated with sensitivity, dignity and respect;
- KRB Staff, KRB Parents and KRB Students should feel able to raise concerns about child safety, knowing that these concerns will be taken seriously; and
- Where practicable, information relating to the abuse or harm of a child will be kept confidential, unless KRB has a legal or moral obligation to disclose the information.

CHILD SAFE STANDARDS

KRB has a legal obligation under the Act to uphold the CSS. The CSS is a key consideration in all decisions KRB makes in relation to the safety of KRB Students and forms the basis of this Statement. The CSS are set out in section 8C of the Act and below:

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

All KRB Staff and KRB Parents are expected to support and assist KRB to meet and uphold the CSS at all times. Behaviour by KRB Staff or KRB Parents which does not align with the CSS or which undermines KRB's efforts to comply with the CSS will be treated seriously, and in the case of KRB Staff, may result in disciplinary action being taken.

KRB COMMITMENTS

All KRB Students have the right to feel safe and to be safe. The safety, welfare and wellbeing of KRB Students is always KRB's priority and we do not and will not tolerate the harming of children or child abuse. In keeping with KRB's moral and legal obligations, KRB aims to create a child-safe and child-friendly environment where KRB Students enjoy life to the full without any concern for their safety. In order to achieve this, KRB makes the commitments set out below.

Commitments to KRB Students:

- KRB commits to the safety and wellbeing of all KRB Students enrolled at KRB;
- KRB commits to providing KRB Students with positive and nurturing experiences;
- KRB commits to listening to KRB Students and empowering them by taking their views seriously and addressing any concerns that they raise with us;
- KRB commits to as far as is reasonably practical, considering the culture, disability, language, religion, gender identity and sexuality of all KRB Students in all actions and decisions which will significantly affect KRB Students collectively and individually;
- KRB commits to ensuring that KRB Students are protected from abuse or harm;
- KRB commits to teaching KRB Students the necessary skills and knowledge to understand and maintain their personal safety and wellbeing;
- KRB commits to seeking input and feedback from KRB Students regarding the creation of a safe school environment;
- KRB commits to fostering an environment which is respectful and inclusive of all KRB Students, particularly those who are more vulnerable, including Aboriginal and Torres Strait Islander children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Commitments to KRB Parents:

KRB commits to communicating honestly and openly with KRB Parents about the wellbeing and safety of their KRB Student;

- KRB commits to engaging with and listening to the views of KRB Parents about KRB's child-safety practice, policies and procedures;
- KRB commits to transparency in our decision-making with KRB Parents where it will not compromise the safety of KRB Students;
- KRB commits to acknowledging the cultural diversity of KRB Students and their families and to being sensitive to how this may impact on child safety issues;

- KRB commits to continuously reviewing and improving KRB's systems to protect KRB Students from harm and child abuse; and
- KRB commits to transparency in our decision-making with KRB Parents where it will not compromise the safety of KRB Students.

Commitments to KRB Staff

- KRB commits to providing all KRB Staff with the necessary support to enable them to fulfil their obligations under this Statement and other KRB policies relating to child protection and child safety, including by providing regular and appropriate learning opportunities to clarify and confirm KRB's policies and procedures;
- KRB commits to listening to all concerns voiced by KRB Staff about child safety and to assist KRB Staff to keep KRB Students safe from harm; and
- KRB commits to providing KRB Staff with formal debriefing and counselling where a KRB Student has been harmed or is involved in an incident of child abuse.

KRB STAFF RESPONSIBILITIES AND ORGANISATIONAL ARRANGEMENTS

All KRB Staff have a moral and legal responsibility to understand their important and specific role, both individually and collectively, to safeguard the wellbeing, welfare and safety of all KRB Students. KRB Staff must ensure that concern for KRB Students' wellbeing, welfare and safety is at the forefront of every decision that they make.

To support KRB Staff to uphold their responsibilities under this Statement, KRB has established the following organisational arrangements and procedures:

- Expectations of KRB Staff;
- Screening and recruitment of KRB Staff;
- Education and training for KRB Staff;
- KRB Student participation;
- KRB Parent and family participation;
- Risk management; and
- Reporting and responding protocols, which are expanded upon below.

Expectations of KRB Staff KRB leadership

The principal, school board members and members of KRB's leadership team recognise their particular responsibility to ensure the development of preventative and proactive strategies that promote a culture of openness, awareness of and shared responsibility for child safety.

The responsibilities of KRB leadership include, but are not limited to, the following:

- Creating an environment for KRB Students to be safe and to feel safe, which embeds child safety in day-to-day practices and which prioritises KRB Students in all decision-making;
- Upholding high principles and standards for all KRB Staff, including by ensuring thorough and rigorous practices are applied in the recruitment and screening of KRB Staff and disciplinary action is taken where KRB Staff do not comply with this Statement and related child safety obligations;
- Promoting models of behaviour between KRB Staff and KRB Students based on mutual respect and consideration and which champion the Sacred Heart Education Goals, the NCSS and CSS, both within the School Environment and externally;
- Ensuring that KRB Staff have regular and appropriate opportunities for training to clarify and confirm their knowledge of their legal obligations, as well as responsibilities under this Statement and other KRB child safety policies, and also to develop their ability to recognise and address child safety matters;
- Adhering to their legislative reporting obligations, including mandatory reporting and the obligation to report a reportable allegation or reportable conviction, in accordance with KRB's reporting procedures as set out in the KRB Child Protection Policy; and
- Developing risk management plans to identify, prevent and minimize child safety risks to KRB Students and establish clear reporting channels and procedures to create an environment where it is difficult for child abuse to occur.

KRB Staff

KRB expects KRB Staff to be proactive about child safety and to take appropriate action if there are concerns about the safety of any KRB Student.

The responsibilities of KRB Staff include, but are not limited to, the following:

- Treating all KRB Students, particularly vulnerable KRB Students, with dignity and respect, acting with propriety and protecting KRB Students in their care from harm and child abuse;
- Ensuring that they both understand and know how to recognise whether a KRB Student has been or is likely to be harmed or exposed to child abuse;
- Following all legislative and internal KRB policies and procedures in the course of their work;
- Adhering to their legislative reporting obligations, including mandatory reporting and the obligation to report a reportable allegation or reportable conviction, in accordance with KRB's reporting procedures as set out in the KRB Child Protection Policy;

- Providing a physically and psychologically safe environment where the wellbeing of KRB Students is nurtured;
- Undertaking regular training and education to understand their individual responsibilities in relation to child safety and the wellbeing of KRB Students, including any training provided by KRB;
- Assisting KRB Students to develop positive, responsible, and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse; and
- Following KRB's Code of Conduct, Child Safe Code of Conduct, and Child Protection Policy and any other KRB policy or procedure.

Screening and recruitment of KRB Staff

KRB School applies thorough and rigorous screening processes in the recruitment of all KRB Staff. KRB's commitment to child safety through screening is evident from all advertisements for employee, contractor and volunteer positions. All applicants and eventual KRB Staff are provided with copies of the Child Protection Policy and the Child Safe Code of Conduct.

KRB Staff induction specifically includes the following:

- Familiarisation with and the requirement to provide a signed acknowledgement that they understand and agree to comply with KRB's Child Safety Statement, Child Safe Code of Conduct and Child Protection Policy;
- Training around child protection mandatory reporting and obligations to report reportable allegations and reportable convictions and protocols for making reports or complaints;
- Training and familiarisation around all of KRB's policies, codes, practices, and procedures governing child safety and child-connected work; and
- Explaining the supervision arrangements that are in place for all KRB Staff who engage in child-connected work.

KRB has processes for monitoring and assessing the continuing suitability of KRB Staff to work with children, including regular reviews of the status of Working with Children Checks and staff professional registration requirements such as the New South Wales Education Standards Authority (NESA).

Education and training for KRB Staff

KRB Staff are provided with regular and appropriate opportunities to develop their knowledge of, openness to and ability to address child safety matters. This includes induction, ongoing training, and professional learning to ensure that everyone understands their professional and legal obligations and responsibilities, and the procedures for reporting suspicion or knowledge of child abuse. Child protection updates are delivered to KRB Staff on an annual basis.

KRB Staff are regularly provided with professional learning opportunities to support them to do the following:

- Maintain, develop, and improve skills and capabilities around child safety, including understanding relevant legislative requirements and KRB policies and processes around child abuse;
- Develop an understanding of the risk of harm to children, the different types of harm and how to identify grooming and abuse; and
- Understand and build confidence around their reporting obligations. KRB Student Participation

At KRB, we actively encourage all KRB Students to openly express their views and feel comfortable about giving voice to the things that are important to them or which affect their lives. KRB teaches KRB Students about what they can do if they or their friend feels unsafe to enable them to understand, identify, discuss, and report on child safety. KRB endeavours to provide particular support to vulnerable KRB Students, including Aboriginal and Torres Strait Islander KRB Students, KRB Students from culturally and/or linguistically diverse backgrounds and KRB Students with disabilities, to voice their opinions and to access information and support on child abuse when needed. KRB listens to and acts on any concerns KRB Students and/or KRB Parents raise with us. KRB Staff model appropriate adult behaviours and KRB students are encouraged to develop friendships with their peers and to build support networks.

KRB Parent and family participation

KRB recognises that KRB Parents and families have the primary responsibility for the upbringing and development of KRB Students. Therefore, KRB is committed to communicating the child safety policies and procedures to KRB Parents and welcomes the participation of KRB Parents in decisions affecting the welfare, wellbeing and safety of KRB Students. KRB expects KRB Parents to adhere to all KRB policies relating to child safety and any relevant legislation.

Risk Management

KRB is committed to proactively and systematically identifying and assessing risks to KRB Student safety across the School Environment and to reducing or eliminating, as far as practicable, all potential sources of harm. KRB documents, implements, monitors and periodically reviews the risk management strategies for child safety and ensures that the strategies are updated both as new risks arise and legal requirements change. KRB ensures that the online and/or virtual School Environment is used by KRB Students and KRB Staff in accordance with this Statement and other relevant KRB policies, and balances this against the need to maintain KRB Students' right to privacy and healthy development.

KRB enacts risk management through:

- the Risk and Compliance Framework;
- the Risk Register, including the ongoing review of the Risk Register controls, actions and monitoring;
- incident management;
- risk assessments; and
- review of policies and procedures.

KRB has formed a Governance Subcommittee that meets quarterly and reports directly to the KRB's board.

Reporting and responding protocols

KRB complies with legal obligations that relate to managing the risk of child abuse under The Child Protection (Working with Children) Act 2012 (NSW) and The Children's Guardian Act 2019 (NSW).

KRB records any child safety complaints, disclosures or breaches of the Child Protection Policy and the Child Safe Code of Conduct in accordance with legal security and privacy requirements. All complaints or disclosures are to be taken seriously and responded to promptly and thoroughly in a manner that is child- focused.

KRB's Child Protection Policy

KRB's internal processes for responding to concerns about the wellbeing and/or safety of a KRB Student are set out in KRB's Child Protection Policy. The KRB Child Protection Policy assists KRB Staff and KRB Parents to:

- recognise the indicators that a KRB Student may be at risk of being harmed or abused;
- understand how a 'reasonable belief' that a child is at risk of being harmed or abused is formed;
- identify reportable allegations and reportable convictions;
- report KRB Students who may need protection from harm or abuse; and
- comply with mandatory reporting and obligations to report reportable allegations and reportable convictions under relevant legislation.

KRB's leadership team plays an essential role in ensuring that KRB is a child safe school.

KRB School has also established internal processes to ensure that appropriate action is taken to respond to concerns about the wellbeing and/or safety of a KRB student through notification to the Principal.

KRB School's complaints processes are outlined and detailed in the following policies:

- Complaints and appeals policy
- Whistleblower Policy

BREACH OF THIS STATEMENT

Where a member of KRB Staff is suspected of breaching any obligation, duty or responsibility in relation to this Statement or any relevant legislation, KRB may take disciplinary action.

Where the principal is suspected of breaching any obligation, duty or responsibility in relation to this statement or any relevant legislation, the concerned party is advised to contact the chair of the KRB School Board.

Where a KRB Parent or any other member of the KRB Community is suspected of breaching any obligation, duty or responsibility in relation to this Statement or any relevant legislation, KRB may take appropriate action.

STATEMENT REVIEW

KRB is committed to continuous improvement of the child safety systems and practices, including this Statement. This Statement and related policies and procedures will be regularly reviewed for overall effectiveness, to ensure compliance with the CSS and to accommodate changes in legislation or circumstances. Any changes made to this Statement are reviewed by the KRB leadership team and endorsed by the school board.

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APPENDIX

Definitions used in this Statement

Abuse or child abuse	<p>Abuse or child abuse means any of the acts referred to in the definition of “reportable conduct” in section 20 of the Act, which include the following:</p> <ul style="list-style-type: none"> (a) sexual offences which are against the law in any state or territory or under federal law (e.g., sexual touching, grooming of a child or owning or disseminating child abuse material); (b) sexual misconduct which includes conduct with or towards or in the presence of a child that is sexual in nature but is not a sexual offence (e.g. sexual comments or descriptions of sexual acts); (c) ill-treatment of a child by doing something to a child that is unreasonable, seriously inappropriate, improper, inhumane or cruel (e.g. making excessive or degrading demands of a child, using inappropriate forms of behavioural management); (d) neglect by a person with caring responsibilities for a child which fails to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging (e.g. failing to protect a child from abuse or exposing a child to a harmful environment); (e) assaulting a child by intentionally or recklessly applying physical force without lawful justification or excuse (e.g. striking a child or threatening to strike a child); (f) an offence under section 43B (failing to reduce or remove the risk of a child becoming a victim of child abuse) and section 316A (concealing child abuse) of the Crimes Act 1900 (NSW); and (g) behaviour that causes significant emotional or psychological harm (e.g. a child may display behaviour patterns that are out of character or anxiety or self-harm).
Child safety	<p>Child safety includes but is not limited to matters relating to protecting KRB Students from child abuse, managing the risk of child abuse, providing support to a KRB Student at risk of child abuse, and responding to incidents or allegations of child abuse.</p>
Grooming	<p>Grooming occurs when a person engages in predatory conduct against a child or young person in preparation for sexual activity at a later date. It may involve communicating and/or attempting to befriend or establish a relationship or other emotional connection with a child or their parent/carer.</p>
KRB Community	<p>KRB Community means all individuals who have a direct or indirect relationship with KRB, either through their relationship to a KRB Student or because they are employed by or otherwise engaged by KRB.</p>
KRB Parents	<p>KRB Parents means all parents, caregivers and any other person with parental responsibilities for a KRB Student.</p>
KRB Students	<p>KRB Students means any child or young person enrolled as a student at KRB. It includes any other child or young person when they are in the School Environment.</p>
KRB Staff	<p>KRB Staff means an individual employed or engaged by KRB, including but not limited to the following:</p> <ul style="list-style-type: none"> (a) an individual directly engaged or employed by KRB as teaching or general staff; (b) KRB school board members; (c) third party contracted service providers and external education providers; (d) volunteers; and (e) ministers of religion, including clergy.

APPENDIX

Definitions used in this Statement

Mandatory reporting	Mandatory reporting refers to the legal requirement under section 27 of the Children and Young Persons (Care and Protection) Act 1998 (NSW) which requires teachers, amongst other professionals who work with children in the ordinary course of their work, to report to the Secretary of the Department of Communities and Justice, as soon as practicable, any suspicion that a child is at risk of significant harm.
Reportable allegation	Reportable allegation has the same meaning as under section 18(1) of the Act and means an allegation that a KRB Staff member has engaged in conduct that may be child abuse, irrespective of whether the alleged conduct occurred in the course of the KRB Staff member's employment by KRB.
Reportable conviction	Reportable conviction has the same meaning as under section 19(1) of the Act and means a conviction, including a finding of guilt without the court proceeding to a conviction, in NSW or elsewhere of an offence involving child abuse, irrespective of whether the alleged conduct occurred in the course of the KRB Staff member's employment by KRB.
School Environment	<p>School Environment means any physical or virtual place made available by or authorised by KRB for use by KRB Staff and KRB Students during or outside school hours, including but not limited to the following:</p> <ul style="list-style-type: none">(a) any KRB campus;(b) online or virtual spaces (including email and intranet systems); and(c) any location where KRB Students are engaging in KRB related activities or representing KRB (including, without limitation, locations used for school camps, sporting events, excursions, competitions and other events).