

# Reporting Concerns to Department of Communities and Justice (DCJ) and Police Procedure



## 1. Rationale

*"We need to see each child as a gift to be welcomed, cherished and protected."*

- Pope Francis

Catholic Education Diocese of Wagga Wagga (CEDWW) is committed to ensuring the safety, welfare and wellbeing of each student. Our dual obligation to the education and faith formation of each child is of the uppermost importance. To facilitate this educational and spiritual development it is important that every student is safe while at school, and protected from any concern arising outside of school which may impact their capacity to engage fully in their studies and faith formation. CEDWW employees have significant obligations as mandatory reporters, for the safety of children and young people. This procedure outlines the process of reporting, which a staff member should follow if a concern should be raised about the safety, welfare or wellbeing of a child or young person.

## 2. Guiding Principles

- 2.1. CEDWW is committed to the safety and wellbeing of all students.
- 2.2. CEDWW Employees are expected to report any concern regarding the safety of a child or young person
- 2.3. To support the safety of students, it is critical that all staff and students are aware of protocols in relation to reporting concerns related to student safety.
- 2.4. Where a concern arises in relation to the safety of a student, appropriate support will be provided to the student.
- 2.5. Parents, carers and families agree to work collaboratively and constructively with CEDWW in supporting the safety and wellbeing of students.
- 2.6. Parents and carers enrolling their children with CEDWW accept on enrolment that CEDWW has reporting obligations for the safety and wellbeing of students, and agree to respect and support CEDWW in meeting these obligations.

## 3. Procedure

### 3.1. Process for Mandatory Reporting to the NSW Department of Communities and Justice (DCJ)

- 3.1.1. A report must be made to DCJ when a mandatory reporter has current concerns about the safety, welfare and wellbeing of a child for any of the following reasons:
  - The basic physical or psychological needs of the child or young person are not being met (neglect)
  - The parents or caregivers have not arranged necessary medical care for the child or young person (unwilling or unable to do so)
  - The parents or caregivers have not arranged for the child or young person to receive an education in accordance with the [Education Act 1990](#) (NSW) unwilling or unable to do so)
  - Risk of physical or sexual abuse, or ill-treatment (physical or sexual abuse)
  - Parent or caregiver's behaviour towards the child causes or risks serious psychological harm (emotional abuse)
  - Incidents of domestic violence and, as a consequence, a child or young person is at risk of serious physical or psychological harm (domestic or family violence)
  - The child was the subject in a prenatal report and the birth mother did not engage successfully with support services.

- Parental mental health, drug use
  - A parent relinquishing care of a child
- 3.1.2. Mandatory reporters are required by law to report to DCJ if they suspect that a child is at Risk of Significant Harm (RoSH). CEDWW requires mandatory reporters to also make reports in relation to concerns around young people (aged 16-17 years) as an aspect of their duty of care obligations to all students.
- 3.1.3. If a staff member identifies a concern in relation to the safety, welfare and/or wellbeing of a child or young person, they are required to immediately report the concern to the school Principal or the most senior person on site, for instance, the Assistant Principal.
- 3.1.4. The Principal in determining whether a concern necessitates mandatory reporting to DCJ, may seek the support of one or more of the following
- The NSW Government [Mandatory Reporter Guide](#)
  - CEDWW Child Protection Team on 69370000
  - The Student Wellbeing and Diverse Learning Team
- 3.1.5. All concerns which require mandatory reporting will be reported to the DCJ by the Principal (or the most senior person on site), using the online form or by the phone to 132 111.
- 3.1.6. The Principal/Director making the report must email a copy of the RoSH Report to the CEDWW Child Protection Team as soon as practicable at [cpconfidential@wagga.catholic.org.au](mailto:cpconfidential@wagga.catholic.org.au)

### **3.2 Process for Mandatory Reporting to NSW Police**

- 3.2.1 If a staff member identifies a concern in relation to the safety, welfare and/or wellbeing of a child or young person, they are required to immediately report the concern to the school Principal or the most senior person on site for instance, the Assistant Principal. The staff member can request the reference number from the report made, or should be part of completing the report. A staff member can also make their own mandatory report in addition to the report made by the Principal or other party.
- 3.2.2 The Principal may determine that it is necessary to report the concern to the NSW Police in addition to DCJ.
- 3.2.3 The NSW Police should be contacted prior to DCJ where there is an imminent threat, danger or risk of immediate harm to any person, including to the child or young person, or to a school staff member.
- 3.2.4 The circumstances in which a report to NSW Police should be made, include but are not limited to:
- where a concern may constitute or involve a criminal offence; and/or
  - where there is an imminent threat, danger or risk of immediate harm to any person including to a child, young person or school staff member
- 3.2.5 In circumstances where a report to NSW Police is to be made:

- In the case of an imminent threat, danger or risk of immediate harm, the Principal would make the report to emergency services 000 where police attendance is required, as a matter of urgency
- where there is no imminent threat to any person, the Principal would contact and report the matter through the school's allocated police liaison officer.
- where the police liaison officer is not available, the principal will contact the Local Area Command to make the report.

3.2.6 In determining whether a report should be made to NSW Police, the Principal may wish to:

- Contact a member of the Child Protection team

<b>Student/Family</b> Monica Cameron - 0439 198 116 Gloria Blacka - 0428 767 418 Georgina Blake - 0409 531 576	<b>Diocese/Clergy</b> Damian Reeves - 0400 487 591
<b>CEDWW Staff Member or Contractor engaged by CEDWW</b> Fiona Piltz - 0409 824 634	<b>CEDWW Staff Member or Contractor engaged by CEDWW</b> Virginia Pattison - 0417 126 375

3.2.7 The principal making the report should email the police report number and details of the report to the Child Protection team as soon as practicable.  
[cpconfidential@wagga.catholic.org.au](mailto:cpconfidential@wagga.catholic.org.au)

### 3.3 Confidentiality of concerns

- 3.3.1 Any concern raised in relation to the safety, welfare or wellbeing of a child and/or young person is confidential. No staff member is to disclose any concern to any person outside the school Principal or in their absence, to the most senior person available on site.
- 3.3.2 Reports made by mandatory reports to DCJ or by a Principal to NSW Police are confidential and should not be disclosed to any person outside of the Child Protection Team, the Student Wellbeing and Diverse Learning Team and any other relevant personnel.
- 3.3.3 CEDWW staff are not permitted to disclose the making of, the nature, or contents of a report to DCJ or NSW Police, to any person outside the Student Wellbeing and Diverse Learning Team and Child Protection Team or any other relevant office personnel, without the permission of DCJ and/or NSW Police respectively.
- 3.3.4 To avoid any doubt, any reports made to DCJ or NSW Police are not to be disclosed in any circumstances to any student or parent. This includes the parents of the child about whom the concern has been raised. Any concerns around what, if any, information can be given to families involved must be discussed with DCJ and/or the NSW Police prior to disclosure.
- 3.3.5 A staff member who raises a concern and a Principal who reports the

concern will maintain confidentiality and will not disclose the concern to any other staff members at the local level. The Principal may determine that a concern needs to be disclosed to a particular school staff member in order to support the needs of the student at school (i.e informing the class teacher or school counsellor). This disclosure will occur in consultation with the Student Wellbeing and Diverse Learning Team and/or the Child Protection Team.

### **3.4 Support for Students**

- 3.4.1 If a staff member identifies a concern in relation to the safety, welfare and/or wellbeing of a student, the student will be provided with the opportunity to access to appropriate supports which may include, one or more of the following:
- school level counselling
  - Student Wellbeing Team support
  - referral to appropriate external support agencies for the student and/or family
  - risk assessment and/or
  - return to school plan, counselling support plan, or individual adjustment plan.

## **4. Procedures**

- 4.1 Responsibilities of Principals/Managers/Leaders:
- Ensure that all reasonable steps are taken to protect student safety, welfare and wellbeing
  - Notify NSW Police appropriately, of any concern raised in relation to a criminal offence or of any immediate threat.
  - Notify DCJ appropriately, of any concern raised in relation to the safety, welfare and wellbeing of a child or young person.
  - Ensure the school and staff comply with all mandatory reporting obligations.
  - Maintain appropriate records of any RoSH or police reports made.
  - Submit relevant records of RoSH and police reports to the Child Protection Team
  - Identify appropriate supports of students about whom concerns have been raised with regard to their safety, welfare and wellbeing.
- 4.2 Responsibilities of Parents:
- Parents should communicate fully with the school around any matters which pose a risk to the safety, welfare and wellbeing of a student.
  - Parents should not seek information from the school around any report to DCJ or Police, and will need to communicate directly with those agencies.
  - Parents will engage positively with school staff to support a student, following any concern being raised around their safety, welfare and wellbeing, including the development of individual student plans, medical and other assessments, counselling support and other recommendations.
  - Parents have a responsibility to work collaboratively and constructively with CEDWW in supporting the safety, welfare and wellbeing of all students.
  - Parents and carers enrolling their children with CEDWW accept on enrolment that CEDWW has reporting obligations for the safety and wellbeing of students and agree to respect and support CEDWW meeting these obligations.



#### 4.3 Responsibilities of Employees:

- Employees must report any concerns in relation to the safety, welfare and/or wellbeing of a child or young person to their Principal or the most senior person on site.
- Employees must keep all matters in relation to the safety, welfare and/or wellbeing of a child or young person confidential, with the exception of disclosing to their Principal (or their delegate). Unreasonable disclosure of information to parents, students or other colleagues may have performance implications.
- Employees must abide by this procedure in relation to the immediate notification to the Principal or appropriate delegate.

### 5. Bases of Discretion

- 5.1 Principals will determine whether a mandatory report needs to be made to DCJ in relation to a concern consistent with the procedure, advice from the Child Protection Team and the Mandatory Reporter Guide.
- 5.2 Principals will determine whether a report to the NSW Police needs to be made in relation to a concern consistent with this procedures, and advice from the Child Protection Team.

### 6. Explanatory Notes and Definitions

- 6.1 **Child** - a person under the age of 18 years. Regarding matters notifiable to the Department of Communities and Justice, a child is a person under 16 years.
- 6.2 **Young Person** - a person aged 16 or 17 years
- 6.3 **Child Abuse** - Child Abuse includes, but is not limited to, the following:
- **Physical Abuse**
    - A non-accidental injury or physical harm to a child/young person that may have been caused by a parent/carer or other adult household member.
    - You know of treatment of a child/young person by a parent/carer or other adult household member that may have caused or is likely to cause an injury or physical harm.
    - Child/young person was injured, or nearly injured, during a domestic violence incident involving adults.
  - **Neglect - Supervision; Shelter/Environment;Food;Hygiene/Clothing;Medical Care; Mental Health; Education - not enrolled; Education - Habitual Absence.**
    - You suspect that a parent/carer is not adequately meeting child/young person needs.
    - A child/young person appears neglected.
    - A child/young/person is a danger to self or others and parents/carers are not supervising or providing care.
    - For example - not adequately meeting a child/young person's needs, such as: supervision, shelter, medical care, hygiene/clothing, mental health care, schooling/education, poor nutrition, or other basic needs.
  - **Sexual Abuse - Child or Young Person; including Problematic Sexual Behaviour Toward Others**

- You learn about sexual abuse or have concerns about sexual contact involving a child/young person.
- A child/young person has medical findings that give rise to suspicions of sexual abuse.
- A child/young person's behaviour, including sexualised behaviour, makes you worry that he/she may be a victim of sexual abuse.
- You are concerned that a child/young person is at risk of sexual abuse.
- You are concerned/worried that a child or young person may be sexually harming another child or young person.
- **Psychological Harm**
  - A child/young person appears to be experiencing psychological/emotional distress that is a result of parent/carer behaviour such as domestic violence, carer's mental health, carer's substance abuse.
  - A child/young person is a danger to self or others as a consequence of parent/carer behaviour.
  - You are aware of parent/carer behaviours, including domestic violence that are likely to result in significant psychological harm.
  - You are aware of an underage marriage or similar union that has occurred or is being planned
- **Child/Young Person is a Danger to Self and/or Others**
  - A child/young person is demonstrating suicidal or self-harming behaviours.
  - A child/young person is a danger to self or others and the reporter does not know whether the parent/carer behaviours contributed now or in the past. For example, a parent/carer allows the child/young person to consume/use or has provided the child/young person with alcohol or drugs.
- **Relinquishing Care**
  - Parent/carer states they will not or cannot continue to provide care for a child under the age of 16; or a young person over 16 and he/she is unable to make an informed decision (temporarily or permanently). Child/young person is in voluntary care for longer than legislation allows.
- **Carer Concern - Substance Abuse; Mental Health; Domestic Violence**
  - You have information that the child/young person is significantly affected by carer concerns such as substance abuse, mental health or domestic violence.
- **Unborn Child**
  - You are concerned for the welfare of an unborn child at birth.

6.4 **Mandatory Reporters** - are defined under the Children and Young Persons (Care and Protection) Act 1998 (NSW) as persons who deliver services directly to children and young people. This includes all staff employed by CEDWW including those engaged in schools, central and regional offices, both lay staff and members of religious orders.

6.5 **Significant Harm** - can include, but is not limited to the following:

- Circumstances causing concern to a significant extent
- Sufficiently serious for statutory response
- Not minor or trivial
- Reasonable expectation of a substantial and demonstrably adverse impact on a child or young person's safety, welfare or wellbeing.

'Significance' can relate to a single act or mission or an accumulation of the matters that require reporting. For example, a single act could be a report of a "one off" black eye from being punched in the face. Accumulation may be a report

being made because there has been a number of unexplained bruising observed on a child who is also away a lot from school.

- 6.6 **Employee** - An employee is defined as any person who is engaged by the CEDWW, whether or not they are employed in connection with work or activities that relate to children in a paid or voluntary capacity; as well as any person engaged by CEDWW to provide services to children and young people. This includes: contracted staff, such as special transport drivers, cleaners and maintenance contractors, sub-contracted staff, such as canteen managers; trainees, such as those on student placement or work experience; clergy visiting schools and volunteers, such as parent helpers. Any reference to employees in the procedure encompasses all categories outlined above.

## 7. Supporting Documents

### 7.1 Related Policies and Procedures

[Code of Conduct in the Protection of Children Students and Young People](#)

[Student Wellbeing and Pastoral Care Policy](#)

[Child Protection Procedures: Responding to Complaints and Allegations](#)

[Child Protection Policy: Responding to Complaints and Allegations](#)

### 7.2. Supporting Documents

[NSW Government Mandatory Reporter Guide \(MRG\)](#)

### 7.3 Relevant Legislation

[Children and Young Persons \(Care and Protection\) Act 1008 \(NSW\)](#)

[Child Protection \(Working with Children\) Act 2012 \(NSW\)](#)

[Child Protection \(Offenders Registration\) Act 2000 \(NSW\)](#)

[Crimes Act 1900 \(NSW\)](#)

[Public Interest Disclosures Act 1994 \(NSW\)](#)

[Privacy and Personal Information Protection Act 1998 \(NSW\)](#)

[Work Health and Safety Act 2011](#)

## 8. Further Information

If you have any enquiries about the requirements above or the investigations process, please contact the Child Protection team:

Who are the members of the Child Protection Team?

1. Monica Cameron - Senior Education Officer Diverse Learning
2. Gloria Blacka - Senior Education Officer Student Wellbeing
3. Georgina Blake - Student Wellbeing Case Manager
4. Fiona Piltz - Head of People and Culture
5. Damian Reeves - Professional Standards & Safeguarding Officer
6. Virginia Pattison - Senior HR Partner - People and Culture

*How do I contact a member of the Child Protection Team?*

All team members can be contacted on email - [cpconfidential@wagga.catholic.org.au](mailto:cpconfidential@wagga.catholic.org.au) **OR**

Student/Family	Diocese/Clergy
Monica Cameron - 0439 198 116	Damian Reeves - 0400 487 591



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If you have any questions about this document or would like further information, please contact the Student Wellbeing and Diverse Learning Team.