Working with Children in Anglican Education

Guidelines and Procedures

Supporting document for the:
Working with Children in Anglican Education
Policy

Contents

1. Introduction

These Guidelines and Procedures are provided to support the application of the [Working with Children in Anglican Education Policy](#) (the Policy) within the operation of Anglican Schools and Education & Care Services (Services or ECS). The Policy should be read alongside this document.

Implementing the Policy along with these supporting Guidelines and Procedures, helps Schools and Services create safe and nurturing environments through encouraging a child safe culture, adopting strategies and acting to promote the wellbeing of, and identify and mitigate this risk of harm to, children and young people.

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Principles

Where specific guidance is not provided on a matter, decision making and actions are to be informed by relevant drivers (as discussed throughout these guidelines) and the statement of commitment (section 3), together with the following principles:

- *Understanding that a proactive approach to safety and wellbeing is important in assisting children reach their potential as they develop their character and progress towards adulthood.*
- *Applying a holistic and considered understanding to the safety and wellbeing of children, using contemporary, evidence-based knowledge and resources to inform our continuous improvement.*
- *Applying good sense and sound judgement in practical matters.*
- *Working respectfully and in partnership to achieve the best available outcomes for children, strengthening networks to increase safety and support across our communities.*
- *Operating by Gospel Values, emphasising service, inclusivity, integrity, courage, justice, and generosity of spirit.*

Overarching Drivers

The following overarching drivers reflect relevant responsibilities of Anglican Schools and Services to provide a safe environment for children and young people.

These drivers are always to be considered across child and youth risk management.

Topic specific drivers are discussed throughout these Guidelines in the relevant section.

Work, Health and Safety Act 2011

- Requires Schools and Services to ensure, so far as reasonably practicable, that the health and safety of children and young people are not at risk.
- Requires Schools and Services to provide any information, training, instruction or supervision necessary to protect children and young people from risks to their health and safety.
- Risks relate to those resulting from their attendance or enrolment at the School or Service, or from attending an activity directly associated with their enrolment or attendance at the School or Service.

Civil Liability Act 2003

Instils a School or Service's "duty to take all reasonable steps to prevent abuse of a child while the child is under the care, supervision, control or authority of the institution." The School or Service will be taken to have breached this duty "unless the institution proves it took all reasonable steps to prevent the abuse." Abuse relates to sexual abuse, serious physical abuse and psychological abuse perpetrated in connection to the sexual or serious physical abuse, of a child.

Working with Children (Risk Management and Screening) Act 2000

Requires each regulated business or employer of those defined as being in regulated employment to develop and implement a written strategy (or strategies) that:
- implements employment practices and procedures to promote the wellbeing of children affected by the business or employment and to protect the child from harm;
- are reviewed annually; and
- includes prescribed matters.

Education (Accreditation of Non-State Schools) Act and Regulations 2017

- Requires compliance with the *Work, Health and Safety Act 2011* and the *Working with Children (Risk Management and Screening) Act 2000* as a condition of accreditation.
- Requires development and implementation of written processes for the conduct of staff and students, and response to harm, as a condition of accreditation.

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

- Compliance with the National Code is required for a School to maintain registration to provide education services to overseas students as per the *Education (Overseas Students) Act 2018.*
- All registered providers who enrol overseas students under the age of 18 must meet certain obligations regarding student safety. Registered providers taking responsibility for the welfare of overseas students under the age of 18 must ensure that the overseas student is in living arrangements which are safe and adequately meet their needs; and take all practical steps to ensure their welfare is always maintained.

Education and Care Services National Law and Regulations 2011

- This legislation requires an approved provider and nominated supervisor/s of an education and care service ensure that every reasonable precaution is taken to protect children being educated and cared for by the service, from harm and from any hazard likely to cause injury.
- This legislation requires an education and care service to implement policies and procedures in relation to providing a child safe environment.

National Quality Standard (for Education and Care Services)

The National Quality Standard (NQS) sets a high national benchmark for early childhood education and care and outside school hours care services in Australia. The NQS includes seven quality areas that are important outcomes for children. Services are assessed and rated by their regulatory authority against the NQS, and given a rating for each of the seven quality areas and an overall rating based on these results.

National Principles for a Child Safe Organisation

In 2019, the Council of Australian Governments (COAG) endorsed the National Principles for Child Safe Organisations. These principles are evidence based and their application seeks to provide a nationally consistent approach to embedding child safe cultures within organisations that engage with children, and act as a vehicle to give effect to the Royal Commission into Institutional Responses to Child Sexual Abuse recommendations related to child safe standards.

In 2019, the National Office of Child Safety (Department of Prime Minister and Cabinet) also published the Commonwealth Child Safe Framework. This Framework recommends Commonwealth entities impose child safety requirements (including the National Principles, risk management, compliance and training) on any organisation they fund to provide services directly to children, or for activities that involve contact with children that is a usual part of, and more than incidental to, the funded activity.

How to use these guidelines and procedures

Sections 2 to 10 of these Guidelines each focus on mandatory requirements within Child and Youth Risk Management Strategies (CYRMS).

To create a more logical flow, these are not in the same order as listed in the Regulations (for example, given their overarching application across the CYRMS, both 'Communication and Support', 'Managing Breaches' are discussed earlier and then integrated where relevant into each subsequent section). See section 2 for further information.

Sections 2 and 8 provide procedures specific to supporting compliance with the *Working with Children (Risk Management and Screening) Act 2000,* as required by section 3 of the *Working with Children (Risk Management and Screening) Regulations 2011.*

Sections 2 to 10 of the Guidelines/Procedures:

- Describes specific **requirements** from the *Working with Children (Risk Management and Screening) Act* and *Regulations* to be met as relevant to that section
- Lists related requirements to also be reflected within a CYRMS, providing an overview of each in **other key drivers**
- Lists **tools**, as well as **related policies, procedures, resources** and **other sources of information**
- Details best practice **outcomes sought** to be achieved, relevant to that section, as described in the National Principles for a Child Safe Organisation and the Human Rights Convention on the Rights of a Child
- Suggests areas of **reflection** and critical analysis, for Schools and Services to consider, comparing their CYRMS to the requirements and best practice approaches, such as those described in the National Principles for Child Safe Organisations.

2. Procedures for implementing and reviewing Child and Youth Risk Management Strategies

Requirements

Known as a Child and Youth Risk Management Strategy (CYRMS), as per sections 171 and 172 of the *Working with Children (Risk Management and Screening) Act 2000* (the Act), Anglican Schools and Education & Care Services (Services) are required to develop and implement a written strategy or strategies. *These Strategies are to detail the employment practices and procedures implemented to promote the wellbeing of children affected by each type of regulated business and regulated employment provided by the School or Service, and to protect children from harm.*

These Strategies are an opportunity for Schools and Services to detail a proactive, consistent and logical framework that outlines how activities work together to create a safe and supportive environment for children and young people.

Anglican Schools may operate multiple regulated businesses as part of the services they provide. Common categories of regulated businesses, for example, include:

- Non-State schools
- Education and care services
- Child accommodation services, including Home Stay

Schools and Services may also engage several people in various categories of regulated employment, for example:

- Schools – boarding facilities
- Schools – employees other than teachers and parents
- Education and care services
- Child accommodation services including home stay
- Churches, clubs or associations involving children

All regulated businesses and people who are engaged in regulated employment by the School or Service **must** *be adequately reflected within one or more CYRMS within the School or Service. Each CYRMS should explicitly state the types of regulated employment and regulated business that the strategy applies to.*

Note employment includes **any work***, e.g. volunteer/unpaid, paid, full time, part time, casual, individual contract, by formal or informal (such as verbal) arrangement.*

Outcomes sought…

National Principles for a Child Safe Organisation:
9: Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and Procedures document how the organisation is safe for children and young people.

United Nations Convention on the Rights of the Child:
Article 29: Children's education should help them use and develop their talents and abilities. It should also help them learn to live peacefully, protect the environment and respect other people.
Article 4: Organisations have a responsibility to ensure children's rights are protected. They can help families to protect children's rights and create an environment where children can grow and reach their potential.

Schools or Services often engage other businesses to provide services to children and young people enrolled or provide permission for another business to use the School or Service facilities to deliver their business. Where this occurs, a risk assessment as to the safety of this arrangement for children and young people, is always to be considered in the decision making *(also see section 9 of these Guidelines)*. Where this business is *a regulated business*, or employs people in *regulated employment*, they are required to comply with the *Working with Children (Risk Management and Screening) Act 2000* and must therefore have a CYRMS. The quality of this Strategy should be considered by the School or Service as part of the decision to engage with this business and assess any risk this arrangement may pose. Common examples include:

- Private teaching, coaching or tutoring
- Emergency services cadet program
- Sport and active recreation
- Churches, clubs or associations involving children

SUPPORTING TOOLS:

LINK TO APPENDICES:

APPENDIX 2: RECOMMENDED **TEMPLATE FOR CYRMS.** THIS INCLUDES A TEMPLATE FOR AN **ACTION PLAN**

APPENDIX 3: RECOMMENDED **TEMPLATE FOR A TERMS OF REFERENCE** FOR THE CYRM COMMITTEE.

APPENDIX 4: RECOMMENDED **TEMPLATE FOR QUARTERLY REPORTING** BY THE CYRM COMMITTEE.

APPENDIX 5: RECOMMENDED **CHECKLIST FOR ANNUAL REVIEW** OF THE CYRMS.

APPENDIX 6: A TEMPLATE FOR **ANNUAL REPORT** BY HEAD OR NOMINATED SUPERVISOR. (PENDING CONSULTATION FOR 2021 IMPLEMENTATION)

QUEENSLAND GOVERNMENT CYRMS RESOURCES:

INFORMATION CAN BE DIRECTLY SOURCED FROM THE ***WORKING WITH CHILDREN (RISK MANAGEMENT AND SCREENING) ACT 2000***. FOR EXAMPLE, CATEGORIES OF REGULATED EMPLOYMENT AND BUSINESSES ARE DETAILED IN SCHEDULE 1.

https://www.legislation.qld.gov.au/browse/inforce

OTHER CYRMS RESOURCES ARE AVAILABLE ON THE QUEENSLAND GOVERNMENT, BLUE CARD SERVICES WEBSITE.

https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations/compliance/risk-management-strategies-resources

a) Child and Youth Risk Management Committees

Child and Youth Risk Management Committees assist in:
- the implementation of the Working with Children in Anglican Education Policy into School and Education & Care Service operations;
- the application of these Guidelines and Procedures; and
- the development, implementation and review of Child and Youth Risk Management Strategies.

In Schools, the Head of School is responsible for establishing a Child and Youth Risk Management Committee.

In Education & Care Services, the Nominated Supervisor is responsible for establishing the Child and Youth Risk Management Committee. Where a Service is co-located within a School, to support cohesive and effective service delivery, the Nominated Supervisor may use the School's Child and Youth Risk Management Committee, when satisfied this committee can meet the needs of the Service.

Note: Committees may have an alternative name (e.g. Student Safety and Wellbeing Committee), however the requirements continue to apply.

Governance model/ reporting process
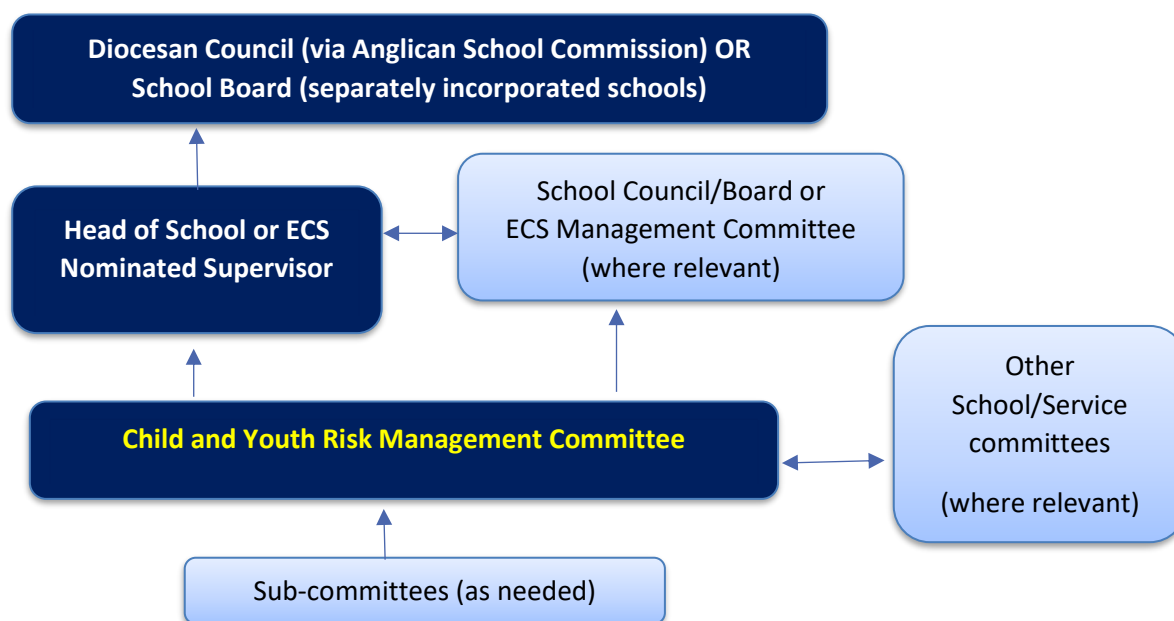
Membership
This Committee is to have membership that represent the variety of contexts that the Child and Youth Risk Management Strategy relates and facilitate collaboration with a range of stakeholders from within these contexts, including children, young people, parents, staff and volunteers.

The role of Chairperson, Secretariat and Members are each to be assigned and their responsibilities described in the Committee's Terms of Reference.

Schools and Services are responsible for making the decision about appropriate members and their specific roles based on the structure of their School or Service and the purpose/outcomes of the CYRMS. It is suggested that consideration is given to the following roles as members, noting both the varying structures of Schools and Services, and that people may attend to represent more than one role.

Suggested members	
Senior leadership member (Chairperson)	**Dean of Students**
Head of each respective school (e.g. Junior / Middle / Senior)	**Two Student Protection Officer/s**
Director or Nominated Supervisor of ECS	**School Counsellor/s and/or Chaplain**
Cyber Safety Champion	**Position/s responsible for co-curricular activities such as sport or performing arts**
Head of Boarding	**ECS Responsible Persons** (at least one/ECS)
Home Stay Registrar/Coordinator	**School Council/Board member or ECS Management Committee member**
Risk Management and Compliance Officer	**Volunteer parents** (consider breadth)
Human Resources Manager	**Student representatives** (schools)
Blue Card Register Coordinator	**Critical Friend** (see below)

Roles

Chairperson: Responsible for leading the committee, including ensuring appropriate reporting.

Secretariat: Provides administration support required for the committee to operate effectively, including ensuring recording requirements are met.

Member: Relevant to each member's respective role, to be described in each CYRM Committee's Terms of Reference. Note, members may:

- participate in some or all meetings (where meetings are the most appropriate mechanism)
- achieve their work through another mechanism, such as emails or Microsoft Teams site
- be allocated stakeholders, or other members, that they are responsible for working/consulting with as relevant to the business of the committee
- consult/ provide advice to the committee through another member (e.g. parent or student representatives providing information through a Head of Primary)

Critical friend (Optional): A trusted person, independent of the School or Service, who, as part of the Terms of Reference, agrees to confidentiality and is focused on providing constructive, independent feedback to inform the work of the committee. For example, a graduate of the School, a local academic or a representative from a local community service provider.

Terms of Reference

Each Committee is to have a written Terms of Reference that is provided to each member. See suggested template (appendix 3).

Reporting

Commencing from January 2021, the Chair is responsible for ensuring the Committee, at minimum on a *quarterly* basis, provide a briefing through written reports to:
- For Schools: Head of School and School Council;
- For Education & Care Services: Nominated Supervisors and Management Committee.

See suggested template for recommended reporting content (appendix 4). Note: Consider the contents of this report carefully. Any sensitive information should be only provided to those delegated/ appropriate to receive such information. For example, it may not be appropriate for all members of the CYRM Committee to receive a complete copy of this report. *This reporting is intended to be ISSUES BASED and focused on the needs of those receiving the report, based on their delegated responsibility to lead and govern in a way that develops and maintains a child safe culture.*

Also commencing from 2021, *the Chair is also responsible for supporting the Head or Nominated Supervisor provide an annual report to their governing body*. See appendix 6 for the required template (PENDING). This is required for all owned and subsidiary Anglican Schools and all Services where the Diocese is the Approved Provider (to be provided to the ASC for reporting to Diocesan Council). For other Schools and Services, it is recommended to be provided to respective governing bodies.

Meetings and administration of the committee
Meeting frequency is at the discretion of each School or Service. Meetings, or parts of meetings, may include all or only some members. Schools or Services may also choose alternative ways of consultation and working together as a committee, such as emails or through a Microsoft Teams Site.

Committee records including records of meetings, such as attendees and decisions made, are also to be kept as per approved records retention processes. Best practice is for records to be available for review by relevant members before finalising.

b) Action planning
A strategy is intended to be a forward-facing plan of action, designed to achieve outcomes. As such, it is useful to include an Action Plan within a CYRMS. Quality plans will sufficiently:
* detail the intended action,
* detail the allocation of responsibility for the action,
* identify an intended timeframe for completion, and
* include planning to monitor the completion of actions.

The Policy states that *at minimum, each quarter*, the CYRMS is monitored by the Child and Youth Risk Management Committee, and the Committee reports (for Schools) to Head of School and School Council, or (for Services) to Nominated Supervisors and Management Committees. It is recommended this monitoring and reporting includes analysing progress of and updating the Action Plan.

At any time, new actions can be developed as part of the Committee's work and, at the relevant time, actions yet to be completed can be integrated into the following year's CYRMS. This process can support the timely identification and management of matters and inform the annual review process. *Accepted recommendations from Child Safety Audits, or other key reviews (such as Non-State School Accreditation or those associated with CRICOS approval) should be added into this Action Plan for monitoring and reporting purposes.*

See Appendix 4: a recommended *template for quarterly reporting* by the CYRM Committee.

c) Approval
Schools
For Anglican Schools who are owned by or subsidiary of ACSQ, the Diocesan Council is the governing body. Diocesan Council delegates implementation of the *Working with Children in Anglican Education Policy* to:

* The Head of each Anglican School. Specifically, the Head of School (Principal) is responsible for meeting the obligations associated with regulated employment undertaken by a person engaged by the School or any regulated businesses owned or controlled by the School. This includes **approving** the Child and Youth Risk Management Strategy/Strategies.
* The School Council, who are responsible for supporting the Head of School to meet these obligations, including **endorsing** the Child and Youth Risk Management Strategy/Strategies.

- The Anglican Schools Commission, who are responsible for providing stewardship and support to implement this Policy. This includes providing oversight in the management of matters relating to breaches in legislation.

Education & Care Services

Where ACSQ is the Approved Provider of the Service, delegation for the implementation of the *Working with Children in Anglican Education Policy* is made to:

- The Nominated Supervisor/s of the Service. Specifically, a Nominated Supervisor is responsible for meeting the obligations associated with:
    o   the Service as a regulated business and
    o   regulated employment undertaken by a person engaged by the Service.
  This includes **developing** the Child and Youth Risk Management Strategy.
- The Executive Director, Anglican Schools Commission, who is responsible for **approving** the Child and Youth Risk Management Strategy.
- The Management Committee of the Service, who are responsible for supporting the Nominated Supervisors to meet their obligations and for **endorsing** the Child and Youth Risk Management Strategy.
- The Anglican Schools Commission, who are responsible for providing stewardship and support to implement this Policy. This includes providing oversight in the management of matters relating to breaches in legislation.

d) Annual review

The *Working with Children (Risk Management and Screening) Act 2000* states these strategies **must** be reviewed annually. A suggested lifecycle is:

January: release of that year's CYRMS.

July/September: REVIEW.

September/October: final drafting of revised CYRMS for following year.

October/December: approval and endorsement of CYRMS for following year.
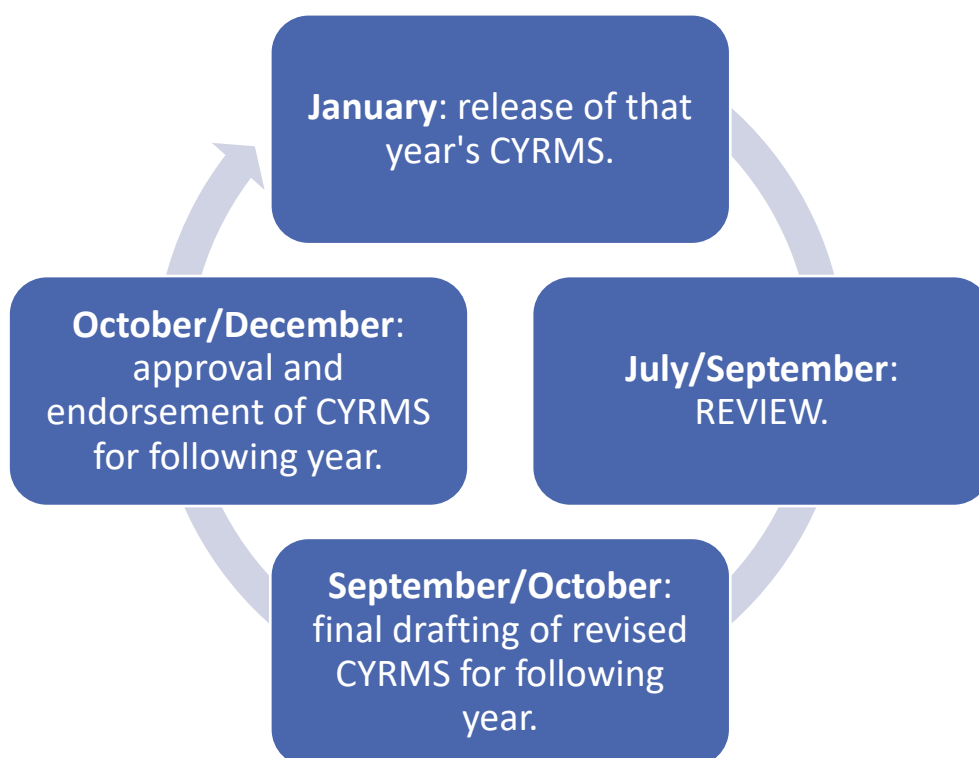
See Appendix 5: a **checklist for annual review** of the CYRMS.

e) Prescribed matters for Child and Youth Risk Management Strategies

As per section 3 of the *Working with Children (Risk Management and Screening) Regulation 2011*, every CYRMS **must** include the following prescribed matters. Each are discussed in detail within these Guidelines.

Prescribed Matter	Section of these Guidelines
1. A **statement of commitment** to the safety and wellbeing of children and the protection of children from harm	**3**
2. A **code of conduct** for interacting with children	**6**
3. Procedures for **recruiting, selecting, training and managing** persons engaged or proposed to be engaged by the School or Service, as the procedures relate to the safety and wellbeing of children and the protection of children from harm	**7**
4. Policies and procedures for **handling disclosures or suspicions of harm**, including reporting guidelines	**10**
5. A **plan for managing breaches** of the risk management strategy.	**4** And integrated within each relevant section.
6. Policies and procedures for compliance with the Act	Integrated within **all** relevant sections.
6. Policies and procedures for compliance with the Act, including: **a) implementing and reviewing the risk management strategy**	**2**

6. Policies and procedures for compliance with the Act, including:
b) keeping a **written record of matters under the Act, relating to each person engaged by the School or Service,** for example:
  i. whether or not the School or Service considers the person must apply for a prescribed notice or exemption notice
  ii. whether or not a prescribed notice application or exemption notice application has been made
  iii. if a positive notice has been issued, the date of expiry of the notice
	8

7. **Risk management plans** for high risk activities and special events	**9**
8. Strategies for **communication and support**	**5** And integrated within each relevant section.
8. Strategies for **communication and support**, including: a) **written information** for parents and persons engaged by the School or Service that includes **details of the risk management strategy or where the strategy can be accessed**.	**5**

8. Strategies for communication and support, including:
a) **training materials** for persons engaged by the School or Service to:
  i. help identify risks of harm and how to handle disclosures or suspicions of harm;
  ii. outline the risk management strategy.
	7
	
	And integrated within each relevant section.

Reflection: CYRMS

1. Is your CYRMS comprehensive? These Guidelines and the National Principles for a Child Safe Organisation can be used as a point of reference.

2. Is your CYRMS, and related documents easy to understand and accessible? Think about the language and format used.

3. Does the Strategy and how it is developed and implemented reflect:

    a. a 'best practice' approach? Is the focus on achieving relevant outcomes in addition to meeting requirements?

    b. that leadership champions and models compliance and participation?

    c. that all relevant people know about and use applicable policies and procedures?

4. Is the CYRMS reviewed in a meaningful way? Does the review process:

    a. identify what is done well, as well as areas for improvement?

    b. include collaboration by CYRM Committee members, and consider consultation with/ feedback from other relevant stakeholders? Is the membership of the CYRM Committee effective?

    c. demonstrate a continuous improvement approach, where actions are planned and implemented?

    d. include reflection, assessment or audit of performance across all areas of regulated business and employment? If areas of practice are not reflective of, or not consistent with, child safe practices, are actions to address this developed and implemented?

    e. include the analysis of complaints, concerns and safety incidents to identify causes and systemic issues? If any issues identified are they incorporated into actions and reflected in the CYRMS?

    f. consider feedback from children and young people, their families and other stakeholders? Does this feedback show awareness of and confidence in the School or Service's child safe practices? What child safe indicators are reflected in this feedback? What risk areas are reflected?

    g. consider feedback from leaders, staff and volunteers? Does this feedback show a high level of understanding of child safe requirements and practices within the School or Service? What child safe indicators are reflected in this feedback? What risk areas are reflected?

5. Does the School or Service actively engage with the Anglican Schools Commission (ASC), particularly in the review of policies and procedures? Is there relevant feedback to provide to the ASC?

6. For Services particularly, consider how Quality Area 7, governance and leadership, applies.

3. Statement of Commitment

The intent of the Statement of Commitment is to reflect and influence culture. Whilst ACSQ details, within the *Working with Children in Anglican Education Policy*, a Statement of Commitment, each CYRMS is to reflect how the Statement of Commitment is implemented, or will be implemented, in the operations of the School or Service; and how this implementation can be evidenced.

As detailed in the *Working with Children in Anglican Education Policy*, the following Statement of Commitment seeks to provide a foundation to reflect, encourage and support a child safe culture.

The Statement is expected to be proactively implemented by all persons within an Anglican School or Education and Care Service.

Anglican Schools and Education & Care Services are committed to providing environments where children and young people receive the highest standard of care, where their rights are supported, and they have the opportunity to thrive and be fruitful. Such environments nurture and safeguard the intelligence, dignity, safety and wellbeing of each child or young person, by placing them at the centre of thought, values and actions.

As reflected in our Ethos, our vocation is education, driven by a vision of humanity, shaped by the image of God made visible in Jesus, present in every human being.

- *Every child: made in the image and likeness of God.*
- *Every child: loveable and loved, unique and unrepeatable.*
- *Outstanding education for the flourishing of people and the good of community.*

Our faith is lived. We are hospitable and welcoming communities, who embody compassion, kindness, fairness, justice and love, and where exceptional pastoral care is practised.

Working and serving the best interests of children and young people is in everyone's best interest. This is achieved through sustaining living and learning environments that are safe, supportive and stimulating. Specifically, we:

- *place emphasis on genuine engagement with children and young people;*
- *create conditions that reduce the likelihood of harm to children and young people;*
- *create conditions that increase the likelihood of identifying harm; and*
- *respond to any concerns, disclosures, allegations or suspicions.*

This commitment is sought to be consistently reflected through the decisions and behaviour of all persons within the School or Service, who are guided by effective governance, policies, tools and processes. This fosters a child safe culture, where acting in children and young people's best interests is at the heart of what we do.

National Principles for a Child Safe Organisation:
1: Child safety and wellbeing is embedded in organisational leadership, governance and culture.

United Nations Convention on the Rights of the Child:
Article 3: All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children.

Reflection: statement of commitment

Consider how the School or Service does, or can better:

- Publicly communicate its commitment to child safety
- Champion a child safe culture and model this culture at all levels. For example, how is the School or Service friendly and welcoming for children and young people?
- Use governance arrangements to facilitate the implementation of the CYRMS and associated policy and documents

For Services particularly, consider how Quality Area 7, governance and leadership, applies.

Managing breaches

Consider and reflect how people within the School or Service are held to account for upholding this Statement. How is this prioritised and managed?

Communication and support

What activities does, or can, the School or Service participate in, that reflects this Statement in action? For example:

- displaying the Statement of Commitment in prominent places where everyone (staff, children and young people, parents and visitors) can be reminded of this specific commitment
- detail the Statement of Commitment in other key documents, such as duty statements/job descriptions, performance agreements and review processes
- written reporting, monitoring, reflection and analysis of the CYRMS at School Council/ Management Committee meetings
- promote child safety through activities to mark Child Protection Week or Children's Week

Consider diversity. How does, or can:

- Council members, employees and volunteers champion attitudes and behaviours that respect the human rights of all children and young people, and are inclusive, well informed and responsive to diverse needs
- Council members, staff and volunteers reflect on how discrimination and exclusion, whether intentional or unintentional, may work against a safe and inclusive culture and develop proactive strategies to address this
- The School or Service reflect on ways in which the physical environment might promote cultural safety

4. A plan for managing breaches of the risk management strategy

Each CRYMS **must** reflect a plan to manage any action or inaction by a person within the School or Service that fails to comply with the policies, procedures and planning detailed within the CYRMS.

It is recognised that there may be different approaches to managing a breach based on the relevant matter. Given this, managing breaches related to particular topics within the CYRMS are discussed in each relevant section of these Guidelines, and the sample template for the CYRMS (appendix 2) integrates managing breaches into each relevant section.

 Broader than this, the approval, endorsement, reporting and monitoring of the CYRMS, including the Action Plan, act together as a plan to provide assurance that the CYRMS is being implemented.

Any changes to the approved Action Plan, including failure to deliver on intended actions within agreed timeframes, are to be detailed by the CYRM Committee in their quarterly reporting. Heads and School Councils, or Nominated Supervisors and Management Committees, are to consider these changes and take appropriate action. Where failure to deliver on intended actions indicates a performance issue of individual/s, it is to be managed as such, using approved performance management processes.

For Schools or Services owned/controlled by the ACSQ: serious matters are to be briefed in writing to the Executive Director, Anglican Schools Commission as soon as practicable. This briefing will be undertaken by either the Head or Nominated Supervisor and will include the Chair of School Council/ Management Committee in this correspondence.

Serious matters include but are not limited to those that indicate a breach of law, or create a post mitigation, high (or greater) level of risk within the School or Service.

5. Communication and Support

Requirements

Each CRYMS is required to reflect strategies for communication and support to relevant stakeholders.

It is recognised that there may be different approaches to communication and support based on the relevant matter. Given this, approaches related to particular topics within the CYRMS are discussed in each relevant section of these Guidelines, and the sample template for the CYRMS (appendix 2) integrates communication and support into each relevant section.

These strategies **must** include:

- written information for parents and persons engaged by the school that includes details of the risk management strategy or where the strategy can be accessed; and
- training materials for persons engaged by the school to:
  - i. help identify risks of harm and how to handle disclosures or suspicions of harm; and
  - ii. outline the risk management strategy

  (also see section 9 of these Guidelines)

Other key drivers:

Education (Accreditation of Non-State Schools) Regulation 2017

- Requires the School's governing body to ensure:
  (a) the school's staff and students, and students' parents and guardians, are made aware of the processes for the conduct of staff and students, and response to harm
  (b) the processes are readily accessible by staff, students, parents and guardians
  (c) staff are trained annually in implementing the processes
  (d) the school is implementing the processes

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

- Requires Schools to provide overseas students with important age and culturally appropriate safety information, including what to do and who to contact in an emergency, and how to report any incident or allegation of sexual, physical or other abuse.

Education and Care Services National Law and Regulations 2011

- Requires approved providers to ensure nominated supervisors and staff members at the service who work with children are advised of:
  - o the existence and application of the current child protection law; and
  - o any obligations that they may have under that law.
- Requires the ECS to have policies and procedures in relation to providing a child safe environment, policies and procedures are to be followed, kept available, and changes to policies or procedures are to be notified to parents of children enrolled at the service.

National Principles for Child Safe Organisations

- Indicators of Principle 1 (Child safety and wellbeing is embedded in organisational leadership, governance and culture) being applied includes:
  - o The organisation can demonstrate they have **publicly available**, current documents such as a child safety and wellbeing policy, practice guidance, information sharing protocols, staff and volunteer codes of conduct and risk management strategies

- o   Leaders promote sharing good practice and learnings about child safety and wellbeing
- o   Staff, volunteers, children and young people have a sound knowledge of children's rights, including their rights to feel safe and be heard, and the accountabilities that accompany these rights
- In addition to these, Principles 2, 3 and 4 are discussed below.

Communicating with children, young people, families and community

Consider contemporary best practice regarding the involvement of children and young people, their families and community in creating safe environments.

Outcomes sought…

National Principles for a Child Safe Organisation:
2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
3. Families and communities are informed, and involved in promoting child safety and wellbeing
4. Equity is upheld, and diverse needs respected in policy and practice.

United Nations Convention on the Rights of the Child:
Article 12: Children have the right to give their opinion, and for adults to listen and take it seriously.
Article 5: Families have the responsibility to help children learn to exercise their rights and to ensure that their rights are protected.
Article 2: All children have rights, no matter who they are, where they live, what their parents do, what language they speak, what their religion is, their sex or gender, what their culture is, whether they have a disability, whether they are rich or poor.

SUGGESTED READING

SHIER'S PATHWAY TO PARTICIPATION: http://myd.govt.nz/documents/engagement/shier.pdf

Shier, H (2001). Pathways to Participation: Openings, Opportunities and Obligations. *Children & Society, 15*: 107-117. DOI: 10.1002/CHI.617

STUDENT WELLBEING HUB: STUDENT VOICE
https://studentwellbeinghub.edu.au/educators/framework/

PROTECTIVE BEHAVIOUR & RESPECTFUL RELATIONSHIPS RESOURCE EXAMPLES

- THE TRUE ALL SCHOOL PROGRAM (QLD): https://www.true.org.au/Education/allschool
- DANIEL MORCOMBE CHILD SAFETY CURRICULUM: https://www.scootle.edu.au/ec/p/home
- OUR WATCH RESPECTFUL RELATIONSHIPS EDUCATION: https://education.ourwatch.org.au/a-whole-of-school-approach/support-for-staff-and-students/
- TASMANIAN DEPARTMENT OF EDUCATION RESPECTFUL RELATIONSHIPS RESOURCE PACKAGE: https://respectfulrelationships.education.tas.gov.au/about/
- VICTORIAN DEPARTMENT OF EDUCATION: RESILIENCE, RIGHTS AND RESPECTFUL RELATIONSHIPS LEARNING MATERIALS: http://fuse.education.vic.gov.au/ResourcePackage/ByPin?pin=2JZX4R

Other examples also include those offered by:

- **NSPCC** *(*https://learning.nspcc.org.uk/safeguarding-child-protection-schools/teaching-resources-lesson-plans*)*
- **Bravehearts** *(*https://bravehearts.org.au/education*)*
- **Act4Kids** *(*https://www.actforkids.com.au/our-services/education-services/learn-to-be-safe-with-emmy-and-friends/ *)*
- **NAPCAN** *(*https://www.napcan.org.au/Programs/love-bites/ *)*

Reflection: families and community

Consider how families are, or can, be better encouraged to participate in decisions affecting their child.

Consider how the School or Service does, or can better:

- engage and openly communicate with families and the community about its child safe approach and ensure relevant information is accessible
- create opportunities for families and communities to be involved in relevant School or Service operations, including encouraging their children's participation and feedback
- provide clear and accessible information for families and communities about the organisation's operations, approach and policies relevant to children's safety, including Code of Conduct, record keeping practices and, complaints and investigation processes, e.g. publishing information on the School or Services website
- provide opportunities for comment on the School or Service's approach to child safety, including seeking periodic feedback from families and communities on issues of child safety and wellbeing and, providing families and communities with a say in the development and review of the CYRMS, as well as related policies, procedures and processes
- inform families and the community about the relevant operations and governance of the School or Service
- be responsive to the needs of the families and community they serve
- support approaches that build cultural safety through partnerships and respectful relationships.

For Services particularly, consider how Quality Area 6, collaborative partnerships with families and communities, applies.

Reflection: children and young people

Consider how children and young people are, or can be better:

- informed about who to talk to if they are feeling unsafe and know what will happen
- involved in decision-making in the organisation, including in relation to safety issues and risk identification
- informed about their rights, including safety, information, and participation
- encouraged to seek support (including from peers) to help them feel safe and less isolated; and be informed about their role in helping in the safety and wellbeing of their peers
- provided with age appropriate platforms to regularly provide their views and encourage participation in decision-making
- supported to connect with information, support and complaints processes, in ways that are accessible and easy to understand – mindful of individual's needs, such as developmental and cultural needs
- provided with timely feedback. This includes reporting back on incidents, concerns or complaints.

Consider what programs and resources are used, or can be used, to educate children and young people regarding:

- their rights, including their rights to safety and to be listened to
- identifying trusted adults and friends
- safe online applications to learn, communicate and seek help.

Are materials used child friendly? Are they produced in accessible language and formats that promotes inclusion and informs all children and young people of the support and complaints processes available to them?

Consider contexts where it is appropriate to offer access to developmentally suitable abuse prevention education or programs, particularly related to sexual abuse, and building practical skills to assist in strengthening self-protective skills and strategies. Specific focus should include power dynamics and educating children that no one has the right to invade their privacy and make them feel unsafe.

Consider how everyone in the School or Service is supported to understand children and young people's diverse circumstances, and specific supports and responses available to those who are vulnerable. Noting to:

- Give specific attention to the needs of Aboriginal and Torres Strait Islander children, children with a disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and sexually diverse children and young people.
- Consider specific policies to promote equity and respect diversity, and their focus on safety and wellbeing.

For Services particularly, consider how Quality Area 5, relationships with children, applies.

6. Code of Conduct for interacting with children

Requirements

CYRMS are **required** to reference the expected standards of behaviour for **all persons** who interact with children and young people, as a result of their enrolment at the School or Service, including:

- Employees
- Volunteers
- Children and young people
- Parents
- Council/board/committee members
- Students on placement/trainees/work exp.
- Visitors/spectators
- Consultants/contractors

Examples of topics regarding conduct include:

Behaviour management	Transportation
Supervision of children	Health and safety
Supervision of adults	Illness and injury management
Drop off/pick up: times and expectations	Photography
Physical contact	Technology/social media
Consent, e.g. medical care	Confidentiality/privacy
Language	Role specific expectations
One on one contact	Consequences/conditions
Relationships	Conflicts of interest

Note: *Our Commitment: Code of Conduct for Anglican Schools and Education & Care Services*, referenced below, meets these requirements for staff and volunteers. Additional role specific expectations may also be detailed in other School or Service documents, e.g. a home stay handbook.

Other key drivers:

Education (Accreditation of Non-State Schools) Regulation 2017

- Requires the School's governing body to ensure:
  (a) the school's staff and students, and students' parents and guardians, are made aware of the processes for <u>the conduct of staff and students</u>, and response to harm
  (b) the processes are readily accessible by staff, students, parents and guardians
  (c) staff are trained annually in implementing the processes
  (d) the school is implementing the processes

Safe Ministry to Children Canon

Responsibilities for Schools and Services which are Church Bodies, to implement a code of conduct for interacting with children, consistent with the standards and guidelines detailed in section 5 of *Faithfulness in Service* and approved by the Standing Committee of the General Synod of the Anglican Church of Australia.

OUR COMMITMENT:
CREATING ENVIRONMENTS FOR CHILDREN AND YOUNG PEOPLE TO THRIVE

FOR STAFF AND VOLUNTEERS, THIS CODE IS REQUIRED TO BE IMPLEMENTED (FOR SCHOOLS AND SERVICES OWNED BY/SUBSIDARY OF THE ACSQ). THIS MEETS SAFE MINISTRY TO CHILDREN CANON RESPONSIBILITIES.

- OUR COMMITMENT: CODE OF CONDUCT
- ACKNOWLEDGEMENT OF AGREEMENT FORM (FOR USE WHERE ACKNOWLEDGEMENT HAS NOT BEEN INTEGRATED INTO ANOTHER DOCUMENT SUCH AS EMPLOYMENT CONTRACT OR VOLUNTEER AGREEMENT)

IMPLEMENTATION RESOURCES:

- QUICK REFERENCE GUIDE
- FREQUENTLY ASKED QUESTIONS
- KEY TOPIC: IMPLEMENTATION
- KEY TOPIC: BOUNDARIES AND WHY THEY'RE IMPORTANT FOR EVERYONE
- KEY TOPIC: MANAGING CONFLICTS OF INTEREST
- PRIVATE CHILD CARE ARRANGEMENTS

OTHER RESOURCES

- CHILDREN'S RESOURCE: WE WANT KIDS TO FEEL SAFE AND WELL!
- INDUCTION OVERVIEW FOR NEW STAFF AND VOLUNTEERS (SCHOOLS AND ECS)

OTHER RESOURCES

PROFESSIONAL BOUNDARIES: A GUIDE FOR QUEENSLAND TEACHERS:

https://www.qct.edu.au/pdf/Professional%20Boundaries%20-%20A%20Guideline%20for%20Queensland%20Teachers.pdf

STUDENT PROTECTION IN ANGLICAN SCHOOLS POLICY AND PROCEDURES &
CHILD PROTECTION IN ANGLICAN ECS POLICY AND PROCEDURES

THESE POLICY AND PROCEDURES DETAIL THE PROCESS FOR MANAGING THE FOLLOWING CIRCUMSTANCES THAT MAY INDICATE A BREACH OF EXPECTED CONDUCT:

- ALLEGATIONS OF INAPPROPRIATE BEHAVIOUR OF STAFF OR VOLUNTEERS WHERE A CHILD OR YOUNG PERSON HAS BEEN HARMED OR PLACED AT RISK OF HARM
- SUSPICIONS A CHILD OR YOUNG PERSON HAS BEEN SEXUALLY ABUSED OR IS LIKELY TO BE SEXUALLY ABUSED

THESE POLICIES AND PROCEDURES DETAIL THE PROCESS FOR COMPLAINTS MANAGEMENT, INCLUDING THOSE RELATED TO BREACH OF CONDUCT EXPECTATIONS FOR STAFF AND VOLUNTEERS.

Reflection: code of conduct

Consider how, or how can, expected standards of behaviour and responsibilities:

- be explicit, clearly outlining behaviours towards children that the institution considers unacceptable
- cover all relevant cohorts who engage with children at the School or Service
- cover all relevant physical and online environments
- clearly include specific requirements about who to report concerns about possible breaches to, both internally and, where required (either by law or policy), externally.

For Services particularly, consider how Quality Areas 2, children's health and safety, and 4, staffing arrangements, applies.

Managing breaches

CYRMS need to reflect the School or Service's plan for managing breaches of expected conduct for interacting with children, for all relevant cohorts. Consider:

- What systems and supports are in place to actively support a culture where the naming and managing of potential transgressions in behaviour is encouraged and facilitated?
- How are people who raise concerns in good faith protected?
- When a concern is raised, what processes are used to manage these? Ensure these processes are consistent with policy.
- What documents reflect these plans?

Communication and support

Consider how the School or Service creates a culture where appropriate conduct is understood, and the naming and management of potential transgressions is encouraged?

Consider how all relevant cohorts are:

- well-informed about their roles and responsibilities, reporting and privacy obligations, and processes for responding to disclosures
- supported to feel empowered and assisted to appropriately draw attention to and challenge behaviours of concern, including possible breaches of the Code of Conduct
- provided with a safe and supportive environment to disclose harm or risk to children and young people, including advice on protection available where disclosures, reports or concerns raised, are made in good faith.

Consider how those delegated with responsibility for managing concerns are supported to meet these responsibilities to a high standard.

7. Policies and procedures for the recruitment, selection, training and management of persons

Requirements

*Schools and Services **must** have documented localised, operational policies and procedures, and related systems/processes in place to know about and manage **all** persons, paid and unpaid, engaged by the School or Service as related to the safety and wellbeing of children and protection of children from harm.*

These documents **must** reflect:

- Recruitment
- Selection
- Training, and
- Management

Within the CYRMS, consider and reflect the relevance of these guidelines to **all** types of people engaged by the School or Service, paid or unpaid (volunteers). Common types of paid roles include full time, part time, casual and those on individual contracts. All these various roles are referred to as 'staff'.

Strategies should be sufficiently catered to and referenced for each role and can be proportional to the contact the person will have with children. For example, strategies used for a supervised classroom volunteer will differ from a home stay host.

Consider **all persons** who have contact with children and young people as a result of their enrolment with or attendance at the School or Service. Specifically consider how these people are engaged and managed by the School or Service. Where not directly engaged as a staff member or volunteer (e.g. other students, tutors paid by a parent, persons residing on school grounds, visitors to Schools and Services) alterative risk management assessments, management and controls **must** be put in place (see section 11 of these guidelines), noting 'fringe' entry points are high risk. Controls may include some of the strategies discussed here in section 9, such as various screening mechanisms and training opportunities.

Outcomes sought…

National Principles for a Child Safe Organisation:
5: People working with children and young people are suitable and supported to reflect child safety and wellbeing in values and practice.

United Nations Convention on the Rights of the Child:
Article. Children should feel confident about the standards established in an organisation, particularly in the areas of safety, health, number and suitability of staff, as well as supervision.

Management

Every role, in a School or Service, paid and unpaid, needs to be actively managed. For each role, this management needs to be delegated to an appropriate person/s and include responsibility for performance management of the person/s engaged and oversight of the role. Oversight includes, but may not be limited to:

- Being an appropriate authority in the School to provide line management.
- Facilitating or being sufficiently assured recruitment, appropriate to the role, is undertaken.
- Facilitating or being sufficiently assured responsibilities associated with initial screening and the maintenance of screening/registration requirements are met.
- Actively managing conduct expectations and performance, including performance management and review processes. This includes probation periods and using these as an opportunity to review.
- Providing or being sufficiently assured appropriate induction and training requirements have been met.

It is strongly recommended that for each role type (paid and unpaid) relevant information, requirements (screening, registration, qualifications etc), responsibilities and related documents are detailed in a role description or duty statement, including details of the position/s responsible for management/oversight of each role. These can then be referenced within the CYRMS.

> *Where Schools and Services require a Working with Children Authority (WWCA) or other type of registration to be maintained as a condition of engagement, this should be clearly identified in the relevant employment contract or agreement. Schools and Services are also expected to have localised processes in place to ensure a person whose WWCA is suspended or cancelled do not continue to work in regulated employment. Note: for staff if a WWCA is suspended, seek appropriate advice related to the individual's employment rights.*

Recruitment and Selection, including Screening and Probation
Other key drivers

Working with Children (Risk Management and Screening) Act 2000

- Every (potential) person engaged by the School or Service should not commence, or immediately stop working in their role if they are, or become, a 'restricted person' under Working with Children legislation. This person and the School or Service may be committing offences under this legislation, if a person works with children while meeting the definition of a restricted person.
- Each person engaged by the School or Service (staff and volunteers) is to be listed on a register (see section 11 of these guidelines).
- Each person engaged by the School or Service in "regulated employment" or conducting a "regulated business" is required to have a Working with Children Authority (WWCA - Blue Card or Exemption Card) prior to commencing in their role and to maintain their WWCA whilst engaged by the School or Service.
- In the majority of circumstances, persons engaged by the School or Service who require a WWCA are to be appropriately linked to the School or Service with Blue Card Services prior to commencing their role. This link is to be removed when the person is no longer engaged.

- The School or Service is to confirm and monitor the registration of each Approved Teacher, and each Registered Health Practitioner engaged by the School or Service in a function related to their role as a health practitioner.

Education (Queensland College of Teachers) Act 2005

- Each person engaged by the school as an Approved Teacher is registered or has permission to teach (PTT) through the Queensland College of Teachers (QCT) and the teacher is linked to the school with QCT.

Professional Standards Canon

Each prospective employee, prior to being offered employment, is to be checked against the National Professional Standards Register and the result of this check is considered prior to being offered employment.

RECRUITMENT AND SELECTION IN ANGLICAN SCHOOLS POLICY AND PROCEDURES

THESE POLICY AND PROCEDURES SUPPORT EFFECTIVE RECRUITMENT AND SELECTION OF STAFF AS A PREVENTATIVE APPROACH TO CHILD SAFETY.

Recruitment and Selection Guidance

Recruitment, including advertising, referee checks and screening, is to emphasise child safety and wellbeing. Effective recruitment and selection support a preventative approach to child safety.

Abuse is more likely to occur in institutions where particular factors are present. We can reduce the likelihood of abuse by targeting these factors. Recruitment and selection are a key area of importance. We want to discourage potential offenders from our services and encourage people who understand and prioritise children's safety and wellbeing.

For all persons, staff and volunteers, consider the applicability of the following:

- Use recruitment and selection processes to assess applicant's values, motives and attitudes for compatibility with a culture that sees children's safety and wellbeing as paramount.

- Assess core attitudes to children, e.g. understanding of professional boundaries, importance of listening to children, and the importance of adults having shared personal responsibility for the safety of children and young people.

- Understand professional boundaries are critical to maximising children's safety.

- Apply a critical eye. Be thorough and consider information carefully – look for red flags. Is there any information that indicates issues with boundaries, or other issues (such as rules breaking) impacting children's safety or wellbeing?

Vacancy Management
- Advertising: placing information up front about the School or Service's commitment to children's safety detracts potential offenders.

- Note the benefit of role descriptions/duty statements reflecting the School or Service's commitment to child safety, including relevant expectations specific to that position.

- Provide the Code of Conduct as part of the information package for the position, and require it to be read and agreement documented, as part of submitting an application.

- Suggested selection criteria for staff: 'must be able to demonstrate an understanding of appropriate professional boundaries and standards when working with children and young people', or similar.

Code of Conduct

Also see section 6 of these Guidelines. While assessing a person's suitability for a role, consideration should also be placed on their understanding and commitment to conduct expectations, especially regarding interactions with or about children and young people. Including this as part of the selection processes assists in engaging people who will contribute to creating a safe and supportive environment.

As identified within s4.13 and 4.14 of the [Our Commitment Code of Conduct](#), prior to accepting a position, the applicant should be asked to disclose if they:
- are currently charged with or convicted of an offence against a child
- have been acquitted of a charge of an offence against a child
- have had a charge of an offence against a child not proceed
- have had a prohibited status under applicable 'working with children' screening legislation lifted, or
- have been the subject of any disciplinary proceedings involving child abuse

If at any time during the recruitment process, information is received that any of these points apply the appropriate authority in the School or Service is to ensure the following occurs:
- consultation with relevant people (as detailed in the Code of Conduct)
- a documented risk assessment, and
- determination that no child will be at an increased risk of harm from this appointment

Interviews

Conducting structured interviews provides further opportunity to receive insight into an applicant's attitudes, values and understanding of professional boundaries and accountability. This is important in assessing their suitability to work in a School or Service environment. Use interviews to consider how the applicant's values and attitudes complement the School or Service's focus on child safety and wellbeing. Important areas to address during the interview process are:
- motivation to work in the School or Service
- understanding of children's development and needs
- values and attitudes towards children, including attitudes to children's rights and how they can be upheld
- understanding of professional boundaries
- reasons for leaving current or previous job

An open-ended style of behavioural-based questioning will give insight into the applicant's values, attitudes, and understanding of professional boundaries and accountability. Some useful questions may include:
- Tell us about why you want to work with children?
- How would the children and young people you have worked with previously describe you?
- Describe a time when you had to manage an interaction with a child whose behaviour you found challenging.
- Tell us about a time when you have had to comfort a distressed child.
- What boundaries are important when working with children and young people?
- If you were concerned about the actions or behaviour of a co-worker towards children or young people, how would you respond?

Note: not 'knowing' the answers to the above doesn't rule out applicants – not knowing is better than an inappropriate response as you can then train/model correct behaviour.

Referee checks

- Does the applicant provide appropriate referee options?
  - o For staff consider all places where the applicant has worked with children - especially the last 5 years. Is the applicant able to nominate referees from each place of employment, who were in a line management position to the applicant?
  - o For volunteers, particularly home stay hosts and any other role having significant contact with children and young people (such as unsupervised), seek, at least, two personal referee checks, and consider the nominated referee's suitability.
- Always check referees and use as part of the suitability assessment.
- Take action to confirm identity of referees.
- Have mandatory and consistent questions for referees.
- When contacting the referee, establish the relationship to the applicant, including how long the applicant and referee worked together, the specifics of the positions, and seek information about:
  - o the details of the relationship between the referee and the applicant (length of time and nature of relationships)
  - o knowledge of the applicant's work or interactions with children and families, including feedback on any observations
  - o opinion on the applicant's suitability for the position and context, including any concerns about the applicant's attitudes or conduct
  - o the applicant's perceived strengths and weaknesses.
  - o whether the referee would hire the person again, particularly in a role working with children, and
  - o whether they have any concerns about the applicant working with children.
- Take note of any pauses in the referee's responses as this may indicate hesitation. Ask, for example, 'I noticed you paused, any particular reason?'

Screening

- Always verify applicant's identity, qualifications, professional registration and relevant screening checks prior to entering into an employment agreement or similar.
- Ensure people who require a Working with Children Authority (WWCA - Blue Card or Exemption Card) have a current authority **prior to commencement**, noting substantial penalties can apply for the individual and the School or Service. **Do not engage a person until all relevant screening has been completed.**
- Recognise that WWCA and checking the Anglican Church's National Professional Standards Register can detect only a subset of people who are unsuitable to work with children, and that these checks are only one part of a suite of recruitment and selection practices.
- Consider any need for a National Police Clearance or international criminal history checks.
- Compliment these with referee checks as discussed above.
- Ask applicants to disclose if something is going to come up (to help assess their suitability and understand how long check may take).

APPENDIX 1:
ADVICE ON SCREENING REQUIREMENTS IN SCHOOLS AND SERVICES

THIS APPENDIX PROVIDES DETAILED ADVICE ON SCREENING REQUIRED BY ROLE TYPE.
SCREENING DISCUSSED INCLUDES:
- RESTRICTED PERSONS
- WORKING WITH CHILDREN AUTHORITY
- APPROVED TEACHERS
- REGISTERED HEALTH PRACTITIONERS
- ANGLICAN CHURCH PROFESSIONAL STANDARDS REGISTER
- NATIONAL POLICE CHECKS
- REFERREE CHECKS

The Working with Children (Risk Management and Screening) Act 2000 requires diligent screening of relevant persons engaged (employed or volunteering) within a School or Service. Penalties can often apply to individuals and organisations who do not comply with these requirements.

Key screening obligations include:
- *If the School or Service has reason to suspect a person who they are considering engaging or have engaged to work with children is a restricted person, they **must not** engage them until this suspicion is sufficiently investigated and found to be incorrect.*
- *If a person is required by their role to have a Working with Children Authority, they **must not** commence at the School or Service until the Working with Children Authority is obtained and the person is linked to the School or Service with Blue Card Services. See Appendix 1 for further information.*

Working with Children Risk Management and Screening Act 2000 and Regulation 2011

A CURRENT COPY OF IN FORCE LEGISLATION IS AVAILABLE ONLINE:
https://www.legislation.qld.gov.au/browse/inforce

This legislation outlines strict requirements regarding the eligibility of people to work in child-related employment. Decisions about WWC applications are made in order to secure the welfare and best interests of children, and create a safe and supportive service environment.

Responsibility for implementing Working with Children screening ultimately rests with the Head of a School or Nominated Supervisor of a Service, however implementation is commonly delegated according to the requirements of the School or Service. Delegations are to be appropriately documented. *See section 8 of these Guidelines for further information.*

Categories of regulated employment and businesses are detailed in Schedule 1 of the Act. The Act also details certain exemptions and definitions that apply (for example frequency of regulated employment, and regulations defining the usual functions of employment). Schools and Services are also to consider alternative or additional screening, appropriate to the role. *See Appendix 1 for further guidance.*

BLUE CARD SERVICES

THE QUEENSLAND GOVERNMENT'S BLUE CARD SERVICES, MANAGES WORKING WITH CHILDREN SCREENING AND AUTHORITY, AND PROVIDES APPROPRIATE INSTRUCTION VIA THEIR WEBSITE:

https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services

BLUE CARD SERVICES, PROVIDES SUPPORT FOR ORGANISATIONS USING THEIR PORTAL:

https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations/portal

BLUE CARD SERVICES, PROVIDES SPECIFIC ADVICE ON ELIGIBILITY TO HOLD A WORKING WITH CHILDREN AUTHORITY, INCLUDING DISQUALIFYING OFFEENCES:

https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/eligible

Supporting applicants

If a WWCA applicant is having issues with Blue Card Services (BCS) and their application, nominated staff at the School or Service can engage with BCS on their behalf, providing that the applicant has provided appropriate consent to BCS.

Probation

- Probation is a valuable period of assessment regarding a new staff member or volunteer's capability.
- Taking probation seriously reinforces the School or Service's commitment to its people delivering high standards of care.
- Seeking feedback from others and undertaking direct observation are opportunities for managers/supervisors to gather information to inform an assessment of the person's strengths and weaknesses.
- Probation is an opportunity to act early, seeking to identify issues and prevent them from escalating.

Induction and Training

Other key drivers

Working with Children (Risk Management and Screening) Act 2000

- Strategies **must** include reference to training materials for persons engaged by the school to:
  a) help identify risks of harm and how to handle disclosures or suspicions of harm; and
  b) outline the risk management strategy

Education (Accreditation of Non-State Schools) Regulation 2017

- Requires the School's governing body to ensure:
  (a) the school's staff and students, and students' parents and guardians, are made aware of the processes for the conduct of staff and students, and the response to harm
  (b) the processes are readily accessible by staff, students, parents and guardians
  (c) staff are trained annually in implementing the processes
  (d) the school is implementing the processes

Education and Care Services National Regulations 2011

- Require the Approved Provider of an education and care service **must** ensure that nominated supervisors and staff members at the service who work with children are advised of:
  a) the existence and application of the current child protection law, and
- any obligations that they may have under that law

Induction and Training Guidance

Induction and training are critical to supporting the people engaged by Schools and Services to provide effective child safe responses and practices.

Schools

Most new staff are required to successfully complete the online module, Safeguarding our Students. Staff should be enrolled at the earliest possible intake and should complete the module within 30 days of enrolment. It may not be realistic for very short-term workers (e.g. 8 weeks or less), who are unlikely to return, and seasonal staff (such as coaches), to be enrolled in the course.

All new staff, including short term workers, as well as seasonal workers and volunteers should receive an induction in student protection, child and youth risk management and the Code of Conduct. An Induction Overview has been provided to assist this briefing. The annual child protection refresher session may also provide useful content to assist in these inductions.

The annual child protection refresher session should be provided to all continuing staff each year.

Services

All new staff, including short term workers, as well as seasonal workers and volunteers should receive an induction in student protection, child and youth risk management and the Code of Conduct. Induction material has been provided by the Anglican Schools Commission.

Both

The Anglican Schools Commission usually provides school-based Student Protection Officers and service based Nominated Supervisors and Directors with annual professional development. This is provided in a 'train the trainer' format to be delivered to relevant School and Service staff during that year.

The Anglican Schools Commission is commencing a project to develop and implement a plan for how the child protection education and information needs for student, staff and volunteer, and parent/caregiver cohorts can best be met. Consultation and collaboration will occur with Schools and Services during 2020 and 2021.

TRAINING TOOLS FOR STAFF AND VOLUNTEERS

SAFEGUARDING OUR STUDENTS COURSE INFORMATION (NEW SCHOOL STAFF ONLY):
- GUIDANCE PAPER FOR COMPLIANCE TRAINING MANAGERS
- SAI GLOBAL LMS GUIDE
- SAI GLOBAL FAQS

CHILD PROTECTION REFRESHER MATERIAL (SCHOOLS)

CHILD PROTECTION REFRESHER MATERIAL (ECS)

ADDITIONAL RESOURCES (SCHOOLS AND ECS)

Reflection: management of persons

Are the relevant procedures for recruitment, selection, training and management of persons engaged/proposed to be engaged, sufficient and consistently applied?

What evidence shows:
- recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing?
- duty statements, selection criteria and referee checks demonstrate children and young people are valued and respected, and a serious commitment to child safety and wellbeing is required?
- training requirements are met?
- staff and volunteers facilitate child-friendly, developmentally and culturally appropriate, ways for children to express their views, participate in decision-making and raise their concerns; including the involvement of families in advocating for their children?
- staff and volunteers are attuned to and recognise possible indicators of harm?
- staff and volunteers respond effectively when issues of child safety and wellbeing or cultural safety arise?
- all concerns of child harm or risk of harm are taken seriously?
- ongoing supervision and people management is focused on child safety and wellbeing?
- ongoing staff support, supervision and performance management processes, involve child safety elements?

Consider all cohorts of staff and volunteers across the School or Service. Where issues are identified or gaps exist, what action can be taken?

For Services particularly, consider how Quality Areas 2, children's health and safety, and 4, staffing arrangements, applies.

Communication and support

Consider how does, or how can, the School or Service provide regular opportunities to educate and train staff on child safety and wellbeing policies and procedures, and evidence-based practice. What opportunities are there for staff to understand best practice approaches to child safety?

Consider how, or how can, the School or Service be confident, through appropriate:
- induction
- training
- information
- support, and
- supervision
- that **all staff and volunteers** are aware of/understand their responsibilities to children and young people, particularly regarding implementation of child safety policy and procedures, including the following obligations:
  - reporting
  - information sharing
  - record keeping
    Who to share information with, when to share information, what information to share, how to share the information and how that information sharing will be recorded and stored?

Reflection: management of persons continued

- that **all staff and volunteers** are aware of/understand how to recognise indicators of harm or risk of harm to children and young people, including:
    - physical and behavioural indicators of trauma and harm
    - characteristics of harmful behaviour in various cohorts and contexts.
      Cohort examples: caregivers and relatives, unrelated adults, and other children or young people
    - the school or service's behavioural expectations and how to identify and act on inappropriate behaviour which may be abusive or a precursor to abuse, including grooming
- that each staff person or volunteer, **proportional** to their role and associated responsibilities:
    - has sufficient knowledge of the different way children and young people express concerns or distress and disclose harm
    - has sufficient understanding of children and young people's developmental needs
    - understand their obligations on information sharing and record keeping
    - is trained to recognise and respond effectively to children and young people with diverse needs
    - is trained and has access to information on how to build culturally safe environments for children and young people
    - has received training on the rights of children and young people in relation to records being created about children and young people and their use of those records.

Managing breaches

Are effective complaints management and performance management policy, procedure and processes in place for all role types (paid and unpaid)?

Are effective assurance and oversight mechanisms in place to ensure supervisors/managers or those with related responsibilities are meeting expectations?

8. Policies and procedures for compliance with the Working with Children (Risk Management and Screening) Act and the keeping written records of matters about each person engaged by the School or Service

Requirements

CYRMS **must** include policies and procedures for compliance with the *Working with Children (Risk Management and Screening) Act* (the Act), including keeping a written record of matters under the

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Outcomes sought…

National Principles for a Child Safe Organisation:

5: People working with children and young people are suitable and supported to reflect child safety and wellbeing in values and practice.

United Nations Convention on the Rights of the Child:

Article. Children should feel confident about the standards established in an organisation, particularly in the areas of safety, health, number and suitability of staff, as well as supervision.

| QUEENSLAND GOVERNMENT: |
| INFORMATION FOR ORGANISATIONS EMPLOYING BLUE CARD WORKERS |

https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations

BLUE CARD SERVICES (BCS), PROVIDES SUPPORT FOR ORGANISATIONS USING THEIR PORTAL:

https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations/portal

Act, relating to each person engaged by the School or Service, for example:
   a) whether or not the School or Service considers the person must apply for a Working with Children Authority (WWCA – Blue card or Exemption Card).
   a) whether or not a WWCA application has been made
   b) if a WWCA has been issued, the date of expiry of the notice.

The Working with Children in Anglican Education Policy and sections 9 and 10 of these Guidelines and Procedures are intended to assist in meeting this requirement. Localised documents are also required to effectively implement this requirement in the School or Service's operations.

THIS APPENDIX PROVIDES DETAILED ADVICE ON SCREENING REQUIRED BY ROLE TYPE.
SCREENING DISCUSSED INCLUDES:

- RESTRICTED PERSONS
- WORKING WITH CHILDREN AUTHORITY
- APPROVED TEACHERS
- REGISTERED HEALTH PRACTITIONERS
- ANGLICAN CHURCH PROFESSIONAL STANDARDS REGISTER
- NATIONAL POLICE CHECKS
- REFERREE CHECKS

Notifiable/Contact Person/s

The Act requires a regulated business to nominate a 'Notifiable Person' with Blue Card Services (BCS). This person becomes the primary 'Contact Person' for BCS. In Schools and Services, the notifiable person is the employing authority (e.g. Head of School or Nominated Supervisor of the Service).

The Notifiable Person should nominate a second Contact Person to BCS to cover absences of the primary Contact Person. In identifying a suitable person, be mindful they require sufficient authority within the School or Service and may receive sensitive information about persons engaged by the School or Service that is required to be appropriately managed.

BCS requires the current details of the Contact Person/s in each School or Service. It is imperative that these details are kept current with BCS.

Responsible Person and Organisational Representative/s

One person is to be allocated as a Responsible Person, expected to provide oversight to the WWC Register and internal compliance. This includes ensuring the WWC Register is current.

Contact People and/or other staff members can be delegated the role of Organisation Representative. Delegation to roles such as WWCC Coordinator, Home Stay Coordinator, Volunteer Coordinator or Sports Coordinator may be particularly sensible.

Consideration should also be given to **business continuity** should a Responsible Person or Organisational Representative be unavailable. The following responsibilities are required to be met by these roles:

- *Document and apply local work instructions/processes consistent with the Working with Children in Anglican Education Policy, with consideration given to these Guidelines and Procedures.*
- Implement and meet the School or Service's responsibilities regarding Working with Children Authorities and complete/accurate Working with Children Registers. Recommendations on how to do so are provided below.

Online Validation and Linking of WWCA

> These Guidelines seek to be consistent with changes to the Working with Children legislation that came into effect on the 31 August 2020. These changes will mean a person can apply for a paid Blue Card without being linked to an organisation. Volunteers seeking a card at no cost will still be required to be linked to an organisation. This can occur through the organisations interface with the online portal.

Prior to a person who requires a Working with Children Authority commencing, the School or Service **must both confirm the validity of a WWCA and link** that person to their organisation. This assures the School or Service that the person has a current WWCA and ensures the School or Service will be notified by BCS of any change in that person's police information or eligibility status.

Exception: the exception to linking a person is where the person is a trainee student or pre-service teacher, who is recorded on the Register of the Registered Training Organisation (the education provider). This should be confirmed with the Education Provider prior to the trainee's commencement. The trainee or pre-service teacher is also placed on the School or Service's Working with Children Register.

*Prior to notifying BCS about the employment or proposed employment, a School or Service **must** take reasonable steps to verify the person's identity and that this identity is consistent with their Working with Children Authority.*

Working with Children (WWC) Register (also known as Blue Card Register)

Prior to their commencement, all employees, volunteers, and regulated businesses **must** be placed on the WWC Register for the regulated business or employer by whom they have been engaged by (see section 4 of these guidelines), regardless of whether they are required to apply for a WWCA.

Once a person is engaged by the School or Service and entered onto the Register, this entry is not to be deleted, even if the person ceases their engagement.

Note: WWC Registers can also be used to record additional information such as contact details, completion of induction/training, and/or acknowledgement of Code of Conduct or other relevant policies.

> **EXAMPLE TEMPLATE: WWC REGISTER**

Maintaining WWCA: Renewals

It is in the School or Service's best interest to actively support people engaged to maintain their WWCA. *Schools or Service's may be committing an offence under the Act if the person remains engaged, but their WWCA has expired and a renewal application has not been made prior to expiry.*

Localised processes are required to outline the actions to be taken in these circumstances.

Applicants can apply to renew their WWCA 16 weeks from expiry. Changes to personal contact details can be updated at any time, online.

The WWC Register is to clearly identify the expiry date of each WWCA. The Register and local processes should support an internal alert warning at least 16 weeks prior to an expiry date.

It is preferable that the alert is automated and provides alerts to the card holder and the Organisational Representatives responsible for the Register. Follow-up processes should outline actions taken to ensure the WWCA is applied for/ renewed prior to the expiry date.

Note: The date of birth (DOB) of residents in the home of a home stay provider, or other School or Service volunteers who are nearing their 18th birthday, can be recorded on the Register as an expiry date and used as the 'expiry' alert to notify that a WWCA is required, prior to their birthday.

Leaving an Organisation

Once an employee or volunteer leaves the School or Service, BCS are to be notified as soon as practicable.

The WWC Register is to be updated to reflect that the person is no longer linked with the School or Service at BCS and that the person is no longer with the School or Service. The person's WWCA status is updated to 'inactive'. Note this is important to ensure legislated privacy obligations are met.

Change in Police or Disciplinary Information

A person with a WWCA no longer has an obligation through the Act to advise their employer of any change to their police information. If a School or Service wishes to require an employee to disclose this information, alternative mechanisms need to be considered, such as localised conditions of employment.

BCS receive information on changes to people's information, e.g. from Queensland police. BCS will determine whether the situation changes the applicant's eligibility to work with children and young people (e.g. suspension or cancellation of WWCA).

Note: BCS are only notified of changes to Queensland history. Interstate history is only checked during initial application and renewal application processes.

Cancellation, Suspension, or Negative Notice

BCS will notify the School or Service in the event of any suspension or cancellation of a person's WWCA, only when their card has been correctly linked to the School or Service.

BCS will notify the Contact Person in the event of a negative notice as a result of a change in police or disciplinary information.

*A person with a suspended WWCA or negative notice **cannot** continue in 'regulated employment'. See section 9 of these Guidelines for further information.*

The School or Service WWC Register is to be updated to note the notification received from BCS, and appropriate action taken to protect children at the School or Service.

Audit

The Responsible Person is responsible for oversight of the internal localised processes for the management of WWCA and the WWC Register. As such, the Responsible Person is recommended to facilitate/undertake monthly internal audits to ensure the integrity of the process within the School or Service. (Note: BCS have the legislative authority to audit regulated organisations).

The outcomes of these Audits are to be reported:
- Immediately to the Head of School or Nominated Supervisor if a breach of law is identified
- Quarterly, within the CYRM Committee report to the Head of School/School Council or Nominated Supervisor/Management Committee.

Key matters to check at time of the Audit are:
- All relevant information is recorded in the WWC Register (look for missing cells)
- All new people engaged have been added to the WWC Register (preceding months)
- That alert dates are 16 weeks prior to a Card's Expiry
- Identification of alert dates where cards are due to expire or a volunteer/ or (for Home Stay) an adult household member is due to turn 18 years old within 16 weeks

- For alert dates within 16 weeks, appropriate action has been taken to support the person to apply for their renewal/ WWCA.

In addition to the Blue Card Service's Online Portal, careful consideration is to be given as to what localised systems can be cross referenced with the WWC Register, such as payment and sign in systems and information databases to ensure all relevant persons are recorded on the WWC Register. For example, in addition to staff on payroll, careful consideration should be given to:

- Home stay hosts and their residents
- Volunteers
- Coaches
- Tutors
- Regulated Businesses engaged by the School (see section 9 and 11 of these Guidelines), particularly sole operators

Managing Breaches

For owned and subsidiary Schools, or ECS where the ACSQ is the Approved Provider, the Executive Director ASC, is to be immediately notified in writing by the Head of School or Nominated Supervisor of all reported or identified breaches of 'the Act'. This includes, but may not be limited to:

- If the School or Service engages a person who is required to have a WWCA and does not.
- If the School or Service continues to engage a person whose WWCA has expired and an application for renewal was not made prior to their expiry.
- If the School or Service engages a person they reasonably suspect or know is a Restricted Person.

This written notification is to include:

- what actions lead to the breach
- what actions have been/ are being taken to remedy the matter
- what actions are being taken to prevent a similar breach into the future

Reflection: Policies and Procedures for Keeping Written Records

Consider the School or Service's approach. Are:

- these Procedures consistently applied?
- localised processes for compliance sufficient?
- localised processes documented?
- sufficient quality assurance, accountability and business continuity strategies in place to support local systems to be robust and of a high standard?
- are all areas of the School or Service engaging with the process – particularly volunteer management, for example, in home stay, sports and classrooms?
- are there issues or risks that require identification, documentation and/or planning?
- are there improvements to be made?

For Services particularly, consider how Quality Area 4, staffing arrangements, applies.

Communication and Support

- Are the people who use the system given an opportunity to provide feedback and suggest improvements?
- How do key stakeholders know about the process and how to use it? Are there improvements needed?

Managing Breaches

Have breaches occurred? If so, has a root cause analysis been completed and causal issues addressed?

9. Risk management plans for high risk activities and special events

Requirements

CYRMS **must** refer to risk management plans for high risk activities and special events. Matters that are identified as high risk or as a special event require a documented risk management plan.

Many activities undertaken in a School or Service are both high risk and ongoing in nature, e.g. the online environment; particular physical environments, such as a swimming pool, or child accommodation; or events such as regular outings/excursions or sporting activities. Where these occur, it is strongly recommended that those Risk Management Plan are referred to specifically within the CYRMS.

Outcomes sought…

National Principles for a Child Safe Organisation:
8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

United Nations Convention on the Rights of the Child:
Article 3.3. Children should feel confident about the standards established in an organisation, particularly in the areas of safety, health, number and suitability of staff, as well as supervision.

Risk assessment

Risk assessment is integral to identifying high risk activities. *All activities undertaken by or within the School or Service require risk assessment.* Children and young people are often exposed to a variety of **environments, activities and people** related to their enrolment at a School or Service. Schools and Services are responsible for analysing these circumstances to identify risks and plan accordingly.

Effective management of risk can support the safety of children and young people, while creating worthwhile opportunities. *All staff need to be supported to understand their responsibilities for proactively assessing the risks associated with all contexts and putting effective strategies in place to manage those risks.* It is important those with appropriate authority approve these arrangements, with specialist advice sought where needed.

Key questions for all matters:
- Does this create any potential risk to the safety of children and young people? Consider the environment, activities and people children could reasonably be foreseen to be exposed to.
- Are there effective controls in place to adequately reduce these risks?
- Do the people who need to implement these controls understand their responsibilities to do so?
- Are risk assessments and plans (including controls) recorded in a way that enables the School or Service to evidence that all action that could be reasonably expected has been taken to protect children from harm?
- Are effective quality assurance strategies in place to be confident this is happening?

RELEVANT ACSQ POLICY AND PROCESSES

RISK MANAGEMENT FRAMEWORK FOR OWNED AND SUBSIDARY SCHOOLS (2020: IMPLEMENTATION UNDERWAY)
RISK ASSESSMENTS FOR EDUCATION AND CARE SERVICES

SECTION 2.1 OF THE COMMONWEALTH CHILD SAFE FRAMEWORK:
https://pmc.gov.au/sites/default/files/files/pmc-child-safe-framework.pdf

Common and inherently high-risk activities

Procurement of a Business, or Hiring out use of School//Service Facilities

One of the Key Action Areas of Principle 8 for Child Safe Organisations, is that *"organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people."*

Schools or Services often engage other businesses to provide services to children and young people enrolled or provide permission for another business to use the School or Service facilities to deliver their business. Where this occurs, a risk assessment as to the safety of this arrangement for children and young people, is always to be considered as part of the approval decision.

Proactively consider the risks posed where the School or Service is engaging a business or contractor to provide an activity on the School or Service's behalf, or they are using the School's premises or facilities. *Often these engagements create increased risk for the School or Service, as responsibility for the safety of children and young people is retained however the School or Service may have decreased knowledge or control of the activity being provided.* Consider what:

- questions can be asked
- information can be obtained
- strategies can be put into place

to be assured the business is assessing and controlling risk and applying practices that foster a child safe culture. It may be appropriate for the school to actively support the business or contractor to provide a safe service to students, e.g. through using strategies detailed in the School or Services' own CYRMS.

Where this business is a regulated business, or employs people in regulated employment, they are required to comply with the *Working with Children (Risk Management and Screening) Act 2000* and must therefore have a Child and Youth Risk Management Strategy (CYRMS). The quality of this Strategy is to be considered by the School or Service as part of the decision to engage with this business and assess any risk this arrangement may pose. In these circumstances, obtain a copy of the business' CYRMS, and referenced documents (e.g. Code of Conduct or WWCA Register) prior to engagement. Review this CYRMS and referenced documents and seek to be satisfied of their quality, asking for additional assurance if needed. Common examples include:

- Private teaching, coaching or tutoring
- Emergency services cadet program
- Sport and active recreation
- Churches, clubs or associations involving children

Key considerations

a) (Usually in the procurement stage of seeking to engage the business) assess the level of risk to children and young people, and, where applicable (e.g. a high-risk activity or special event), ensure a risk management plan is developed, documented and implemented.

b) Consider whether engagement of this business should be considered as the School or Service engaging a person in work and therefore the person is managed as an employee – either paid or unpaid (for the purposes of child and youth risk management). This means that the school/service should be able to reference and have a relevant CYRMS for managing this person/role similar to what they need to have for any other employee. Examples may be where a music tutor is engaged and invoices the School or Service for payment; or where a work hire

company provides a particular person to undertake work for the School or Service (i.e. the school/service may pay the work hire company not the person directly). See sections 7 & 8 of these guidelines for further advice.

c)   Where (b) does not apply, if the business is a regulated business or employs people in regulated employment:
1.   review the business' CYRMS as part of the school's procurement process
2.   require compliance with the *Working with Children (Risk Management and Screening) Act 2000* as a condition of engagement
3.   verify the business operator's Working with Children Authority (WWCA) prior to commencement and on, at least, an annual basis. This should be recorded on the School or Service's WWC Register
4.   where the business operator is a sole operator, wherever possible, link their WWCA to the School or Service to provide real time monitoring and oversight.

d)   Where (b) and (c) do not apply, the business operator's details and reasons for not requiring a WWCA, is to be recorded on the School/Service's WWC Register.

Note, give careful consideration to whether engagement of a business is actually engagement of a person in regulated employment (e.g. schools, ECS etc.) – refer to frequency rules and applicable definitions of regulated employment (including for example, schedule 1 in the Act and definitions of usual functions of employment) – if so (b), above, applies. See sections 7 and 8, and appendix 1 of these guidelines for relevant advice.

Strongly consider seeking a WWCA (Blue Card or Exemption Card) for relevant individuals where these persons (such as guest speakers to children) would require a WWCA if this activity was provided within the School, Service or similar more than 7 days in a calendar year, even if that timeframe is not met for your particular School or Service. Deliberations could include level of supervision provided and whether the individuals commonly provide such services.

International Students, including Home Stay
Other key drivers

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

The Commonwealth's *Education Services for Overseas Students Act* legislates the National Code of Practice for Providers of Education and Training to Overseas Students 2018. This Code is a legislative instrument that applies to international students. Standard 5: Younger Overseas Students is particularly relevant. Of note is the school's responsibility, as a registered provider, to "take all practical steps to ensure welfare (of relevant students) is maintained at all times, regardless of the overseas student's study circumstances". This responsibility **cannot be delegated**. This includes the **requirements** to:

- give age and culturally appropriate safety information to overseas of students under the age of 18 years on:
  - What to do and who to contact in emergency situations, including contact numbers of nominated staff members or service providers; and
  - How to report any incident or allegation of sexual, physical or other abuse.
- where the School has a CAAW (Confirmation of Appropriate Accommodation Welfare) letter they must have and implement processes for "verifying that overseas student accommodation is appropriate to the overseas students' age and needs:
  - prior to the accommodation being approved; and
  - at least every six months thereafter."

This includes "an initial physical site visit to verify the overseas student's accommodation, prior to the accommodation being approved"; and "rigorous processes" in place for subsequent

verifications, which could include one or more of the following: a physical site visit, a student interview, a student survey, or any other way of confirming that the accommodation still meets the overseas student's needs.

<div style="background-color: red; text-align: center;">ASSESSMENT GUIDANCE FOR HOME STAY</div>

Guidance

a) Schools need to be able to evidence the actions taken to both prevent and respond to abuse of young people, including compliance with legal obligations. In Home Stay, processes at the following stages should be particularly considered:
- Recruitment and screening (suitability assessment) of potential hosts
- Training of hosts
- Management of hosts, including review of host suitability
- Placement matching practices and processes
- Pre-placement communication to the student
- Placement support, including six monthly verifications
- Student support (communication, welfare and care management)

b) Schools need to be able to evidence the use of thorough and documented processes to assess a host's ability to meet the Home Stay Standards.

c) Schools also need to document and apply "rigorous processes" for the six-monthly review of each placement. As described in the National Code, this may use various mechanisms, however it must be recorded as a review for the purpose of verifying that each overseas student's accommodation is appropriate to that student's age and needs. The practice of a physical home visit as part of assessing suitability, at least once every twelve months, is recommended.

d) Schools need to ensure specific quality assurance mechanisms are developed, implemented and embedded in the school's operations, including:
- Key performance indicators, and appropriate governance and reporting mechanisms for these indicators, for example home stay suitability verifications and WWCA audit outcomes.
- Having a decision maker for host family approvals and verifications separate to the person who undertakes the assessment. The 'assessor' can make recommendations and could be part of an optional 'group' who considers the application, however should not be the 'decision maker'. The roles of assessor and decision maker should be specifically delegated to relevant positions and this should be reflected in their role descriptions.
- Specific consideration of the management of the emergency contact arrangements for young people in home stay (e.g. mobile phone number), noting the need for this to be regularly managed by more than one staff member to support business continuity to allow appropriate rest time and assist in ensuring such a key task is not dependent on one individual.
- A strategy for demand management and the required resourcing, identifying:
  - appropriate ratio of hosts to staffing
  - appropriate ratio of students/ short term young people on tour to staffing
- A strategy for effective communication with young people and the ability to evidence such, including:
  - culturally and developmentally appropriate information on emergency contacts and reporting abuse is to be given

- o methods of written communication used to share information required by law, for example Orientation PowerPoint or emergency contact 'cards', are saved as evidence, including version control and dates used.

Boarding, Billeting and other Overnight Accommodation

Unrelated children, young people and adults in overnight accommodation have inherently high risks. Schools need to be sufficiently satisfied about the ability of adults to provide safe care in overnight accommodation. Particular consideration should be given to high risk circumstances such as where the care is being provided:

- by persons unrelated to the child, or
- by any adult in Australian accommodation (including our boarding houses) who has spent substantial periods of time living overseas (due to the limitations of WWCA) or
- in another country.

The risk of abuse by another child or young person must also be explicitly considered.

All arrangements of this nature must have documented plans that consider the risks to the children or young people and what reasonable action can be taken to mitigate these risks. For example, effective recruitment and selection methods, including screening, together with safety planning, including explicit expectations of care and boundaries, and clear communication to all relevant stakeholders (e.g. students, staff and volunteers, and other organisations).

In billeting environments, examples of risk mitigation include:

a) all adult household members of billeting families to have a Blue Card (see appendix 1)
b) adults taking responsibility for the student's care are briefed appropriately (adults engaged by Anglican Schools should also be inducted as volunteers)
c) students not being the only child/young person in the house and
d) explicit instructions for young people about standard of care they should receive and who they should talk to if worried or concerned about anything (multiple and immediately accessible options).

Also, a risk assessment and plan should always be in place for all persons residing in School or Service campus accommodation. At minimum, this plan should include a condition that, wherever possible, all adult household members have a WWCA, linked to the School or Service, prior to the commencement of this living arrangement; and if the adult is unable to obtain a WWCA because they are not working or volunteering, or planning to work or volunteer, in regulated employment, then the person, prior to commencement of the living arrangement, is to be asked to:

- Confirm in writing that they are not a restricted person under the *Working with Children (Risk Management and Screening) Act*, and
- Agree in writing to provide the Head of the School or Nominated Supervisor of the Service, information on any changes to their police information, including charges not yet finalised, and
- Provide/agree to a current National Police Clearance (prior to commencement and on at least, an annual basis).

Section 9 of these guidelines may also be useful in helping to identify appropriate risk management controls in these circumstances.

Any decision to ask a person to cease residing on the School or Service grounds, is to be at the Head of School or Nominated Supervisor's absolute discretion.

Online safety

The Online Safety and Digital Wellbeing **Advocate** drives the Anglican School's Commission's work on online safety and supports schools to develop an annual Online Safety and Digital Wellbeing Action Plan. Information on this Plan is available from the Advocate as well as being accessible through each School's Online Safety and Digital Wellbeing Champion.

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ONLINE SAFETY RESOURCES

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Online Safety Educational Framework: https://www.esafety.gov.au/sites/default/files/2019-11/Online%20safety%20education%20framework%20-%20fact%20sheet.pdf

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Reflection: Risk Management Plans for High Risk Activities and Special Events

Consider the School or Service's approach.

- Are all relevant contexts adequately and proactively assessed for risk? Give consideration to all online and physical environments, activities and people children and young people are exposed to as a result of their attendance or enrolment at the School or Service.
- Have the risk management assessments and plans applied focused on preventing, identifying, and mitigating risks to children and young people?
- Have controls applied been effective?
- Do the controls applied by staff and volunteers identify and mitigate risks without compromising a child's right to privacy, access to information, social connections and learning opportunities? What have been the challenges? Have challenges been effectively resolved?
- On review of the approach or actual plans, are any learnings or improvements identified? If so, how are these going to be implemented in planning for future matters?

For Services particularly, consider how Quality Areas 2, children's health and safety, and 3, physical environment, applies.

Communication and Support

- How are staff supported to identify the need for and undertake risk assessment and development of a risk management plan?
- Are there a sufficient range of tools and processes in place to identify, monitor and mitigate risk?
- Are risk assessments and plans – especially controls and the people responsible for them – sufficiently communicated to all stakeholders? Give particular consideration to children and young people, staff and volunteers, other businesses, parents and carers.

Managing Breaches

- Is responsibility for risk assessment, planning and implementation of controls detailed in the performance expectations of relevant staff and volunteers?
- Have any failures in risk management been adequately reported?

10. Policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines

Requirements

CYRMS **must** reference policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines. Communication and support requirements within the Regulations also require that CYRMS **must** detail how the School or Service provides training materials for persons engaged by the school, to help identify risks of harm and how to handle disclosures or suspicions of harm (noting connection to induction and training in section 9 of these Guidelines and Procedures).

Outcomes sought…

National Principles for a Child Safe Organisation:
6: Processes to respond to complaints and concerns are child focused.

United Nations Convention on the Rights of the Child:
Article 19: Children have the right to be protected from being hurt and mistreated, in body or mind.
Article 42: Children have the right to know their rights! Adults should know about these rights and help children learn about them, too.

Other Key Drivers

Child Protection Act 2000

As per section 13E of the Act, if a relevant person (e.g. education and care professionals, teachers and registered nurses) forms a reportable suspicion about a child in the course of the person's engagement as a relevant person, the person **must** give a written report to the Department of Child Safety, Youth and Women.

Education (General Provisions) Act 2006

As per sections 366 and 366A, a staff member of a school, who reasonably suspects in the course of their employment that a student under 18 or with a disability has been sexually abused or is likely to be sexually abused, **must** immediately provide a written report to the Principal or a Director of the School's governing body (or an appropriate delegate). Certain information must be included in this report. The Principal or Director/Delegate **must** immediately provide this report to the Police.

Education (Queensland College of Teachers) Act 2005

Schools (employing authorities) are obliged to inform the Queensland College of Teachers (QCT) about particular allegations:

- as soon as possible, after starting to deal with an allegation of harm or likely harm to a child due to the teacher's conduct - section 76
- after dealing with the allegation, QCT must also be informed of the outcome - section 77
- notification to QCT within 14 days if the school has dismissed a teacher in circumstances that call the teacher's competence to be employed as a teacher into question (regardless of if the matter has been reported or not under s76 or 77) - section 78

- A school must have written processes about how the school will:
  - respond to harm, or allegations of harm, to students under 18 years; and
  - the appropriate conduct of the school's staff and students.
- The processes **must** include a process for:
  a) reporting by a student to a stated staff member of the conduct of another staff member that the student considers inappropriate; and
  b) how the information reported to the staff member must be dealt with by that staff member.
  c) reporting sexual abuse and likely sexual abuse as per the *Education (General Provisions) Act 2006* sections 366 and 366A
  d) reporting a reportable suspicion under the *Child Protection Act 1999*, section 13E

For a) and b) there **must** be at least 2 stated staff members.

- The school must have a written complaints procedure to address allegations of non-compliance with the above written processes. The complaints procedure may form part of any other written procedure for dealing with complaints.
- The School's governing body is required to ensure:
  a) the school's staff and students, and students' parents and guardians, are made aware of the processes for the conduct of staff and students and responses to harm
  b) the processes are readily accessible by staff, students, parents and guardians
  c) staff are trained annually in implementing the processes
  d) the school is implementing the processes

Within regulated timeframes (varying from 24 hours to 7 days) the Approved Provider is required to notify the Regulatory Authority of:
- any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child attending the ECS
- any incident where the approved provider reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the ECS
- allegations that physical or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the ECS
- any complaint alleging the Education and Care Service National Law has been contravened
- any Serious Incidents that occurred or are alleged to have occurred

Regulations (section 183) also detail requirements for the storage or records and other documents.

Relevant Policies and Procedures

Student/child protection
- Student Protection in Anglican Schools Policy and Procedures
- Child Protection in Anglican Education and Care Services Policy and Procedures

Managing Breaches
- Complaints Management in Anglican Schools Policy and Procedures
- Complaints Management in Anglican Education & Care Services Policy and Procedures

Communication and Support

In addition to the detail provided in Section 9 about Induction and Training, Student/Child Protection Resource Sheets are provided to Schools and Services (Student Protection Officers and Nominated Supervisors) to assist in providing people engaged by the School or Service important information about harm to children and young people.

SUPPORTING FORMS

SCHOOLS

EDUCATION AND CARE SERVICES

OTHER ASC RESOURCES

ECS GUIDE TO NOTIFICATIONS TO THE REGULATORY AUTHORITY

ECS CHILD PROTECTION GUIDE FOR PARENTS

SCHOOL'S STUDENT PROTECTION GUIDE FOR PARENTS AND STUDENTS

CHILDREN'S RESOURCE TEMPLATE: WE WANT CHILDREN TO FEEL SAFE AND WELL!

INDUCTION OVERVIEW FOR NEW STAFF AND VOLUNTEERS (SCHOOLS AND ECS)

ADDITIONAL RESOURCES (SCHOOLS AND ECS)

Record Keeping

In addition to regulatory requirements, the ACSQ requires Schools and Services to maintain suitable record keeping as per the approved ACSQ Retention Schedule.

Also, the Royal Commission into Institutional Responses to Child Sexual Abuse recommended (8.4), all institutions that engage in child-related work should implement the following principles for records and recordkeeping, to a level that responds to the risk of child sexual abuse occurring within the institution.

- o Principle 1: Creating and keeping full and accurate records relevant to child safety and wellbeing, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.
- o Principle 2: Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing.
- o Principle 3: Records relevant to child safety and wellbeing should be maintained appropriately.
- o Principle 4: Records relevant to child safety and wellbeing, should only be disposed of in accordance with law or policy.
- o Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

RECORD RETENTION SCHEDULE

Key areas for reflection in the 2020/21 review of Student Protection and Child Protection Policies and Procedures:

Based on Principle 6 for Child Safe Organisations:

- Do they prioritise the safety and wellbeing of children and young people and recognise the role of families and communities in understanding and using the policy?
- Do they demonstrate regard for fairness to all parties to a complaint or investigation including support and information as appropriate?
- Are the policies accessible, clearly outlining the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of matters, relevant breaches of policies or the Code of Conduct, and obligations to act and report?
- Are the processes detailed understandable for children and young people, families, staff and volunteers, are they culturally safe?
- Do they address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operation with law enforcement?
- Are reporting, privacy and employment law obligations met?

Based on recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse:

(7.7) Do policy and procedures cover:
a) Making a complaint
b) Responding to a complaint
c) Investigating a complaint
d) Providing support and assistance
e) Achieving systemic improvements following a complaint?

(13.6) Do policy and procedures sufficiently support the managing of complaints about children with harmful sexual behaviours?

(16.39) Relating to the management of actual or perceived conflicts of interest that may arise in relation to allegations of child abuse, does policy cover all individuals who have a role in responding to relevant complaints?

(16.51) Do policy and procedures require that, upon receiving a complaint of child abuse, an initial risk assessment is conducted to identify and minimise any risks to children?

Reflection: handling disclosures/suspicions of harm

Consider matters managed and how the School or Service demonstrate they were taken seriously and responded to promptly and thoroughly. For example:

- Were the immediate safety needs of all relevant children and young people responded to?
- Were sufficient actions taken to lessen the likelihood of occurrence into the future?
- Are there any themes and if so, can any strategies be put in place to help address these themes?
- Have issues that impact on the development and maintenance of a child safe culture been reported to the Head of School/School Council, or Nominated Supervisor/Management Committee, through quarterly reporting of the CYRM Committee?

For Services particularly, consider how Quality Areas 2, children's health and safety, 4, staffing arrangements 5, relationships with children, and 6, collaborative partnerships with families and communities, applies.

Communication and support

Consider the effectiveness of induction, training and information available to all persons engaged (see section 9 of these Guidelines).

Consider how children and young people are, or can be better informed about who to talk to if they are feeling unsafe and know what will happen? (also discussed in Section 5 of these Guidelines).

Managing breaches

Were matters managed according to policy and procedures? If not consider the root cause of this breach. Consider the effectiveness of performance, training and support. What actions are required to helps prevent such breaches into the future?

11.   Version Control

These Working with Children in Anglican Education Guidelines and Procedures are published by the Anglican Schools Commission (ASC). Should additional information or assistance be required, Schools and Services can contact the ASC's Child Safety and Wellbeing Advocate:

- Phone: 3835 2288
- Email: asc@anglicanchurchsq.org.au
- Website: ascqld.org

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V1.0	18/08/2020	Anglican Schools Commission	Approved by ASC, as delegated within the Working with Children in Anglican Education Policy.

12.   Appendices

APPENDIX 1: ADVICE ON **SCREENING REQUIREMENTS** IN SCHOOLS AND EDUCATION & CARE SERVICES

APPENDIX 2: RECOMMENDED **TEMPLATE FOR CYRMS.** THIS INCLUDES A TEMPLATE FOR AN **ACTION PLAN**

APPENDIX 3: RECOMMENDED **TEMPLATE FOR A TERMS OF REFERENCE** FOR THE CYRM COMMITTEE

APPENDIX 4: RECOMMENDED **TEMPLATE FOR QUARTERLY REPORTING** BY THE CYRM COMMITTEE

APPENDIX 5: RECOMMENDED **CHECKLIST FOR ANNUAL REVIEW** OF THE CYRMS

APPENDIX 6: A TEMPLATE FOR HEADS/ NOMINATED SUPERVISOR **ANNUAL REPORTING** TO GOVERNING BODY (PENDING)