# NORTH WEST
## CHRISTIAN SCHOOL

# Child Protection

## 3 Key Legislation

There are three key pieces of legislation in Tasmania relevant to child protection:

1. *Children, Young Persons and their Families Act 1997 (Tas.)* The Act details the role of Child Safety Services in protecting children and young people who are at risk of abuse or neglect.

2. *Children, Young Persons and their Families Amendment Act 2009* (Tas.) Fifteen amendments to the original Act, listing responsibilities to prevent abuse or neglect or certain behaviour.

3. *Children, Young Persons and their Families Amendment Act 2013* (Tas.) The Act is strongly based on the United Nations Convention on the Rights of the Child and reflect the view that all efforts should be directed towards accurately balancing assessment of safety and risk with strengthening positive aspects in the individual, family and community systems. The object of the Act (Section 7) is to provide for the care and protection of children in a manner that maximizes a child's best interests.

4. *Registration to Work with Vulnerable People Act 2013.* The Act provides for the overarching legislative and administrative arrangements to support a centralized screening process in Tasmania. This centralized screening system provides rigour and consistency across Tasmania to employees and volunteers working with vulnerable people (children under 18 and or adults with disabilities) and offers them the capacity for a fair and transparent review of decisions.

5. *Registration to Work with Vulnerable People Amendment Act 2015.* Amendments, clarification of definitions and inserted information (eg: reportable behaviour) to the Act 2013.

6. *The Family Violence Act 2004* (Tas.) The Act was a new approach to family violence, to focus on the safety, psychological wellbeing, and interests of people affected by family violence. The Act outlines the definition of family violence, gives the definition to the power of police and offers offenders' programs.

7. *Family Law Act 1975* (Cth) The Commonwealth Act relates to marriage, divorce, matrimonial causes in relation to parental responsibilities for children.

## 4 Compliance with SPD working policy and ASA Child Protection Frameworks and Policies

As part of the Constitution of each Schools' Company there is an imperative to comply with policy developed by SPD and ASA. At present the relevant SPD policy is ADM.20.45 Child Protection and the relevant ASA documents are "A National Framework for Creating Safe Communities for Children, Adventist Schools Australia" and "Adventist Schools Australia, Child Protection Policy".

The National Framework for Creating Safe Communities for Children sets out a number of imperatives that seeks better practice in Child Protection for School communities. The Child Protection Policy addresses these imperatives.

## 5 Implementation

### 5.1 Legal Obligations

1. This school will abide by the key legislation listed above.

### 5.2 Compliance with SPD and ASA Policy

1. This school will abide by the SPD and ASA Child Protection Policy

### 5.3 Staff Obligations to Report

1. While the accompanying guidelines set out circumstances in which the legislation requires staff reporting of particular child protection issues, the School requires staff to report any concern you may have about the safety, welfare or wellbeing of a child or young person to the Principal.

2. If the allegation involves the Principal, you are required to report to the Director. This obligation is part of the School's overall commitment to the safety, welfare and well-being of children.

### 5.4 Staff Training

1. All new staff are required to undergo an orientation program as outlined in the accompanying guidelines.

2. All staff are required to undergo appropriate annual professional development in child protection, being inclusive of online training such as AdSAFE, as outlined in the accompanying guidelines.

### 5.5 Record Keeping

1. The Principal will keep thorough records of all child protection issues, incidents and allegations.

2. All reports, information sheets and subsequent discussions and information relating to child protection allegations are to be recorded and remain strictly confidential.

### 5.6 Other related policies and Guidelines

1. Please note that there are a number of other School policies that relate to child protection which you need to be aware of and understand including (but not limited to):

   a) the Code of Conduct which sets out information about the standards of behaviour expected of all employees, contractors and volunteers of the School;

   b) the Work Health and Safety Statement which summarises the obligations imposed by work health and safety legislation on the school and workers; and

   c) the Discrimination, Harassment and Bullying Statement which summarises your obligations in relation to unlawful discrimination, harassment and bullying; and

   d) the School's guidelines on student bullying.

## 5.7 Attached Guidelines

There are three types of guideline documents attached to this policy that forms part of the child protection framework. These are:

### Roles, Responsibilities and Processes

This type of guideline outlines the staff who will have responsibility for the implementation of the guideline and what processes are required for this implementation

### Information for Staff

The type of guideline provides information for staff on the purpose of the guideline and answers any questions around how the guideline will be implemented.

### Information for Community members

The type of guideline provides information for school and wider community members on why the guideline is important to the school and answers any basic questions on how the guideline will be implemented.

The following table outlines the attached Guidelines that are part of the child protection framework for the Schools' Company. The symbol in the table indicates the status of the guideline. The following legend provides a guide for the symbols used.

☑ = Draft Guideline developed in this project

☐ = Scheduled for development in this project

= Existing Guidelines developed prior to this project

| Item | Roles, Responsibilities and processes | Information for Staff | Information for Community Members |
|---|---|---|---|
| *Core Child Protection Guidelines* | | | |
| Mandatory Reporting Guidelines | ☑ | ☑ | |
| Working with Vulnerable People Guidelines | ☑ | ☑ | ☐ |
| Guidelines for Handling Complaints and Appeals | ☑ | ☑ | ☑ |
| Guidelines on the development of community support mechanisms | ☐ | ☐ | ☐ |
| Guidelines on the development of a Healthy Child Safe Culture | ☐ | ☐ | ☐ |

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|---|---|---|---|
| *Guidelines that support the Child Protection Framework* | | | |
| Human Resource Management Guidelines | ☑ | | |
| Continuous Improvement Guidelines | ☑ | ☐ | |
| Auditing of Compliance Guidelines | ☐ | ☐ | |
| Privacy Guidelines | ☐ | ☐ | ✔ |
| Risk Assessment Guidelines | ☐ | ☐ | ☐ |