



THE KING'S SCHOOL

CHILD SAFE POLICY (PUBLIC)

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1. Source of Obligation

1.1 The **Children's Guardian Act 2019** legislates 'adopting the Child Safe Standards as the primary framework that guides child safe practice' in NSW.

Section 8A empowers the Children's Guardian to:

- assist child safe organisations to implement the Child Safe Standards by raising awareness and providing guidance, training and education, and
- monitor the effectiveness of organisation's implementation of the Standards;
- investigate complaints regarding an organisation's implementation of, and compliance with, the Standards;
- enforce compliance with the Standards through the imposition of sanctions.

The **Office of the Children's Guardian's** *A guide to the Child Safe Standards* sets out requirements and obligations in implementing the Child Safe Standards.

2. Definitions

2.1 For the purposes of this Policy:

- **Child / Children**
A person who is under the age of 16 years: (Children and Young Persons (Care and Protection) Act 1998).
- **Child Safe Standards**
The requirements set out in the Children's Guardian Act 2019 that child organisations are required to implement to protect and safeguard children and young persons from abuse and harm.
- **Child Safety**
Aims to prevent children being harmed in an organisation. Policies and procedures provide staff with guidance on how to keep children safe.
- **Child Protection**
Relates to how children who are suspected of being at risk of harm are protected. Policies and procedures relate to identifying and responding to different types of child abuse and staff behaviour that is abusive.
- **Criminal Conduct**
Conduct by a student, employee, contractor or volunteer that may be illegal and should be reported to NSW Police.
- **Mandatory Reporting**
The legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. In NSW, mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998.
- **Reportable Conduct**
Conduct that an employee (or student) has engaged in that may need to be reported to the Office of the Children's Guardian as required in the Children's Guardian Act 2019.
- **Student**
Child or young person enrolled at The King's School.
- **Unprofessional Conduct**
Conduct by an employee, contractor or volunteer that breaches the Staff Code of Conduct.
- **Young Person / Young People**
Person/s aged 16 years or above but who is under the age of 18 years (Children and Young Persons (Care and Protection) Act 1998).



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3. Purpose

3.1 This Child Safe Policy aims to prevent children and young persons at The King's School being harmed.

This Policy:

- sets out the School's commitment to the safety and welfare of children and young people in its care through the implementation of the NSW Child Safe Standards;
- is designed to minimise the risk of abuse, misconduct and misuse of positional power;
- informs all staff and volunteers of their obligations and responsibilities in keeping children safe.

4. Scope and Audience

4.1 This Policy applies to anyone who comes into direct or indirect contact with, or engages with, any student at the School in any activity related to the School.

This includes:

- Council Governors;
- people in leadership roles;
- staff members;
- volunteers;
- contractors;
- children and young people;
- families, carers and communities.

All workers, paid or unpaid, who come into contact with children are required to comply with this Policy and prioritise the prevention of harm to children and young people.

5. Responsibilities

5.1 Ensuring the safety, welfare and wellbeing of children is the responsibility of all staff. Key responsibilities are outlined below.

(a) **School Council**

The School Council is responsible for:

- ratifying the School's *Statement of Commitment to Child Safety*;
- ratifying the *Child Safe Policy*;
- ratifying the *Child Safe Risk Management Policy*;
- ratifying the *Staff Code of Conduct*;
- ensuring the School's commitment to child safe practices through allocation of appropriate resources.

(b) **Headmaster**

The Headmaster is responsible for:

- ensuring a strong and sustainable child safe culture is maintained within the School through the effective implementation of the *NSW Child Safe Standards*;
- supporting the School's commitment to child safe practices through allocation of appropriate resources.



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(c) **Director of Continuous Improvement**

The Director of Continuous Improvement is the Chair of the Child Safeguarding Committee.

(d) **Director of People and Culture**

The Director of People and Culture is a member of the Child Safeguarding Committee and is also responsible for:

- ensuring all human resources policies and procedures – including employment and induction processes, are fully compliant with the *NSW Child Safe Standards*;
- monitoring employees' compliance with child safety and child protection training.

(e) **General Counsel and Company Secretary**

The General Counsel and Company Secretary is responsible for:

- making notifications as required to the Office of the Children's Guardian regarding mandatory reporting obligations including submission of:
 - i. 7 Day Notification Form;
 - ii. 30 Day Notification Form;
 - iii. Entity Report Form;
- conducting or overseeing 'reportable conduct' investigations;
- making reports and liaising with NSW Police on possible criminal offences associated with child abuse.

(f) **Deputy Headmaster and Head of Senior School**

The Deputy Headmaster and Head of Senior School is a member of the Child Safeguarding Committee and is also responsible for:

- liaising with the General Counsel and Company Secretary regarding 'reportable conduct' reports and investigations from the Senior School;
- managing, directly or through delegation, mandatory reporting notifications to Department of Communities and Justice in relation to Senior School students;
- conducting, directly or by delegation, investigations into staff unprofessional conduct by Senior School staff.

(g) **Head of Preparatory School**

The Head of Preparatory School is a member of the Child Safeguarding Committee and is also responsible for:

- liaising with the General Counsel and Company Secretary regarding 'reportable conduct' reports and investigations from the Preparatory School;
- managing, directly or through delegation, mandatory reporting notifications to Department of Communities and Justice in relation to Preparatory School students;
- conducting, directly or by delegation, investigations into staff unprofessional conduct by Preparatory School staff.

(h) **Head of Tudor House**

The Head of Tudor House is a member of the Child Safeguarding Committee and is also responsible for:

- liaising with the General Counsel and Company Secretary regarding 'reportable conduct' reports and investigations from Tudor House;
- managing, directly or through delegation, mandatory reporting notifications to Department of Communities and Justice in relation to Tudor House students;



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- conducting, directly or by delegation, investigations into staff unprofessional conduct by Tudor House staff.

(i) **Child Safeguarding Committee**

Members of the Child Safeguarding Committee are:

- Director of Continuous Improvement;
- Director of People and Culture;
- Deputy Principal and Head of Senior School;
- Head of the Preparatory School;
- Head of Tudor House;
- Director Character Development and Leadership ;
- Deputy Head - Students and Community (Senior School);
- Deputy Head - Students and Community (Preparatory School);
- Deputy Head - Students and Community (Tudor House);
- Quality and Compliance Manager.

The Child Safeguarding Committee is responsible for:

- reviewing the School's compliance and implementation of the NSW Child Safe Standards (as part of the School's Macro Operational Risk Register);
- mapping annual staff training regarding:
 - i. child safe culture and practices;
 - ii. child protection policies and practices.

(j) **Director of the The King's School Institute**

The Director of the The King's School Institute is responsible for:

- liaising with the Child Safeguarding Committee and the Quality and Compliance Manager regarding:
 - i. developing King's-specific child safety and child protection online training;
 - ii. ensuring all staff are effectively trained in their responsibilities and obligations regarding the School's child safe culture and practices and child protection policies and procedures.

(k) **Quality and Compliance Manager**

The Quality and Compliance Manager is responsible for:

- providing policy and practice advice and support to the Chair of the Child Safeguarding Committee and other School Leaders;
- providing advice and drafting policy changes to reflect changed legislative and regulatory requirements;
- ensuring all School child safe policies are:
 - i. compliant with all legislative and regulatory requirements;
 - ii. reflect advice and guidelines provided by the Office of the Children's Guardian, the Department of Communities and Justice and NSW Education Standards Authority.
- ensuring all child safety and child protection policies and procedures are available to staff, students and parents as per the School policy.



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(l) **Staff, Contractors and Volunteers**

All staff, contractors and volunteers are responsible for complying with the following:

- *Statement of Commitment to Child Safety;*
- *Child Safe Policy;*
- *Staff Code of Conduct.*

Staff are also required to comply with all School Child Protection and Child Safety policies and procedures.

6. Prevention of Harm

6.1 This Policy is designed to ensure that all students at the School are protected from the following harm and abuse:

(a) **sexual offences** under the Crimes Act 1900 such as:

- 'contact behaviour' such as:
 - i. sexual intercourse;
 - ii. sexual touching;
 - iii. kissing;
 - iv. fondling;
 - v. sexual penetration;
 - vi. exploiting a child or young person through prostitution.
- 'non-contact behaviour' such as:
 - i. flirting;
 - ii. sexual innuendo;
 - iii. inappropriate text messaging;
 - iv. inappropriate photography;
 - v. exposure to pornography or nudity.

(b) **sexual misconduct**, such as:

- descriptions of sexual acts without a legitimate reason to provide the descriptions;
- sexual comments, conversations or communications;
- comments to a child that express a desire to act in a sexual manner towards the child, or another child;
- grooming.

(c) **ill-treatment of a child**

(d) **neglect of a child**

(e) **an assault against a child**

(f) **an offence under 43B (failure to protect) or 316A (failure to report) of the Crimes Act 1900.**



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7. Our Policy

7.1 The King's School will fully and comprehensively implement the NSW Child Safe Standards as a preventative, proactive and participatory approach to minimise the possibility of harm and risk to students.

(a) Organisational Leadership, Governance and Culture

The King's School is a child safe organisation that is committed to child safety.

- The King's School is committed to fully implement the *NSW Child Safe Standards*.
- The King's School has a clearly articulated *Commitment to Child Safety* that informs all other policies and practices within the School. This Commitment is available to all members of the School community and is available publicly on our website.
- The School has clearly articulated behaviour expectations of staff and other adults as set out in key child safe policies such as the *Staff Code of Conduct*, *Parent Code of Conduct*, *School Council Code of Conduct*.
- The School has robust child safe risk management practices that minimises the risk of harm to students.
- The School has implemented complaint handling, information sharing and reporting policies that ensure an effective child safe culture at the School.

(b) Student Empowerment

The King's School actively seeks the opinions of students and respects their 'voice'.

- The School empowers students to raise concerns regarding themselves or others through:
 - i. a pastoral care program that fosters openness, security, and support for student;
 - ii. a range of feedback mechanisms such as surveys and feedback processes (including online and anonymous submission of complaints).
- Student leadership roles and structures provide opportunities for students to contribute to decisions and processes that affect them.

(c) Family and Community Involvement

The King's School works in partnership with families, caregivers and the broader community to promote the wellbeing and safety of students.

- The School ensures families and communities are aware of our commitment to child safety through appropriate communication with them.
- The School feedback processes are easily available to families and the community to facilitate effective communication and involvement.
- Child safe information is available to parents in various formats such as on our website and in Family Bulletins.

(d) Equity and Diverse Needs

The King's School provides culturally safe and child-friendly services for all students while protecting and supporting all students equitably.

- School Leaders and staff identify and respect the diverse needs, abilities and backgrounds of all students, and understand the value of treating them fairly.
- Every School activity is designed to ensure all students have the opportunity to participate irrespective of diverse needs and capacities.



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- The School actively promotes tolerance and inclusion in all activities and processes.
- The School encourages students with diverse needs to raise concerns regarding their safety and inclusion and these concerns are taken seriously.

(e) **Human Resource Management**

The King's School recognises that human resource management plays a vital role in protecting children from harm.

- The School's human resources management processes support our child safe culture by:
 - i. robust recruitment processes that emphasise our child safe culture and processes including advertising that identifies our commitment to child safety, appropriate background and referee checks;
 - ii. job descriptions and contracts that articulate our child safe culture and practices;
 - iii. induction processes that include Child Safe Policy, Staff Code of Conduct and relevant child protection policies.

(f) **Complaints**

The King's School's complaint processes support children who are exposed to the risk of harm and encourage them to speak up.

- The School has a student accessible complaint handling policy and procedure that includes information on how to make a complaint, respond to a complaint, investigate a complaint, and provide support and assistance for those making a complaint.
- Complaints are taken seriously and responded to respectfully and appropriately.
- Students are able to make complaints in a variety of ways that recognise and accommodate the factors that inhibit them raising their concerns.

(g) **Staff Training**

The King's School promotes continuous learning and provides regular ongoing education and training for staff.

- The School has a training program that provides staff with the knowledge, skills and confidence to prevent and identify abuse, and to respond to complaints.
- Staff who are involved in roles and situations with higher risk (such as boarding staff, managers of international students, heads of House, child safety investigators and those attending residential camps and international tours) are provided with more specialised training opportunities.
- Staff training complies with all regulatory requirements such as annual training regarding reporting obligations.

(h) **Physical and Online Environments**

The King's School is focused on ensuring the physical environment of the School minimises opportunities for abuse and harm to occur, and it provides training for staff and students to minimise harm and abuse in online environments

- Staff understand the School's behavioural standards when interacting with children in physical and online environments.
- Activities with particular risks for students interacting with adults have specific child safe risk management controls (e.g. excursions, residentials, peripatetic teachers).



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- Physical environments are altered to increase natural lines of sight while respecting a child's right to privacy.
- Staff, students, and parents are provided information about risks in the online environment, such as online grooming, cyber bullying, and sexting.
- Risk management plans identify risks to child safety in physical and online environments, and how these will be managed.

(i) **Continuous Review and improvement**

The King's School has in place systems to monitor and evaluate how we have implemented the Child Safe Standards.

- Leaders maintain a culture of continuous improvement to ensure that policies and procedures are implemented and routinely reviewed even though staffing may change.
- Child safety is a Macro Operational Risk (in the School's Risk Register) and controls are reviewed every six months.
- Macro Operational Risk Reviews involve:
 - i. reviewing and rating effectiveness of each set of controls for each Child Safe Standard;
 - ii. reviewing data relevant to child safety 'in practice' e.g. complaints register, incidents of unprofessional staff behaviour, notifications to external agencies such as Department of Communities and Justice and student and parent survey results;
 - iii. identifying targets for improved controls and control implementation for each six-month period.

(j) **Policies and Procedures document our Child Safe Culture**

The King's School has child safe policies and procedures that are relevant, effective, up-to-date, and accessible to all members of the community.

- The School implements the Child Safe Standards through a suit of policies and procedures, which address all aspects of the Standards:
 - i. *Statement of Commitment to Child Safety;*
 - ii. *Codes of Conduct:*
 - *School Governors*
 - *Staff*
 - *Parents*
 - *Students*
 - iii. *Child Safety Risk Management*
 - iv. *Complaints and Grievances Resolution Procedure (Parents and Students)*

Additional Policies relating to the Schools implementation of each of the Child Safe Standards are being developed and will be added to this list when they have been reviewed and adopted by the Core School Executive.

- Child safe policies are specific to the School and outline school specific policies and practices to minimise risks to the safety of students.
- This Child Safe Policy, Codes of Conduct (Staff, Students, Parents and Governors) and complaint handling procedures are publicly accessible to staff, students and parents.
- Staff are monitored to ensure they comply with child safe policies and procedures.



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8. Related Legislation and Regulations

8.1 A range of Commonwealth and State laws are relevant to this policy:

- Anti-Discrimination Act 1977 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Child Protection (Working with Children) Regulation 2013 (NSW)
- Children's Guardian Act 2019 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children and Young Persons (Care and Protection) Regulation 2012 (NSW)
- Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015 (NSW)
- Civil Liability Act 2002 (NSW)
- Crimes Act 1900 (NSW)
- Disability Inclusion Act 2014 (NSW)
- Education Act 1990 (NSW)

8.2 The following regulations are relevant to this policy:

- NSW Education Standards Authority *Registered and Accredited Individual Non-government Schools (NSW) Manual*.

8.3 The following Standards are relevant to this policy:

- NSW Child Safe Standards.

9. Related Policies

<i>Statement of Commitment to Child Safety</i>	Standard 1
<i>Codes of Conduct</i>	
a) <i>School Governors</i>	Standard 1
b) <i>Staff</i>	Standard 1
c) <i>Parents</i>	Standard 1, 3
d) <i>Students</i>	Standard 1, 2
<i>Child Safety Risk Management</i>	Standards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10
<i>Complaints and Grievances Resolution Procedure (Parents & Students)</i>	Standard 6, 7, 10
<i>Excursions Policy</i>	Standard 7, 8, 10

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10. Publication

10.1 This Policy is available to the School Community in the following locations:

- Staff – Policy Portal
- Students – KingsNet
- Parents – KingsNet, School Website
- Community Members – School Website

11. Evaluation and Review

11.1 This Policy is evaluated and reviewed six-monthly as part of the School's Macro Operational Risk – Child Safety Review.

This review is undertaken by the *School Child Safeguarding Committee* and any proposed amendments are sent to The Council of The King's School for consideration.

Version Table	
Version	Date
1.0	January 2023

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