



Kindlehill School

Annual Education & Financial Report 2017

"From a Steiner perspective, one could say the task of the kindergarten child is to experience oneself in love, for the primary school child to be guided by love into a love of the world, and for the young person in high school; to awaken love within oneself toward humanity and the world around them. These three stages represent a cycling of love, first placed around the child, then nurtured within to form a vessel in the primary years, and in the teenage years, supporting its unique blossoming and unfolding into the world through the individual."



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1.0 Introduction

This report is prepared in accordance with the requirements of the Commonwealth Government.

There are two parts to this report: the first section contains commentary and data; and the appendix contains supporting information and details of school policies. Policies are available in paper versions from the school administration.

Method of distribution of this report:

- Via email to parents, with hard copies available as needed
- Via download on the School's webpage
- Via NESA web site.

Kindlehill is a small school in its 17th year of operation.

IN 2017, the school Board of Directors consisted of six members including the Principal.

The College of Teachers includes all full time teachers at the school and exists to manage the day to day operations and curriculum decisions for the school. In 2017, one additional part time teacher joined the College of Teachers.

The Principal reports to the Board on behalf of the College of Teachers. These are the key school bodies.



The Kindlehill Kindy Garden

2.0 A message from the College of Teachers



CAMPFIRES! This was the Kindlehill big imagination that steered our activities for 2017. It was a year of opportunities for learning from each other, for sharing, reflecting, welcoming, storytelling and collaborating. Around the “campfires” there was a sparking of initiatives, gatherings with warmth and connectedness, times for gazing into the fire and imagining.... The theme of our year encompassed campfires in our school community and also connecting to those in the wider community and beyond.



This artwork was created by school parent, Katie Squires. The inner circles symbolise a campfire and the half circles on the outside symbolise each class at the school. Niah Brennan, Class 6 student screen printed this design as part of her ‘Big Project’.

LITERACY: With a focus on Literacy and Literature, this year we appointed a literacy coordinator to the primary school. There has been an improved cohesiveness and an expansion of our literacy programmes. Alongside of this teaching staff met fortnightly through the year to target improved student writing using the 6 plus 1 framework. Teachers worked on writing exercises, devised lessons around chosen strands and brought student work back to the meetings for discussion and moderation. Student engagement with reading was also a focus with library lunches, a reading challenge and regular library visits. More beautiful books were purchased for the library which now continues to be transformed into a welcoming and inviting place to READ!

THE BIG PROJECT: Year 6/7 students worked on a project of their choice throughout the year. Each student needed to choose a subject; find a mentor for project guidance and specialist support; keep a journal of plans, progress, key learnings; and display this project, with a spoken presentation. This culminated in term 4 in which the Performance space was transformed into a gallery, with speeches and displays. Projects included art, physics, a film about refugees, a soundscape to Uncle Ed's story, soap making, costume making, print making, storybooks, horse riding, social activism and a replica of the Sydney Cricket Ground in Lego!



MUSIC: Kindlehill is well known in the Blue Mountains for its artistic, creative, musical, rich with activity, social and enthusiastic education! School fairs and events showcase student work. A highlight was the end of year music festival featuring a whole school performance of Adiemus incorporating all the instrumentalists from the school musical instrument programme, complemented by whole school singers.



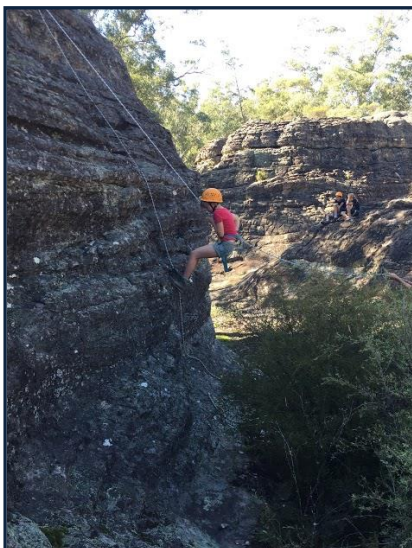
HIGH SCHOOL: Another highlight for 2017 was the high school play, Healing Home and Community. This was a moving and beautiful multi layered project. Students attended working bees to restore well being to Colin's home (a local Darug man) and then with his blessing, used it as a stage for devised stories about relationships to home. Colin was deeply touched by both the practical support and the performance. The student performances were deeply moving and authentic, drawn from stories close to their own hearts and circumstances.



SOCIAL INITIATIVES: There were many initiatives in 2017 including the primary school shoebox for refugee project, the class 4/5 campaign to ban plastic shopping bags in our local shopping area, class 6/7 refugee food challenge and a high school campaign to support the U.N. Treaty to Ban Nuclear Weapons. Kindlehill supports its students to be active participants in contributing to a fairer and more compassionate world for all.



CONNECTING TO NATURE: Resilience, challenge and connecting to nature are the foundations of Kindlehill's Outdoor Education Programme. It begins in the younger classes with bush circle, excursions into our Blue Mountains environment and then expands as the children grow. Highlights this year included the 4/5 snorkeling trip, 6/7 Cultural Trip to Western NSW with Uncle Pete and Auntie Katy, and the high school trip to the Great Barrier Reef to study reef ecology and the impacts of climate change.



PATHWAYS INTO COMMUNITY: Being part of our wider community is important. Our school hall is used by musicians, drama and dance groups from the wider community. This year an event to celebrate International Women's Day was held at Kindlehill, and Class 4/5 co-hosted the mid mountains Waterways Festival, aimed at connecting community to the beautiful lake environment we share in Wentworth Falls.



Kindlehill is a thriving community. The teaching staff are exemplary in their commitment to a creative, artistic, purposeful and relevant education from the Kindy to year 10. The administration staff are integral to all and we enjoy the bountiful support of parents in so many ways from the practical to the creative. Our goal is be a thriving collaborative community, centred around children and young people.



Staff following performance of The Dandelion Play for primary school

Kindlehill seeks to imbue children in the younger years with reverence for life and to support primary age children in feeling themselves in relationship to the beautiful and complex world around them. In the later primary and high school years, we strive to develop the critical thinking capacities, resourcefulness and creativity, that will see our young people go into the world to live meaningful and productive lives. We have around us the warmth and strength of an active and resourceful parent body, as well as many supportive friends in our wider Blue Mountains community. Together we are kindling a light on the hill to illumine and warm, hearts and minds, well into the future.

Lynn Daniel

Principal

3.0 A Message from the Business Manager

Kindlehill's teaching body, support staff and management remain vibrant and continue to strive cohesively towards our common vision for the school. All teams work collaboratively with ongoing face to face contact to enable our vision to remain key in all our daily activities.

Kindlehill welcomed Sarah Mann to our Board in 2017. Sarah is a Kindlehill parent and assistant in our Kindy garden. Sarah brings a rich knowledge of naturopathy and anthroposophical medicine to all her work and is inspired by the warmth alive in the management of the school. Her perspectives in our strategic direction are warmly welcomed and we are grateful she has accepted this Board position.

In January 2017, John Daniel stepped down as Business Manager of Kindlehill, and Simone Glassford commenced in the role, after 6 years as Administration Manager. Kindlehill formed an active Finance Committee to support the Business Manager in decisions relating to the financial direction and financial modelling for the school. The Finance Committee meets regularly to a clear and detailed mandate, the first being the completion of the large BGA (Block Grant Authority) application to assist with our 2018 building works.



From left to right: John Daniel, Pippita Bennett, Lynn Daniel, Murray Hopkins, Sarah Mann, Steve Grieve.

Kindlehill finalised the scope for the Stage 1 of our Master Building Plan in 2017, and secured a Block Grant to assist with the completion of these works. The construction is due to commence in mid-2018, and includes two new high school break-out rooms, a dedicated art room, dedicated science room, and a dedicated hard craft/woodwork room. The works will also involve renovation work to the existing primary school building, and upgrades to the toilet facilities. The benefits of the new buildings will be felt from high school through to the Kindergarten students.

Enrolments and Government Funding

Enrolments remained steady in 2017, with full classes through all primary school. The kindergarten enrolments were lower than usual and this was reflected across other Blue Mountains' Schools. In 2018, we have seen this smaller class fill as they transitioned into Class 1. Our upper primary 6-7 class completed their final year of primary school, and we have seen the majority of the group continue into

year 7-8 at Kindlehill. Maintaining strong enrolments in the upper primary is critical to our high school growth.

Scholarships

Kindlehill welcomed additional students into our Aboriginal Scholarship Programme. The Programme has provided a cultural richness and expanding of friendship circles that has far surpassed our community expectations.

Administration

Our administration team grew further in 2017, with the addition of more part time roles, and the intention to expand these as the school grows. Our team is strong and skilled and is proving to be flexible with our ever-evolving requirements.

The scope of the business management and administration is extending as we see our IT network expand, as well as focussing on additional marketing activities, events and increasing compliance around our financial activities, WHS, and human resources.

Kindlehill is looking forward to the 2018 school year, with a wonderful construction project in the pipeline, an ever expanding community of wonderful parents and children, and our largest high school group to date.

Simone Glassford

Kindlehill Business Manager

4.0 Contextual Information about the School

Contextual information about the School can be found at <http://www.myschool.edu.au/>

5.0 School Performance

Information on student performance in all national or state-wide tests or equivalent and examinations can be found at <http://www.myschool.edu.au/>

6.0 Teaching Standards & Professional Learning

6.1 Details of all teaching staff: teaching standards

Category	Number of Teachers
Teachers who have teaching qualifications from a higher education institution within Australia or as recognised within the National Office of Overseas Skills Recognition (AEI-NOOSR) guidelines, or	13

Teachers who have a bachelor degree from a higher education institution within Australia or one recognised within the AEI-NOOSR guidelines but lack formal teacher education qualifications.	1
Teachers who do not have qualifications as described in (a) and (b) but have relevant successful teaching experience or appropriate knowledge relevant to the teaching.	1

Teacher Accreditation

Level of accreditation	Number of teachers
Pre-2004 Teachers (accreditation not required in 2017)	0
Conditional	1
Provisional	3
Proficient	8
Highly Accomplished Teacher (voluntary accreditation)	0
Lead teacher (voluntary accreditation)	0
Total number of teachers	12

6.2 Teaching staff professional learning

Professional development is undertaken by teachers through external bodies such as the AIS, as well as through regular sessions within the school.

PROFESSIONAL DEVELOPMENT focus for 2017 included a whole school writing focus using 6 plus 1 traits model as well as:

- ≈ First aid certificate upgrades for class teachers and assistants
- ≈ Attendance at relevant AIS professional and management forums.

Further details of Professional learning can be found in Appendix A.

6.3 Teaching staff attendance, retention rates, and workforce composition

In 2017, the average daily staff attendance rate was 98%.

The full time staff retention rate was 100%.

Workforce composition can be found at <http://www.myschool.edu.au/>.

Kindlehill had no Aboriginal or Torres Strait Islander on staff in 2017.

7.0 Student Attendance

The following table displays 2017 student attendance by class compared to 2016 attendance.

The average attendance of students from K-10 for the 2017 school year was 94%.

Class/Year	% Days Attended in 2016	% Days Attended in 2017
Kindergarten	94.1%	91.1%
Class 1	93.2%	92.5%
Class 2	93.1%	95.1%
Class 3	92.0%	90.3%
Class 4	95.3%	96.9%
Class 5	92.1%	96.5%
Class 6	95.8%	95.8%
Year 7	92.5%	92.5%
Year 8	93.9%	94.1%
Year 9	89.7%	87.6%
Year 10	98.1%	91.9%

The Student Attendance Policy is included in Appendix B of this report.

With a total student number of 91 (as at August 2017 Census); small changes in attendance have a greater percentage impact.

Teachers ensure they receive written advice on the reason for student absences. Absences are monitored and parents are called for a face to face consultation when attendance is continually low. In some cases, plans are required to assist in transitioning students to school, or an ongoing attendance management plan is set up in conjunction with the parents.

Additional information on whole school attendance rates, please refer to the My School website: <http://www.myschool.edu.au/>.

8.0 Post School Destinations

As Kindlehill is a K-10 school, all students remain to compulsory school age, and any movement out of the school is to complete compulsory schooling at another institution. In most instances, students will attend a local public or independent school when leaving Kindlehill, with a small number of students leaving the Blue Mountains to attend schools outside the local area.

9.0 School Determined Improvement Targets - 2017

FACILITIES AND RESOURCES

- ≈ Extensive purchase of library books.
- ≈ Upgrade of play equipment on school grounds.
- ≈ Purchase of additional computer devices for High School.
- ≈ Replenish camping equipment.

STAFF DEVELOPMENT

- ≈ Develop literacy coordinator role to implement and develop literacy plan.
- ≈ Develop role of librarian and allocate hours.
- ≈ Build capacity in staff for better communication pathways and skills.
- ≈ Plan for sustainability of Kindlehill – ethos and leadership.
- ≈ Enhance teaching staff participation in understanding and implementing Steiner pedagogy.

TEACHING AND LEARNING DEVELOPMENT

- ≈ Improve student engagement with library.
- ≈ Support professional dialogue and sharing around effective teaching of writing.
- ≈ Continue to embed Aboriginal and Torres Strait Islander perspectives and reconciliation actions into teaching programmes.
- ≈ Continue to inform and engage school community with the global citizenship/social justice focus of the school.

10.0 Initiatives Promoting Respect and Responsibility - 2017

Kindlehill School is situated on Dharug and Gundungurra land.

We pay our respects to the traditional custodians of this land, to the Darug and Gundungurra peoples, whose cultures and customs have nurtured and continue to nurture this land. We pay our respects to elders past and present. We recognise the strength, capacity and resilience of all past and present Aboriginal people in this region.

We acknowledge the spirit that resides in and flows through this land, the elemental and spiritual beings who cohabit this place. We support reconciliation between all Australians. We are committed to upholding the imperative of justice and equity for Aboriginal and Torres Strait Islander peoples.

Initiatives highlighted for 2017

- Class 6/7 Cultural Camp to Western NSW with Uncle Pete and Aunty Katy.
- Waterways Festival co-hosted by Class 4/5 with other local schools.
- Ban the Plastic Bag campaign – class 4/5.
- Shoebox for Refugees project – whole primary school.
- Refugee food challenge – class 6/7.
- Campaign to support Treaty to Ban Nuclear Weapons – Years 6 – 10. Collaboration with Japanese school from Nagasaki.
- Recycling station at Winter Magic – class 4/5.
- Flourish Gardens Programme with Fleischman, every kid connecting to the garden and growing food.



- Biodynamic compost making.

- Community commemoration recognising 50 years of Citizenship for Aboriginal people – high school.
- Peace and Reconciliation Community Forums – Rowe Morrow on Permaculture in Refugee Camps and Eyal Mayroz on Empathy in the context of global issues.
- Refuse, reduce, reuse and recycle in classrooms and school events.
- Walk in to school every Wednesday.
- Japanese Cultural Day and World Café on Nuclear Disarmament. Friendship concert to welcome visitors from Pele Island, Vanuatu.
- Seasonal celebrations which connect us to changing seasons with a sustainability and community focus.



- Penpals with school in Japan.
- Nude food November.
- Screen free week prior to mid winter celebration.
- Recycling of soft plastics introduced.
- Climate change – short films; messages from the reef – high school.



11.0 Parent, Student and Teacher Satisfaction

Everyone is valued at Kindlehill and a high priority is placed on supportive relationships and good communication between students, staff and parents. We see ourselves as a community centred on children and young people, growing both vision and capacity for the future of our world locally and globally.

Parent comments

"In the year that we have been at the school we have seen our children develop in leaps and bounds, socially and emotionally. We really believe that the joy and enthusiasm that the teachers bring to the class every day has allowed them to really enjoy their time and relax into school life."

"We have seen our child's confidence and independence develop greatly and we have a lot of respect for the teacher's keen and insightful observations and the very transparent and honest conversations we have shared with her."

Teacher comment

"Seeing the child afresh each and every day keeps the 'stale and sour' away."

Grandparent comment

"I have been so overawed by the way my grandchildren have blossomed into such wonderful, thinking human beings at Kindlehill." Kate E.



11.1 Kindlehill Values Statement

KINDLING A LIGHT

Kindlehill is a social deed. Our purpose is to educate children and young people to be powerfully equipped in becoming individuals who contribute to creating a more compassionate and fair society for all.

GUIDING PRINCIPLES

Our teaching is inspired by an understanding of the human being, ideally including all the stages of individual life development and human evolution; and informed by the pedagogical indications given by Rudolf Steiner and applied in a regional and contemporary setting.

We strive to bring a life imbued education to every child and young person in our care, and to acknowledge the gift that each individual brings as part of a diverse and respectful community.

Cultivating the imagination, a sense of beauty and the awakening of artistic feeling across the fields of human endeavour (including the arts), we support children and young people to become creative and resourceful for their lives and the lives of others. As the high school years unfold, added to this development of artistic imagination is the fostering of the young person's efforts towards making active thinking their own, and to developing powers of sound judgment by which they are able to authentically discern whether something is true or not.

Kindlehill seeks an alignment of values between home and school. Teachers, parents and students are a vibrant community, that supports the flourishing of children and young people – and in doing so, contributes to what is good for all humanity.

We support a culture of “growth” in which all members of the community see themselves as active, developing and evolving human beings.

In celebrating together, listening to and respecting each other, and in cooperating and supporting each other; we model for our children and young people, a society based on cooperation, respect and empowerment.

We support Indigenous Reconciliation and strive to uphold the imperative of justice and equity for indigenous people. We acknowledge the traditional owners whose cultures and customs have nurtured and continue to nurture this land.

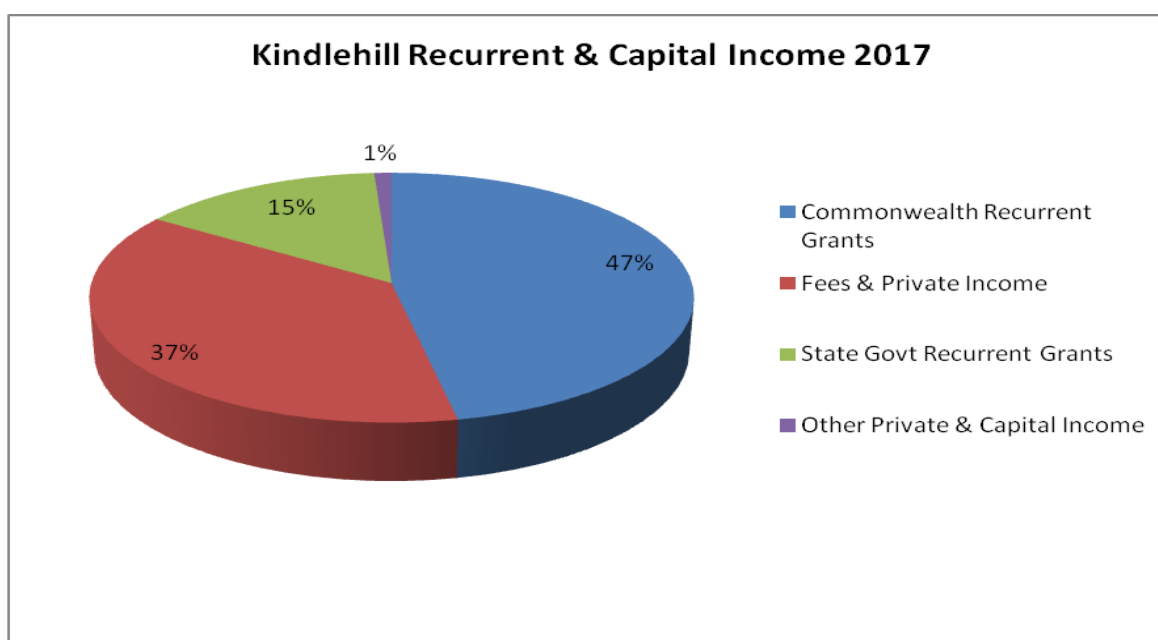
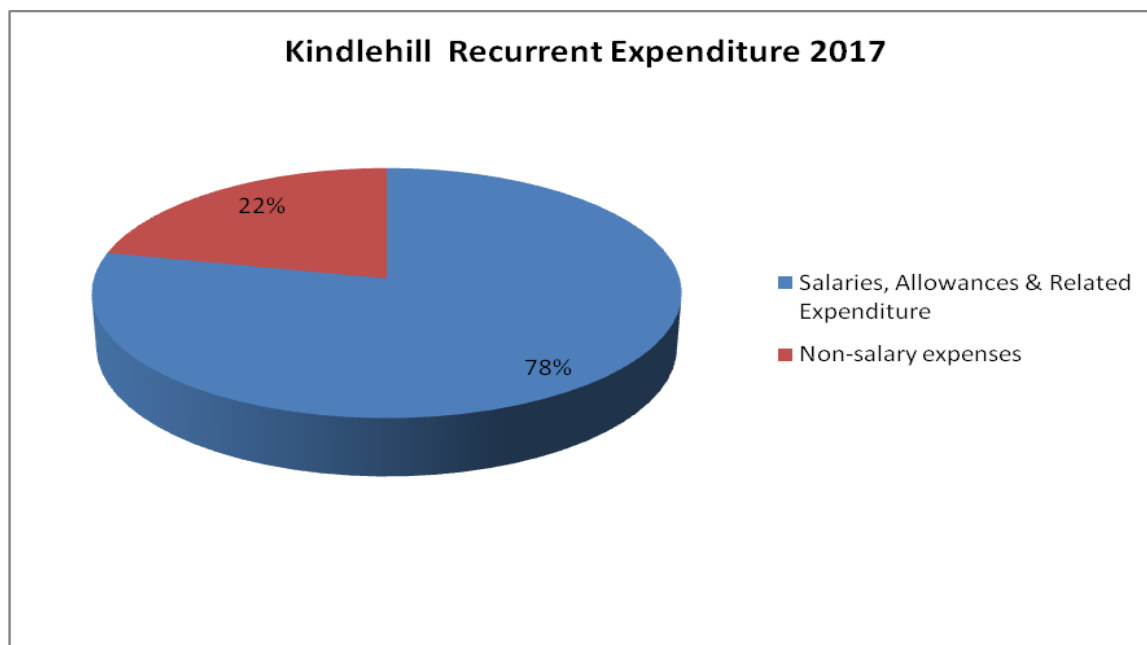
We support children and young people in developing a relationship to nature that engenders freedom, nourishes well-being and cultivates respectful interconnectedness as they live their lives.

We acknowledge the inter-relationship between the personal, social, environmental and spiritual dimensions to life. We value the integration of respectful, sustainable, celebratory and fair actions in every dimension of our lives, for the good of our planetary being – now and into the future.

12.0 Summary of Financial Information

The following graphs display the breakdown of income and expenditure for Kindlehill for 2017.

Additional financial information can be found at <http://www.myschool.edu.au/>.



13. Publication Requirements

The Education Act requires that this annual report be publicly disclosed, online via the school's web site: www.kindlehill.nsw.edu.au.

This annual report is provided in electronic form to NESA by 30 June 2018.

The report is available in hard copy upon request via the school administration.

Appendix A Staff Professional Learning - 2017

Kindlehill teachers, teacher's aides, and administration staff attend ongoing professional development sessions throughout the year. In 2017, the following sessions were attended:

The College of teachers and assistants have a weekly speech and movement class, and an additional pre-term teacher's studio session before each term commences.

In addition, professional learning on a term by term basis is outlined below.

Term 1:

- ≈ Day 2 of Communication Workshop attended by all staff.
- ≈ Yumi Maths seminar attended by 1 teacher.
- ≈ In school literacy - training of volunteers and staff in mini-lit programme.
- ≈ In school development of student writing programme using 6 plus 1 traits model.
- ≈ Downs Syndrome Conference attended by 2 assistants.
- ≈ Child Protection and Professional Boundaries delivered by AIS to all staff.
- ≈ Governance Symposium for Directors delivered by AIS.
- ≈ Science teacher attended a 3-day SEA Science Conference.

Term 2:

- ≈ Child Protection Investigation training for school principal.
- ≈ In school writing focus using 6 plus 1 traits model.
- ≈ SEA National Teachers Conference – attended by 10 teaching staff.
- ≈ Regular mentoring meetings with Lynn and class assistants, as well as specialist support staff for literacy and numeracy

Term 3:

- ≈ Child Protection – in school focus fortnightly at teaching staff meeting.
- ≈ In school writing focus using 6 plus 1 traits model.
- ≈ AIS Reconciliation Conference attended by one teacher.

Annual

- Whole school focus on implementing cross-curricular strand, Aboriginal and Torres Strait Islander histories and culture.
- Whole school focus on sustainability.
- Teaching and administration staff completed child protection, senior first aid, anaphylaxis and asthma training as required.

Appendix B Kindlehill Policy Documents

Kindlehill conducts a detailed review of policies in each school year.

Key policies are provided below, and updates are made to policies as required, under the direction of the Principal. Policies are available in the school administration for both parent and staff use.

B.1 Enrolment Policy

Kindlehill is a co-educational K-10 school providing an education underpinned by Rudolf Steiner philosophy and pedagogy. It operates within the policies of the NSW Board of Studies.

All applications will be processed in order of receipt and consideration will be given to the applicant's support for the ethos of the school, siblings already attending the school and other criteria determined by the school from time to time.

Once enrolled, students are expected to act consistently with the school's ethos and comply with the school rules to maintain the enrolment. Parents also are expected to be supportive of the ethos of the school.

Procedures

1. Applications will be processed according to the school's enrolment policy.
2. The school will consider each applicant's supporting statement / interview responses regarding their ability and willingness to support the school's ethos.
3. The school will consider each applicant's educational needs. To do this, the school will need to gather information and consult with the parents / family and other relevant persons within a pre-enrolment process.
4. The school will identify any strategies which need to be put into place to accommodate the applicant before a decision regarding the enrolment is made.
5. The school will inform the applicant of the outcome.

Subject to availability, offers of a place will be made according to whether there are siblings of the student already at the school, the order of application, and the suitability of the applicants.

Continuing enrolment is subject to the student's adherence to school rules (see enrolment contract, pastoral care policies and behaviour management policies) and payment of all school fees.

Students with Disabilities

The *Disability Standards for Education 2005 (Standards)* apply to a school's dealings with all **students** with disabilities (i.e. those enrolled at the school even if they have not yet commenced) and also **prospective students** with disabilities (i.e. those for whom an approach has been made regarding admission). These guidelines provide a structure to help schools comply with the *Standards* in the context of the enrolment process for students with a disability as defined under the Disability Discrimination Act (DDA).

When considering any application for enrolment, a determination will be made regarding the school's capacity to address the student's individual needs. This can be achieved by working through the individual planning process to identify the reasonable adjustments that would be required to facilitate the student's access to and participation in the educational opportunities provided by the school.

Exclusion from the school

- a) If the principal, or any person deputing for the principal, considers that a student is guilty of a serious breach of the rules or has otherwise engaged in conduct which is prejudicial to the school or its students or staff, the principal or deputy may exclude the student permanently or temporarily at their absolute discretion.
- b) If the school council or the principal believes that a mutually beneficial relationship of trust and cooperation between a parent and school has broken down to the extent that it adversely impacts on that relationship, then the school, the school council or the principal may require the parent to remove the child from the school.
- c) The school will only exercise its powers under this clause to exclude a pupil permanently if it has provided the pupil and the parents or guardians of the pupil with details of the conduct which may result in a decision to exclude the pupil and provided them with a reasonable opportunity to respond.

No remission of fees will apply in relation to any of the above cases.

B.2 Student Attendance Policy

Regular attendance at school is essential if students are to maximise their potential. Kindlehill School, in partnership with the parents, is responsible for promoting the regular attendance of students. While parents are legally responsible for the regular attendance of their children, school staff, as part of their duty of care, monitors school absences.

Policy:

- ≈ The school maintains a register of enrolments.
- ≈ The School monitors the daily attendance and absence of students in the School by maintaining a daily register for each class of students.
- ≈ Student absences from classes or from the School are identified and recorded in a consistent manner by the staff member responsible for the roll class using the code approved by the Minister for Education.
- ≈ Unexplained absences from classes of the School are followed up in an appropriate manner with the student and/or their parent or guardian.
- ≈ The School notifies parents and/or guardians in an appropriate manner where a student has a poor record of School or class attendance.
- ≈ Where unsatisfactory class or School attendance is identified, the attendance issue and any action taken are recorded, as appropriate, on the student file.

- ≈ The register of enrolments is maintained for at least 5 years before archiving and the register of attendances for a student is retained for at least 7 years after the last entry was made in respect of the student.

PROCEDURES:

The Register of Enrolment:

The Register of Enrolment is kept by the administration manager. The Administration Manager is also responsible for collecting student information (eg. MCEECDYA background information).

The Register of Enrolment contains for each student: name, age, address; names of parents/guardians; telephone and email contacts of parents/guardians; date of enrolment; pre-enrolment or previous school for any students older than 6; date of departure and the student destination on exit.

Where the destination for a student below 17 years of age is unknown, the school will keep a record that a DET officer with home liaison responsibilities has been notified of the student's name, date of birth, last known address, and last date of attendance, as well as any safety risks associated with contacting the parents or student.

The register or enrolments is maintained for a minimum of 5 years before archiving.

Student Daily Attendance Registers

The Registers of Daily Student Attendance are retained for a minimum of 7 years, preceding the current date. They are stored in the school office or archive area.

Student attendance is monitored daily and records are kept in the class roll by the class teacher.

When a class is conducted at a site other than the school site, attendance is still to be monitored and recorded.

Parents are encouraged to notify teachers, by text, email or telephone by 9am, of an impending day of absence. This is to be asked of parents in a beginning of year letter and also in a parent-teacher meeting.

Parents are required to send a written note explaining the absences of their children. It is the class teacher's responsibility to follow this up. These letters are kept together with the class roll.

The teacher will follow up on unexplained absences. In cases where children are absent on many days and the teacher regards this as an influencing factor on either the child's educational or social progress at school, a letter is to be sent informing the parent of this. This letter is to be sent by the principal. The principal or class teacher may also request an interview with parents to address attendance concerns. Documented plans will be developed where the attendance of a student is identified as being an ongoing concern. These will be developed in

consultation between principal, class teacher, parents, students, and consultants where necessary.

Teachers are responsible to transfer unsatisfactory attendance information to student records. Teachers are responsible to keep the attendance records up to date. Teachers are responsible to notify the principal of unsatisfactory attendance and concerns.

At the end of each year, attendance records are submitted to the principal or delegated authority for checking and storing.

Summary attendance data is submitted monthly via the Schools Service Point Web site (according to dates requested by Education Australia), and is reflected in the School Annual Report.

Data on absences where a student is absent for 30 days: The Principal should access the mandatory reporters section of the Keep Them Safe website www.keepthemsafe.nsw.gov.au to determine whether a report is required.

Exemption:

Under Section 25 of the Education Act, 1990, students are deemed exempt from attending school if the Minister is satisfied that conditions exist which make it necessary or desirable that such an exemption should be granted.

A "certificate of exemption" may be given subject to conditions, and may be issued for a limited period, as specified in the certificate.

Principal will consult with the Association of Independent Schools regarding exemptions in particular circumstances.

Exemptions will comply with Section 25 of the Education Act, 1990. Records of exemptions will be kept by the school.

MOVE TO HOME SCHOOLING

In the case of students leaving to be Home schooled, the school will notify the parents that they are to obtain a Home School certificate. Parents will be advised that the student is noted as absent until this certificate is produced. Refer to Kindlehill Procedure for move to Home schooling.

Supporting the regular attendance of students at school

Parents are responsible for the regular attendance of students at school.

Principal and school staff, in consultation with parents and students, will usually be able to resolve problems of nonattendance.

The school maintains sound attendance and monitoring practices, following up unexplained absences with parents promptly.

Resolution of attendance difficulties may also include:

- ≈ Student and parent interviews
- ≈ Telephone contact and/or email with parents

- ≈ Reviewing the student's educational programme and progress
- ≈ Developing an attendance improvement plan
- ≈ Referral to counselling support in the local region
- ≈ Support from school based personnel

If a range of school based interventions are unsuccessful, the following may be instigated:

- ≈ Notification to police of a student not in attendance at school
- ≈ Notification to DoCs or to the Department of Education Home Liaison Officer of extended absence or unknown destination of a student.

B.3 Excursions Policy

Introduction

School excursions and camps are structured learning experiences provided by, or under the auspices of, the school which are conducted external to the school site. They can pose risks. The policy and procedures are directed at managing such risks.

The school is committed to providing a safe, secure, disciplined and quality learning environment in which students can develop their individual talents, interests and abilities through a curriculum that fosters the intellectual, physical, social and moral development of the student. Excursions are part of quality teaching and learning programs.

Excursions are a valuable teaching and learning vehicle, often integral to quality curriculum delivery in that they provide access to teaching content and learning experiences not available at the school.

School excursions vary in terms of the curriculum focus, the students involved, the duration of the excursion and the excursion venue(s). The student group participating in the excursion may be a class or classes or students drawn from a number of classes. They may be, for example, a team, a performance group or an audience for a performance. An excursion can range from a brief visit of less than one hour to a local point of interest, to an extended journey occupying a number of days or weeks requiring overnight accommodation.

Some excursions may involve overseas travel. Particular additional mandatory procedures would relate to such excursions.

1. Policy statement

1. Determining the educational value of an excursion must take account of the needs and resources of the school, the needs of the students and the total learning program.
2. Excursions are inclusive, and all students within the specific learning group are to be given the opportunity to participate.
3. A duty of care is owed to students in the school environment and while on excursions. The Code of Conduct is applicable on excursions.

4. The duty of care owed to students for the duration of an excursion cannot be delegated from the school to parents, caregivers, volunteers or employees of external organisations.
5. The obligation to report suspected risk of harm to children and young people applies throughout all stages of an excursion, as it does in schools
6. A risk assessment is to be conducted and a risk management plan developed prior to excursions.
7. Signed consent forms granting permission for students to participate in specific activities provided by outside providers, as well as medical information are to be obtained from parents or caregivers.
8. Safe transport or a safe walking route is to be organised for excursions.
9. Students must behave appropriately at all times while on excursions as per the school behaviour policy.
10. Incidents occurring on excursions must be reported and records kept.

IMPLEMENTATION

2. INCLUSIVITY

Excursions are inclusive, and all students in the specific learning group, including those with disabilities, are to be given the opportunity to participate.

Where a student cannot participate in an excursion, alternate activities must be available that provide for similar learning outcomes, particularly where an assessment task relates to the excursion.

The support needs of students with disabilities or medical conditions will require careful consideration and consultation with parents and caregivers. Appropriate support should be provided for these students so they can access the learning experiences available through excursions.

3. DUTY OF CARE

A duty of care is owed to students in the school environment and while on excursions.

1. Excursions are potentially the most hazardous activities for school-related accidents. The duty of care owed to students applies whether the school excursion is held during school hours, after school, on the weekend or during school holidays.
2. Teachers planning excursions must adopt a risk management approach to emergency response planning, including medical procedures, and should check relevant forecasts or other safety warnings, including fire bans, immediately prior to events. In consultation with relevant authorities, schools must be prepared to alter or cancel excursions due to emerging safety concerns. These decisions must be communicated to students and parents as soon as possible.
3. All excursions must be accompanied by a member of staff whose FIRST AID qualifications are current. An appropriately equipped first aid kit must be taken on all excursions as well as an updated class list containing medical information.

4. Staff planning excursions involving students diagnosed at risk of an emergency will consider issues such as administration of prescribed and emergency medication (e.g. EpiPen, Ventolin) health care procedures and emergency response plans.
5. Particular care should be taken where casual staff attend and/or replace regular staff members on excursions. Among other things, they must be briefed about any student with particular health care needs and the role they may have in supporting those needs. They must also be briefed on any student who is the subject of a risk management plan.
6. Under work health and safety legislation, the school has an obligation to ensure the health and safety of staff at work. Consequently, excursion planning is to take account of staff health and safety issues in addition to those of students.

7. Teacher to student ratios

1. The number of teachers to accompany the students for each excursion is to be determined in consultation with the principal. Decisions about the number of students and teachers should take into account factors such as the age of the students, their maturity, the location of the excursion, specific needs of students, anticipated behaviour and the nature of the activities to be undertaken. . Fewer students per teacher will be necessary for some excursions such as aquatic and outdoor recreation activities,
2. There must be sufficient numbers of appropriate, responsible adults, including support teachers and school learning support officers, to ensure and assist with adequate supervision. Other adults assisting with supervision may include parents, volunteers, specialist instructors and venue staff.
3. Students on excursion must be subject to direct adult supervision and should not be allowed to 'go off on their own'.

8. Overnight excursions

1. On overnight and extended excursions, supervisory and accommodation arrangements are to be such that no staff member or accompanying adult is placed in a position where there is potential for allegations of improper conduct to be made. In particular, sleeping and washing arrangements should not place any adults in a situation where the propriety of their behaviour could be questioned. Likewise, for sleeping and supervisory arrangements every attempt must be made to ensure that there is no sexual contact between students.
2. For coeducational groups, male and female staff supervisors are required.
3. Volunteers on overnight camps require a working with children check obtained through the NSW Office of the Children's Guardian web site.

9. Unsupervised activities

On rare occasions, where it is proposed that an individual or a small group of mature students participate in a specialised excursion, it may be necessary for part of the excursion (e.g. independent travel) or all of the activity to take place without the direct supervision of a

staff member. In such circumstances, it is imperative that parents or caregivers be fully informed of, and agree to the arrangements, and that the principal and the teacher in charge of the excursion take all steps to ensure the safety and welfare of the unaccompanied students.

4. PARENTS, CAREGIVERS AND VOLUNTEERS

The School's duty of care owed to students for the duration of an excursion cannot be delegated from the school to parents, caregivers, volunteers or individuals associated with external organisations.

1. Parents or caregivers will frequently volunteer to assist in excursions. The number of parents or caregivers who might be of assistance will vary according to circumstances.
2. The principal must be satisfied that there are sufficient teachers to maintain adequate control of the whole excursion. Teachers retain the ultimate responsibility for supervision.
3. In most circumstances parents, caregivers and volunteers who assist on excursions should not have to pay to attend.
4. Parents, caregivers and volunteers must be briefed on safety and behaviour measures prior to the excursion to ensure competency.
5. Volunteers on overnight camps require a working with children check obtained through the NSW Office of the Children's Guardian web site.
6. Principals must ensure that all parents, caregivers or volunteers accompanying school excursions complete a Volunteer Code of Conduct.
 1. Volunteers are not to accompany the excursion if:
 - a. they refuse to complete a Volunteer Code of Conduct
 - b. they indicate they are a prohibited person.
 2. Depending on the circumstances, principals might also consider:
 - a. consulting referees.

5. CHILD PROTECTION

The obligation to report suspected risk of harm to children and young people applies throughout all stages of an excursion, as it does in schools.

1. The same standards of conduct and the obligation to report suspected risk of harm to children and young people, including any allegation of child abuse or misconduct or improper conduct which may involve child abuse by an employee against children or young people, apply throughout all stages of an excursion, as they do in schools.
2. Students should be briefed about their right to be safe, relevant safety strategies and ways of seeking help should concerns arise during an excursion.

6. RISK MANAGEMENT

A risk assessment is to be conducted and a risk management plan developed before approval can be given for any excursion.

1. The *Work, Health and Safety Act 2011* requires principals and teachers organising excursions to use risk management to ensure the health and safety of students, staff and excursion volunteers. Risk management supports better decision making by contributing to a greater insight into the potential risks and their impacts.
2. Risk Management Process and Proforma provides advice on the major steps in the risk management process as it relates to school excursions. A sample risk management plan proforma for excursions is provided. The school's WHS Officer can assist with Risk Management plans and proforma.
3. Principals should ensure that individual health care plans for students with health care needs or disabilities include provision for the management of such conditions on excursions. A copy of this plan should be given to the teacher in charge of the excursion and its implications discussed before departure.
4. The extent of pre-excursion planning will depend on the nature of the excursion and its location. In many situations prior experience of the site or a briefing from a responsible person with a sound knowledge of the site will suffice.
However, a visit to the proposed excursion site is recommended when unfamiliar or potentially high risk activities are contemplated e.g. wilderness camping or field trips to inhospitable terrain. In these circumstances the pre-excursion visit should address issues such as access, injury prevention and emergency evacuation. Note also that staff involved in wilderness camping or field trips to inhospitable terrain or remote areas will require additional skills and competencies.
5. Fundamental to effective excursion risk management is the communication of risk management plans to those who need to know, including staff and other adults on the excursion and appropriate school based staff members who may be instrumental in initiating emergency response.
6. Special requirements including special protective equipment

Where a particular excursion activity requires special protective equipment or apparel (e.g. hard hats, helmets for snowboarding), these must be used. Staff and student safety must not be compromised. Students and staff on outdoor excursions should be encouraged to wear clothing that protects them from the sun, such as broad brimmed hats and long sleeves and apply 30+ sunscreen. Students should also be encouraged to carry water in a non breakable container.

Staff planning excursions which involve visits to industrial sites must establish the particular requirements relating to site induction by industry employees and the wearing of personal protective equipment, including footwear, by staff and students while on the site.

7. Swimming and water activities

1. Where any excursion involves swimming or water activities, principals must ensure that the eight elements of the [Water](#)

Safety Guidelines for Unstructured Aquatic Activity (venue selection; parent/caregiver consent; staff supervision; risk management; staff induction; student induction; testing student proficiency; and classifying students) are all complied with.

2. Parents must be asked to indicate the swimming ability of their children when giving consent for students to participate in excursions involving water activities. The determination of whether or not a student will participate in swimming or water activities while on the excursion will not, however, depend solely on advice from parents.
3. It will also be necessary to determine the aquatic proficiency of students prior to participation in unstructured aquatic activity. This assessment must take place irrespective of parental or caregiver permission for the students to participate in the swimming or water activities.
4. Schools planning excursions involving aquatic activity other than swimming such as boating, sailing or board riding, should investigate requirements relating to the provision of personal flotation devices (such as lifejackets, buoyancy vests or buoyancy garments) and ensure all students and staff comply.

8. Billeting of Students on Excursion
Billeting, which involves students staying overnight in the homes of volunteer host families, and sometimes referred to as “homestays”, is a component of some excursions.

While most homestays are a rewarding and successful experience, students can be placed in situations where they are unsafe or are vulnerable to abusive behaviour. It is therefore important that teachers planning overnight, extended or overseas excursions should recognise their special duty of care for student safety and welfare in these circumstances. They should take all necessary steps to minimise any risks to students.

Processes to screen the accommodation and the billeting families may be difficult to arrange. In these circumstances alternative accommodation may be more appropriate.

If the wellbeing or safety of a student is at risk, or there is a suspicion that this could be so, the student should be relocated to another approved accommodation arrangement and the student's parents informed that this has occurred.

Principals must ensure that all staff have received training in child protection and are aware of the need to be vigilant in all matters relating to the safety and welfare of students involved in billeting.

7. CONSENT

Signed consent forms granting permission for students to participate in an excursion and a medical information form are to be obtained from parents or caregivers.

1. Emergency and medical information is updated annually by the office and teachers provided with updated class lists which they should take on excursions.
2. Each term, a General Consent Form is sent to parents by class teachers, listing excursions that are planned for that term and providing relevant information. Parents are required to sign and return to school. Teachers are to provide additional information prior to the excursions.
3. Parents also sign a bus permission note on enrolment.
4. The fact that parents or caregivers consent to the participation of their child in an excursion should not be taken as removing the responsibility of school staff for taking all reasonable steps to ensure the particular activity is safe. For many excursions it will not be necessary to collect new medical information form. Medical information held by the school should, however, be updated regularly and as required and take account of activities proposed for the excursion.
5. Information identifying food or other allergies, special dietary needs and other health care related issues (including prior conditions such as medical procedures in the last 12 months), should be provided by parents or caregivers. This information will assist planning to support students and minimise risks, including the risk of exposure to allergens for students at risk of anaphylactic reactions.
6. Excursion consent forms do not create any waiver of rights by the parent or the caregiver in relation to their child. The main purpose of consent forms and information forms is to give enough detail to parents and caregivers to allow them to make an informed decision about whether their child should attend the excursion. It is also to assist the parent or caregiver to provide relevant information to the school about the child's care needs. If, following the return of an excursion consent form, the parent's wishes and consent are not clear to the school, it is incumbent on the school to clarify any unresolved issues prior to the student proceeding on the excursion. This is particularly important when the excursion involves relatively high risk activities such as swimming or water activities.
7. Excursions involving the same or very similar activities that take place on a regular basis, e.g. each week for a term, are covered by the general consent form. Parents should still be informed of the activity beforehand and have the opportunity to withdraw consent.
8. As a general rule, students without a signed consent form from a parent or carer must not be permitted to participate in a school excursion.
9. In exceptional circumstances, where it is not possible to obtain signed consent forms from parents or caregivers, oral approval can be sought. The principal must keep a written record of any oral approvals given by parents or caregivers.
10. In some circumstances, consent forms may need to be translated into languages other than English.
11. If parents or caregivers do not permit participation of a student in an excursion, the school will make available a sound alternative

educational experience which provides for similar learning outcomes, particularly where an assessment task relates to the excursion.

12. Collection of personal information such as consent and medical information should be done consistent with the [Privacy and Personal Information Protection Act](#).

13. **Unscheduled activities**

In addition to excursions, occasions for **leaving the school grounds** for brief, local, spontaneous educational activities will arise from time to time. The value of such visits is recognised and on rare occasions there may be insufficient time to obtain the permission of parents or caregivers prior to the visit.

The principal must be informed prior to the excursion. Teachers should ensure as far as possible the safety and welfare of students and be satisfied as to the value of the visit as an integral part of the school curriculum. It is expected that such local unscheduled "excursions" would not involve vehicular travel.

8. TRANSPORT

1. **Safe transport or a safe walking route is to be organised for excursions.**

1. In some circumstances where the site of the excursion is close to the school, it will be appropriate for students and their supervisors to walk to the site. The decision to walk should be preceded by a risk assessment and the route should be determined consistent with the objective of ensuring staff and student safety.
2. Bus, rail and ferry services should be used for school excursions, wherever appropriate.

2. **Bus and train travel**

1. When hiring buses or coaches for excursions, schools should attempt to hire vehicles with seatbelts wherever practicable and particularly for long distance travel outside urban areas. Seatbelts must be worn on buses and coaches when they are available.
2. In the case of large vehicles, the number of passengers must not exceed the number that the vehicle is licensed to carry.
3. If students with disabilities are participating in an excursion accessible transport will be required.
4. Staff planning excursions involving bus and coach travel, including the use of school owned vehicles, should be aware of the national [heavy vehicle driver fatigue reform](#) program and its impact on travel time and driver availability.

3. **Car travel**

1. The transporting of students in the cars of staff members, parents, caregivers, volunteers and other students should only occur in those circumstances where there is no feasible option available to provide alternative transportation. This may only occur under the following conditions:
 - a. written permission from the parent(s) or caregiver(s) of the student(s) being transported is obtained

- b. the driver is licensed
 - c. the number of passengers in the vehicle does not exceed the number of seatbelts
- 2. Comprehensive insurance is not generally required. Nevertheless, comprehensive insurance is required if a member of staff is authorised to use his or her vehicle for official business and wishes to make a claim for the payment of mileage.

9. STUDENT BEHAVIOUR

1. Students must behave appropriately at all times on excursions.

- 1. Students on excursions interact with the public and are representatives of their school and community. Prior to excursions, they should be reminded of expected standards of behaviour and the application of the school's discipline code.
- 2. Policies and procedures relating to [student discipline](#) also apply while students are on excursions. The *school discipline policy* applies outside of school hours and off school premises because there is a "clear and close connection" between the school, the students and the activity in which they are engaged.
- 3. Students who have not displayed sensible, reliable behaviour at school will be excluded from participation in an excursion. This decision will be made by the teacher in consultation with the principal.

2. Students must behave appropriately when animals are encountered on excursions.

- 1. Students also should be briefed on appropriate behaviour around animals. Responsible behaviour involves not interfering with the animal. Injury is most likely to occur if the animal panics and either attacks or attempts to flee the situation. If people remain calm, the risk of injury to either students or the animal or both will be lessened.
- 2. Appropriate touching of animals, where there is educational value in the activity, should be supervised by teachers, parents, caregivers or volunteers.
- 3. Further information can be found in the [Animal Welfare Guidelines for Teachers](#).

3. Briefing Students Prior to Excursions

Prior to any excursion, students should be briefed on the school's expectations of their behaviour.

Students should also be briefed about their right to be safe and protected, about protective strategies and of avenues for support should concerns arise. Organising teachers should take time to work with groups of students to consider unexpected situations and risks that might occur during the excursion and to discuss strategies, consistent with the risk management plan, for eliminating or controlling risks. Students should also be given strategies for seeking help and regaining safety.

Individual students with particular health care needs should be briefed about how these needs will be met during the excursion, especially where the arrangements differ from standard practice at school.

Students participating in excursions to communities which are culturally different to their own should be briefed on cultural sensitivities and appropriate communication in cross-cultural contexts.

Students should also be briefed on appropriate behaviour around animals.

10. **REPORTING OF INCIDENTS.**

Reporting of Incidents Occurring while on Excursions

1. Staff leading school excursions are required to report incidents occurring while on excursion. In broad, such incidents are those which cause disruption to the excursion; or creates danger or risk that could significantly affect individuals participating in the excursion; or impacts on the effective operation of the excursion; or attracts negative media attention or a negative public profile for the school; or is an incident which WorkCover describes as a "serious incident" which must be reported by law.
2. Staff leading the excursion are expected to be familiar with the [Incident Reporting Policy and Procedures](#), Kindlehill: Accident Reporting Procedure, Incident Reporting Procedure
3. Retention of Excursion Records
Teachers must ensure that a record of all excursions is maintained. The record must include a copy of the risk management plan, any advice given to parents or caregivers, costs and approval letters and administrative, supervision and travel details.

In the event of an injury to a student or third party or property damage during the course of an excursion, all records relating to the particular student as well as any general information about the excursion must be retained until the injured party reaches age 25, or for seven years, whichever is the greater.

4. Insurance Arrangements Relating to Excursions
The School will not generally accept liability for the loss of, or damage to students', parents', caregivers' or volunteers' personal property brought on excursions or for personal items purchased while on excursions.

Staff members accompanying students on excursions are considered to be "on duty" and are covered by the School's insurance arrangements.

Staff organising school excursions should establish whether the school has *Ambulance School Cover*. Schools with *such cover* are assured that if a student has an accident or falls ill whilst at school or on an organised school activity (such as an approved excursion) and

requires the ambulance service, that neither the school nor the parents will be responsible for the payment of the ambulance account.

B.4 Student Safety and Wellbeing

The student safety and wellbeing is covered in numerous policies, included throughout Appendix B3 of this report. All of these policies were modified in 2013.

B.4.1 A Safe and Supportive Environment - Student Welfare

Policies and Procedures

In accordance with the School's Assistance Act 2004 the National Safe School's Framework is observed. The following statements indicate our schools policies and procedures in regard to providing a safe and supportive environment for students. The teaching guidelines for best practice in regard to these are included in the document *A Safe and Supportive School (NSSF)*.

Staff are informed of their legal responsibilities in regard to child protection and mandatory reporting, as well as to the expectations of the school in regard to conduct and the welfare of students:

At the point of employment they sign an acknowledgement that they have read, understood and agreed to abide by their legal responsibilities in regard to child protection and to the school's code of conduct

Each year, staff are required to read and sign to acknowledge they have read, understood and agree to abide by their legal responsibilities in regard to child protection and the code of conduct.

A compliance register for the calendar year, records staff updates in regard to policies relating to student welfare.

Support

The School wishes to promote a learning environment is supportive of students. The foundation of this is that students and teachers should respect each other and not engage in conduct which undermines this mutual trust and support. Conduct of teachers and students should also respect the philosophy and ethics of the School. The School encourages consultation between all members of the School community in matters which affect them.

A supportive environment fosters the social, academic, physical and emotional development of students where:

- ≈ Students are treated with respect and fairness by teachers, other staff and students
- ≈ Members of the school community feel valued
- ≈ Effective teaching and learning take place

- ≈ Positive support and encouragement are provided by members of staff and students
- ≈ Non-discriminatory language and behavioural practices are defined, modelled and reinforced by members of the school community
- ≈ Consultation takes place on matters of student education and welfare.

Refer to Code of Conduct and Positive Behaviour Policy

Security

The school implements measures to promote the safety and welfare of students. Teachers should use their professional judgement as to what is required in a given circumstance. This will include consideration of matters such as:

- ≈ Appropriate levels of supervision; (*see Code of Conduct and Supervision Policy*)
- ≈ Security of buildings; (*Visitors to the school, including tradespeople, are required to report to the office on arrival. (cf W.H.S)*)
- ≈ Procedures in case of fire; (*signage throughout the school, cf W.H.S*)
- ≈ Emergency evacuation procedure
- ≈ Lock down procedure
- ≈ Use of grounds and facilities; (*see Management Plan for After Hours cf W.H.S*)
- ≈ Travel on school-related activities; (*see Code of Conduct 3.6.2 and Excursions Policy.*)

Serious incidents and emergencies (*are reported and investigated in accordance with the policy Management of Serious Incidents and Emergencies (see W.H.S)*)

Supervision

Appropriate measures will be taken by school staff to seek to ensure that all students are adequately cared for and supervised while undertaking both onsite and offsite activities, keeping in mind the type of activities and age of the students involved.

For policies and procedures, protocol and guidelines in relation to supervision, see the Supervision Policy and the Excursions Policy. Also Risk Management Plan for Excursions and Risk Assessment Procedure.

Teachers conduct their own risk assessments in regard to on site and off site activities. These are submitted to the Principal and Administration Manager, for approval by Principal, prior to the activity/excursion.

Conduct

The School has put in place a Code of Conduct for staff which may be **supplemented** from time to time by specific rules and directives. The Code of Conduct includes such matters as:

- the rights and responsibilities of students and staff within the school community;
- framework for behaviour management;
- the management and reporting of serious incidents; (see also WHS and the accident/incident reporting procedures under 7. Management and Reporting of Serious Incidents.)

The School has a Positive Behaviour Policy, which details the rights and responsibilities of students and the consequences of breaches.

The school has a no Bullying Policy.

Behaviour Management Practices

The school will establish and implement appropriate behaviour management practices for students, consistent with the philosophy of the school.

These practices will be communicated to the school community via the Positive Behaviour Policy and also in the brochure: *Information for Parents*; also through parent-teacher evenings.

The Positive Behaviour Policy is discussed each year in the high school with particular emphasis on Student Rights and Responsibilities, the Student Agreement, and the consequences of breaches. The students are also informed of the Mobile Phone Policy and the ICT Code of Conduct annually.

In primary school, behaviour management of students is primarily the role of the class teacher. In high school, the high school coordinator oversees behaviour management with the cooperation of the high school teachers. Teachers have the resource and support of the Principal and the College in managing difficult behaviours.

Behaviours of concern to teachers are generally communicated to parents with the intention that teachers, parents and students can then work collaboratively to resolve problem behaviours.

The school also consults with specialist support staff at AIS to implement individual student plans for students with difficult to manage behaviours.

See Positive Behaviour Policy and No Bullying Policy.

Student Leadership

There is no formal system of student leadership. All students are encouraged and given opportunities to show and develop leadership skills in a variety of situations.

Management and Reporting of Serious Incidents

In the immediacy of a serious incident, the supervising teacher should take appropriate action. Protecting the well-being of the student/students is the priority.

The serious incident should then be reported ASAP to the Principal and to the WHS manager so that the Incident or Accident procedure can be actioned and monitored.

A written record is kept by the WHS Manager of incidents and accidents.

All serious incidents will be investigated in accordance with the guidelines for procedural fairness as per the *Complaints and Grievances Policy* and the Code of Conduct.

See procedures for accident and incident reporting.

Complaints and Grievances

Complaints and grievances will be dealt with fairly and expediently. It is important that all relevant information is gathered and that it is considered in an objective manner. The Complaints and Grievances protocol in brief is as follows:

If a student or parent has a complaint, the first instance is to meet with the class teacher.

If a resolution is not satisfactory then it can be directed to the Principal.

All steps will be taken to deal with the complaint fairly and to take appropriate actions once a course of resolution is decided.

Every endeavour is made to resolve complaints in a co-operative, open and friendly manner. Follow-up responses are taken to repair and re-establish communication. The principal and teachers promulgate an ethos of co-cooperativeness in the school community.

In extreme cases, the school may use outside resources to resolve a complaint which would include taking advice from AIS.

Parents are notified in an information booklet (*Kindlehill – Information for Parents*) of the policy regarding complaints and grievances. The Policy is available from the office and on the website.

Parents also receive at the start of each year, a Communications Protocol which indicates how to raise concerns.

Complaints and grievances will be examined within the context of Procedural Fairness.

The following information on procedural fairness has been adapted from *Child Protection in the Workplace 2004*.

Procedural fairness requires the person conducting an investigation to:

- ≈ Inform the person of the substance, with as much detail as possible, of the allegation (s) or complaint (s) made against them
- ≈ Provide the person with a reasonable opportunity to put their case, either in writing or orally
- ≈ Make reasonable inquiries or investigations before making a decision

- ≈ Consider all relevant available evidence (both evidence that supports the allegation and evidence that does not support the allegation)
- ≈ Ensure that they do not decide a case in which they have a conflict of interests
- ≈ Act fairly and without bias
- ≈ Conduct the investigation with undue delay

A simple procedure for a student may entail:

- ≈ Outlining the alleged behaviour
- ≈ Allowing the student to respond
- ≈ Considering the response
- ≈ Indicating the school's view and likely action to the student / parents
- ≈ Considering any further comment or appeal particularly in relation to suspension, expulsion or exclusion
- ≈ Making a final decision

Pastoral Care

Counselling and specialist support

Students will be made aware of, and be supported to have access to, appropriate pastoral care and counselling. Where appropriate, this support will be accessed in the wider community where the need is beyond the resources of the school.

*In accordance with the Keep Them Safe initiative, the school will access resources necessary to pastoral care and counselling within its region. **The Blue Mountains City Council** provides a regional listing of support services available to children and families; accessed through the **Guide to Services and activities for Children and Families**. The AIS also provides advice on services available. The Principal also maintains a list of pastoral care and specialist services accessible in the local community.*

Students with special needs

The school will take reasonable measures to identify **students with special needs**, and provide an appropriate level of support to assist these students with their schooling, taking into account the resources available.

When children are identified as having special needs, the AIS consultants work with the school to implement individual student plans.

The school has implemented an Inclusive Schools Policy in 2013.

The Principal has responsibility for:

- ≈ *Assisting teachers in identifying student with special needs*

- ≈ *Supporting teachers in devising individualised programmes of work for students with special needs (in a collaborative process)*
- ≈ *Liaising with consultants in regard to developing individual plans*
- ≈ *Allocating resources to support students with special needs*
- ≈ *Supporting teachers in Liaising with parents in regard to students with special needs*
- ≈ *Completing and maintaining the National Consistent Collection of Data.*

Medical and medication support

Students requiring health or medical services and support or medication will be assisted to access these in an appropriate manner.

Individualised action plans are drawn up by teachers in consultation with parents and health professionals. For example, for students with asthma, diabetes, food allergies. These action plans are kept in a prominent position in the classroom. Copies of health plans are kept in the office. Where relevant, they will identify emergency procedures.

- ≈ All class teachers are required to be current, in their first aid training.
- ≈ Medications are kept in a secure place.
- ≈ There is a locked first aid unit in the office.

Administration is responsible to check supplies of first aid kept in the stationary store. Class teachers replenish their class first aid supply from this general stock.

Class teachers keep a copy of their class of student details in regard to medical conditions, medications, parental consent re emergency treatment, health professional contacts, Medicare numbers and ambulance cover. This information collated and kept up to date by the office.

The school has a protocol for managing peanut allergies.

Homework

Homework is set by the class teacher who is responsible to make sure it is appropriate for the children and to ensure that it is completed to satisfaction. In high school, the High School Coordinator oversees the completion of homework and consequences for work not done. See Homework is Good for you protocol.

Attendance

Student attendance is monitored according to the Attendance Policy and Procedure. Strategies to address unsatisfactory attendance are overseen by the Principal.

Communication

The school will provide both informal and formal mechanisms to facilitate communication between those with an interest in the students' education and well-being.

This may include communications between some or all of the following: student; parent or guardian; teacher; therapist; counsellor; Principal; or representative of a relevant government agency.

Communication within the school primarily occurs through:

- ≈ School newsletters; including fortnightly whole school newsletter; and regular individual class newsletters detailing class matters and written by class teachers*
- ≈ Parent teacher evenings which are held at least twice in a year*
- ≈ Individual parent – teacher interviews, which are offered on distribution of student progress reports twice yearly.*
- ≈ Formal or informal teacher –parent interviews, which may be initiated by the parent or teacher in regard to an arising concern. Parents are informed of this communication avenue in newsletters and at parent teacher evenings.*
- ≈ Talks and discussions/workshops for parents, led by teachers or guests on topics of interest or concern.*
- ≈ Twice yearly whole school parent forums.*
- ≈ Meetings/Interviews with the Principal in regard to issues that are outside the responsibility of the class teacher.*
- ≈ Complaints and grievances policy and procedure; detailed in the annual report or accessed through the office or school website.*
- ≈ Communications Protocol distributed to parents annually at start of year and available on the school website.*

External providers

Should the school use external providers, the High School Coordinator will ensure the safety and welfare of students undertaking study with an outside tutor or external provider.

Appropriate measures in child protection, code of conduct and supervision, are undertaken by the High School Coordinator in accordance with Board of Studies requirements.

All of the above policies will be implemented in a manner that is appropriate to the School, its students and the School community and with regard to the relevant legislative requirements that apply to the School and the students within its care.

B.4.2 Positive Behaviour Policy

1. Purpose of the Policy

- 1.1 This policy and procedure states the School's position on positive behaviour in the School Community and in particular has been developed to assist each child's development into a balanced, responsible and self-disciplined student who is able to take their place in the school community and contribute in a positive manner to school life.
- 1.2 This Policy is framed as an affirmation of positive School Community behaviour, rather than a framing of poor student behaviour (anti-bullying).

2. Application and Scope

- 2.1 The document aims to make clear to all teaching staff how Kindleshill School promotes a positive learning environment and where necessary, how to correct student behaviour.
- 2.2 We strive, within the School Community as a whole, to promote a culture of respect, cooperation and individual achievement
- 2.3 In addition, we have identified through our review processes, the need for students in Class 7/8 and above, to have a coherent Conduct Agreement.

3. Community Behaviour Statement

- 3.1 Children all have a right to work, play and learn in a friendly, safe and helpful environment.
- 3.2 Teachers all have a right to teach in a friendly, safe school, which is supported by the school community.
- 3.3 Parents all have a right to be informed, feel welcome and know their children work, play and learn in a friendly, safe school environment.

4. Implementation

4.1 Kindergarten to Class 7

- 4.1.1 Between Kindergarten and Class 7 the Class Teacher works to build a cohesive class community based on cooperation and mutual respect between child and child, and between child and teacher. Fundamental to the teacher's practice is daily meditative work on all the children and the class as a whole. The private individual work is supported by Child Studies during Teachers' Meetings.
- 4.1.2 Teachers are to treat each child with respect and courtesy and in return we expect each child to:
 - Follow a teacher's directions
 - Enable other children to learn without distraction
 - Maintain a positive attitude
 - Respect the physical boundaries of other children.

4.1.3 Community living is based on each member fulfilling their responsibilities towards others in order to enjoy the right to be respected themselves. Where children are unable to meet any of these expectations the child may be asked to learn separately, remaining beside the teacher for example, for a time in order to learn to appreciate the value of community learning. Such boundary confinement will be at the discretion of the Class Teacher/Principal.

4.1.4 Confining the boundary of a child will be considered when he or she has over the period of a number of lessons displayed the following behaviour:

- Failed to follow a teacher's directions
- Disrupted the learning of other students
- Argued and answered back discourteously, to a teacher's directions

4.1.5 In cases of physical aggression of one child towards another (such as hitting, kicking, biting etc), the school will exclude the child from the classroom and the playground at the teacher's discretion. Verbal putdowns and teasing will also attract the same response. Repeat offences may lead to the child being asked to stay at home for part of or a full day (suspension). Continuing offences may lead to a review of the child's position in the school.

4.1.6 Serious instances of behaviour between children will be dealt with using the principles of Restorative Justice applied appropriately considering the age of the children involved. Restorative Justice requires the Teacher/School to find a balance between the following:

- The therapeutic and the retributive models of justice
- The rights of offenders and the needs of victims
- The need to rehabilitate offenders and the duty to protect the public.

4.1.7 Children learn in a healthy way when they complete work set by as directed by a teacher. Completing set tasks is a vital part of building a healthy will. From Class 1 on, a child who does not complete work during class time may be asked to remain in the classroom at recess and/or lunch until the work is finished.

4.1.8 Discipline and Disability:

The fact that a student has a disability doesn't excuse them from the school's discipline regime. Action taken in respect of a child with a disability may sometimes be "protective" (for that child or others) rather than disciplinary; for example:

- If the student is behaving
- In an anti social manner

- In a disruptive manner
- In a way that is a danger to self or other

The teacher must strike a balance between a need to assist the student, the educational needs of other students and the safety of other students.

Relevant considerations for the teacher:

- What action would I take if the student did not have a disability?
- What adjustments should I make if any?

4.2 Classes 7/8 to 12

4.2.1 The same core values apply throughout the school but we need a different implementation approach to meet the needs of High School students. This approach relies on a Responsibilities and Rights Agreement outlining the responsibilities and rights of members of the student community and a clear Agreement defining the conditions with which the school expects each student to comply. Just as in the early years, there are age appropriate consequences for breaches of the agreement. The appropriate behaviours for a safe and supportive learning environment are actively taught and discussed with each class and once taught they are to be adhered to without the need for any further warnings to be given.

4.2.2 Discipline and Disability:

The fact that a student has a disability doesn't excuse them from the school's discipline regime. Action taken in respect of a child with a disability may sometimes be "protective" (for that child or others) rather than disciplinary; for example:

- If the student is behaving
- In an anti social manner
- In a disruptive manner
- In a way that is a danger to self or other

The teacher must strike a balance between a need to assist the student, the educational needs of other students and the safety of other students.

Relevant considerations for the teacher:

- What action would I take if the student did not have a disability?
- What adjustments should I make if any?

5. Responsibilities and Rights

5.1 Students have a responsibility:

- To treat others with understanding and empathy; not to laugh at others, tease others or hurt the feelings of others.

- To treat all other students, teachers and non-teaching staff, school community and the general public politely and with respect. Students have the responsibility to respect the position of teachers and respond to their directions courteously.
- To help others feel safe at school by not threatening, hurting or harming anyone in any way, and by not acting in potentially dangerous ways; and by accepting the consequences that may arise from actions.
- Not to steal, damage or destroy the property of other students and excursion venues, and to protect and to care for our school equipment and grounds.
- To attend classes on time and be prepared to learn, with work up to date and homework completed.
- To contribute to a respectful learning environment and ensure that their behaviour does not interfere with other students' right to learn.
- To support the Smoking, Drug and Alcohol Protocol, that prohibits use of these on school grounds or on out of grounds school activities.
- To care for the school grounds, buildings and equipment: to keep them clean, safe and well presented.
- To dress in accordance with the school dress code.
- To behave safely and responsibly when travelling to and from school.
- To limit the use of electronic devices such as mobile phones in accordance with school policy, which is that they may only be used on school grounds with the explicit permission of a teacher.

5.2 Students have the Right:

- To be treated with understanding, empathy and equality, free from pre-conceived notions.
- To be listened to and treated with respect and politeness
- To be safe and to feel secure at school, knowing that their rights and responsibilities will be maintained.
- To expect their property to be safe.
- To work in a positive work environment that promotes learning and recognises achievement.
- To expect that their school have an excellent reputation in the community.

6. Playground Behaviour

- Follow duty teacher's instructions
- No ball games outside of designated areas

- Out of bounds to be adhered to– ask teacher’s permission to retrieve balls, etc
- Wear appropriate sun protection according to school protocol.
- Tackling and branding games not permitted
- Sticks not to be used as weapons. No running with sticks
- Observe quiet areas: steps, decking and veranda
- Eat in appropriate areas and tidy up after yourself.
- No climbing on top of fences and the very top of equipment
- No rock throwing, spitting, offensive or potentially dangerous actions.
- No use of electronic devices except in accordance with school protocol.

7. The High School Student Agreement

As a member of the school community at Kindlehill School, I have the right to be treated with respect and dignity by all other students, teachers, staff and parents, both within and outside of the classroom. This right I also extend at all times to all other students, teachers, staff, parents and visitors. These rights extend to names, personal property, classrooms, school resources, litter and our natural environment including fauna and flora, and school animals.

I also have the right to regular supervision, guidance from all teachers but in particular from my class coordinator, in all matters relating to the furthering of my education.

I value the learning environment at Kindlehill and will endeavour to strive towards my potential in all subjects. This includes punctuality, being properly equipped and in a receptive mood – free from the negative side effects of chemical substances or other inappropriate influences – to allow lessons to be taught in harmony and respectfulness.

I understand that disruptive behaviour by an individual or group is to deny everyone else in the class the right to an educational experience, and that this behaviour is totally unacceptable and will not be tolerated.

I understand that whilst the school is supportive of individual freedom, it may need to regulate student self-expression – art, clothing, etc – according to its educational philosophy and beliefs.

I accept that illicit substances and material are not permitted at Kindlehill. I support that Kindlehill School is a non-smoking zone, which extends to all excursions and class trips.

In the resolution of any dispute of which I am involved, I understand that I have the right to be heard and that the school will consider my view before any decision is reached.

I understand that any involvement in bullying, smoking, alcohol, illegal substances and or disregard for these guidelines may result in disciplinary

measures, such as apologies, school service, suspension or expulsion, and that the school may have a subsequent responsibility to inform relevant authorities.

8. Discipline Procedures for breaches of the High School Agreement

8.1 There are a number of possible consequences which will be encountered by students breaking the Conduct Agreement. These consequences will be applied by the school at its discretion and as appropriate. It is very important that parents support the application of these consequences and explain to their student why they have come about. The possible consequences are as follows:

8.1.1 *Meet With Teacher/s*. At this meeting the teacher/s will bring the impact of the student's behaviour to the student's attention and seek assurances that they will endeavour to improve. Consequences of student behaviours must be met.

8.1.2 *Confiscation*. Any electronic equipment not in use as part of a lesson may be confiscated. This also applies to school events held outside normal school hours. All confiscated equipment is held in a secure location until the time at which it may be returned to the student.

8.1.3 *Restorative Justice Process*. When the infringement involves hurting others through actions or words or the damage of property a restorative justice process may be followed. This will involve an opportunity for the student responsible to make appropriate reparation to the injured party.

Restorative justice is about restoring what has been taken away and is a beneficial process for both the students responsible and those who have been hurt by their actions. It involves more than a spoken apology and will be particular to the damage that has been done.

8.1.4 *Student Plan and Conduct Book*. Students who fall into a persistent habit of unacceptable behaviour may be put on to an individual student plan and/or Individual Conduct Review. This Conduct Review is used to monitor student behaviour, identify ongoing issues as well as improvements, and can also be used to support the student in goal setting and reflective practices in regard to their own conduct. The high school coordinator oversees this. (see conduct review p 10)

8.1.5 *Parent Interview*. If the School feels that an inappropriate pattern of behaviour is developing for a particular student or if a serious infringement occurs parents may be asked to attend an interview with members of the Student Conduct group and/or representatives of the College of Teachers. At this interview the teachers will seek to work with the parents to arrive at measures to improve the student's behaviour.

8.1.6 *Suspension*. For serious offences a suspension may be given. In most cases these will take place at school. The student will be excluded from regular classes but will be permitted to work quietly in a supervised 'time-out' room or will be sent home if safe and appropriate to do so. The duration of

the suspension will be determined by the school and communicated to the parents of the student. School service may also be incorporated into the suspension.

8.1.7 *Expulsion*. Sometimes despite our best efforts it is not possible to continue with the enrolment of a student.

8.2 Parents are welcome to approach the students High School Coordinator if they have questions about the application of a consequence for their student.

9. Procedural Fairness

9.1 Procedural fairness is a basic right of all when dealing with authorities in matters of conflict. It will be adhered to where investigations into a student's conduct is required.

Procedural fairness refers to what is sometimes described as the 'hearing rule' and the 'right to an unbiased decision'. The 'hearing rule' includes the right of the person to:

- Know details of any allegation including any other information that may
- be taken into account in considering the matter
- Know the process by which the matter will be considered
- Respond to the allegations
- Know how to seek a review of the decision made in response to the allegations
- An unbiased decision – implying: Impartiality in the investigation and decision-making, and an absence of bias by a decision-maker

10. High School Classroom Behaviour Management Plan

This is to be applied by all teachers of high school (see attached p 9)

11. Individual Student Plans for Students with Special Needs

These will be implemented as required.

B.4.3 Bullying Policy

POLICY - Bullying: Preventing and Responding to Student Bullying in Kindlehill School

- ✓ This policy sets out the requirements for preventing and responding to student bullying in Kindlehill School.

1. Objectives - Policy statement

1.1 Bullying: Kindness and Respect.

Kindlehill school works from kindness and respect as underlying values, and builds skills (in age appropriate ways), in conflict resolution, self efficacy, self regulation, self awareness and well being.

Kindlehill School rejects all forms of bullying. No student, employee, parent, caregiver or community member should experience bullying within the learning or working environment of the school.

2. Audience and applicability

- 2.1** The policy applies to all student bullying behaviour, including cyberbullying, that occurs in school, and off school premises and outside of school hours where there is a clear and close relationship between the school and the conduct of the student.

3. Context

- 3.1** Bullying is repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Cyberbullying refers to bullying through information and communication technologies.

Bullying can involve humiliation, domination, intimidation, victimisation and all forms of harassment including that based on sex, race, disability, homosexuality or transgender. Bullying of any form or for any reason can have long-term effects on those involved including bystanders.

Conflict or fights between equals or single incidents are not defined as bullying.

- 3.2** Schools exist in a society where incidents of bullying behaviour may occur. Preventing and responding to bullying behaviour in learning and working environments is a shared responsibility of all staff, students, parents, caregivers and members of the wider school community.
- 3.3** All members of the school community contribute to the preventing bullying by modelling and promoting appropriate behaviour and respectful relationships.
- 3.4** The Positive Behaviour Policy establishes the standard approach to resolving complaints, including complaints about the way a reported incident of bullying has been managed.

4. Responsibilities and delegations

- 4.1** The College of teachers, which consists of the Principal Nominee, High School Coordinator and all full time class teachers kindergarten to class 7, must ensure that the school implements an Anti-bullying Plan that:
- includes strategies for:
 - developing a shared understanding of bullying behaviour that captures all forms of bullying including cyberbullying
 - developing a statement of purpose that outlines individual and shared responsibilities of students, parents, caregivers and teachers for preventing and responding to bullying behaviour

- maintaining a positive climate of respectful relationships where bullying is less likely to occur
- developing and implementing programs for bullying prevention
- embedding anti-bullying messages into each curriculum area and in every year
- developing and implementing early intervention support for students who are identified by the school as being at risk of developing long-term difficulties with social relationships
- developing and implementing early intervention support for those students who are identified at or after enrolment as having previously experienced bullying or engaged in bullying behaviour
- empowering the whole school community to recognise and respond appropriately to bullying, harassment and victimisation and behave as responsible bystanders
- developing and publicising clear procedures for reporting incidents of bullying to the school
- responding to incidents of bullying that have been reported to the school quickly and effectively
- matching a planned combination of interventions to the particular incident of bullying
- providing support to any student who has been affected by, engaged in or witnessed bullying behaviour
- providing regular updates, within the bounds of privacy legislation, to parents or caregivers about the management of the incidents
- identifying patterns of bullying behaviour and responding to such patterns
- monitoring and evaluating the effectiveness of the Plan
- includes procedures consistent with– reporting incidents involving assaults, threats, intimidation or harassment
- includes procedures for contacting the Community Services where appropriate
- includes contact information for the police youth liaison officer (YLO) and school liaison police officer (SLP) where appropriate
- includes contact information for appropriate support services
- is promoted and widely available within the school community
- is reviewed at least every three years.

4.2 School staff

School staff have a responsibility to:

- respect and support students
- model and promote appropriate behaviour
- have knowledge of school policies relating to bullying behaviour
- respond in a timely manner to incidents of bullying according to the school's Anti-bullying Plan.

In addition, teachers have a responsibility to:

- provide curriculum and pedagogy that supports students to develop an understanding of bullying and its impact on individuals and the broader community.

4.3 Students

Students have a responsibility to:

- behave appropriately, respecting individual differences and diversity
- behave as responsible digital citizens
- follow the school Anti-bullying Plan
- behave as responsible bystanders
- report incidents of bullying according to their school Anti-bullying Plan.

4.4 Parents and caregivers

Parents and caregivers have a responsibility to:

- support their children to become responsible citizens and to develop responsible on-line behaviour
- be aware of the school Anti-bullying Plan and assist their children in understanding bullying behaviour
- support their children in developing positive responses to incidents of bullying consistent with the school Anti-bullying Plan
- report incidents of school related bullying behaviour to the school
- work collaboratively with the school to resolve incidents of bullying when they occur.

4.5 The school community

All members of the school community have the responsibility to:

- model and promote positive relationships that respect and accept individual differences and diversity within the school community

- support the school's Anti-bullying Plan through words and actions
- work collaboratively with the school to resolve incidents of bullying when they occur.

5. Monitoring, evaluation and reporting requirements

The Principal Nominee is responsible for:

- implementing the policy within the school
- reporting to their school community on the effectiveness of the school's Anti-bullying Plan in the Annual Report.

B.4.4 Code of Conduct for Student use of ICT Resources

This code of conduct is to ensure that ICT equipment is used in a spirit of safety and wellbeing of yourself and others, and to help keep the computer systems in good working order. The guidance below gives examples of how students should ensure that they use equipment appropriately.

Students who do not follow the intention of the Code will be given appropriate sanctions. The code applies at all times, in and out of school hours, whilst using school equipment.

Please read the code carefully so that you understand your responsibilities.

You must **not**:

1. Send, attempt to access, save or display offensive messages or pictures or engage in illegal activities or view sites offensive to the ethos of the school. If any such material accidentally appears, you must inform a member of ICT Staff immediately.
2. Save files or make folders with offensive filenames.
3. Use email services during lessons, except for schoolwork.
4. Purchase or plan purchases over the school internet link. Only use computers for educational purposes only.
5. access a computer without the supervision of a teacher.
6. Eat or drink while using computers.
7. Intentionally waste, damage resources or equipment.
8. Try to access parts of the system that are clearly not meant to be available to you; this is often called hacking. Never help someone to use the network or Internet if they have been banned
9. Arrange to meet anyone through E mail or the Internet; do not complete online forms without your teacher's consent.

10. Fix anything which is not working, however simple the problem might seem. Inform a member of staff if you notice something wrong with any equipment.

B.4.5 Mobile Phone Policy

Kindlehill School has clear protocols regarding the use of mobile phones and advises students and parents/guardians of their expectations and policy requirements, including use during school excursions, camps and extra-curricular activities.

Procedures:

Kindlehill School acknowledges that mobile phones when used appropriately, offer students and their parents some advantages in terms of ease of communication and a sense of personal safety. However, mobile phones can have a negative and disruptive impact on the learning environment and safety and wellbeing of students. This policy is to protect the well being of students while in the care of the school, as well as to ensure a consistent and positive learning environment for students.

Note: Students can have access to a mobile phone where there is a need to contact parents/guardians in an emergency.

Mobile phone cameras (still and video) must not be used:

- in banned spaces for example changing rooms, toilets, gyms and swimming pools
- to film people and their activities without their knowledge or permission.

Mobiles phones must not be used to send harassing or threatening messages.

Texting and mobile phone use during the school day is not permitted without the specific permission for exceptional circumstances, agreed with the teacher in charge.

Phones should be turned off during the day. They are not to be brought out for checking or use, during class or break times (exceptional circumstances may apply by arrangement with the teacher).

Students should not lend another student their phone for inappropriate use. The students who own the phone may be held responsible for its use.

Students bring mobiles phones to school at their own risk – the school doesn't accept responsibility for loss or damage.

CONSEQUENCES OF BREACHES

1. Illegal use of technology will be reported to the appropriate authorities in accordance with child protection and well being legislation and protocols.
2. Inappropriate use of phones may lead to one or more of the following:
 - a reminder to keep them turned off during school hours
 - temporary confiscation

- confiscation for a definite length of time in which the phone will be kept in a secure location in the office.
- Permanent ban on bringing of phones to school.

RELATED TECHNOLOGY

The intention of this policy applies also to ipods, tablets and similar devices.

COMMUNICATION ABOUT THE POLICY

High school Coordinator (or delegated teacher) will discuss this policy with the students (class 7 – 10).

Parents will be notified in the information pack and by newsletter of the school protocol.

Policy is distributed to teachers and/or discussed at teacher meetings.

B.4.6 Social Networking Policy

Accessing social network sites on School Systems

You are not permitted to use social networking sites on School Systems¹ unless you have been specifically authorised to do so by the Principal. You should not have any expectations of privacy for any actions performed on Social Media sites using School Systems.

Application

This Policy applies to employees and contractors when they participate in social networking sites whether during work hours or outside of work hours on their own computers or other electronic communication technologies or on School Systems (if they have been authorised to do so).

This Policy covers all current and future social media platforms. These platforms currently include, but are not limited to:

1. **Social networking sites:** Facebook, MySpace, Foursquare, LinkedIn, Bebo and Friendster;
2. **Video and photo sharing websites:** Flickr and YouTube;
3. **Micro-blogging sites:** Twitter;
4. **Blogs:** including corporate blogs and personal blogs or blogs hosted by traditional media publications;
5. **Forums and discussion boards:** e.g. local discussion boards, Whirlpool, Yahoo! Groups or Google Groups;

Consequences of a breach of this Policy

Using Social Media in a way which breaches this Policy, may result in disciplinary action being taken.

Disciplinary action may include limitation or removal of access to School Systems, or termination of an employee's employment or contractor's engagement with the School.

Use of Social Media as part of your role

If you are required by the School to participate in Social Media sites as part of your role with the School you should ensure that you clearly understand what is required of you.

You should always exercise responsibility and judgment in any material you post on Social Media sites where you are participating as part of your role with the School. Essentially the rules that apply to you when you are interacting face to face with people as a representative of the School will apply to your actions on Social Media – including all School policies. Similarly the normal authorisation and approval process in relation to any content that you are posting will also apply.

You should be polite and respectful of the opinions of others at all times and refrain from posting any comments which harshly criticise or undermine posts made by others. You should be careful of what you say about others and do not post comments which may be viewed as denigrating or insulting including to other schools.

Personal use of Social Media

Use of Social Media

The School understands that you use various Social Media for personal reasons on your own computers or other electronic communication technologies or on School Systems if you have been authorised to do so.

Generally what you do on your own time is your own business. However, information you provide, and statements you make, on Social Media sites may impact the workplace and have significant consequences. This material may be read by others in the School community or the public at large. Once information is published online, it is essentially part of a permanent record, even if you 'remove/delete' it later or attempt to make it anonymous.

When using any Social Media you are responsible for your words and actions.

It is your responsibility to ensure that your posts are appropriate. Use your judgment and common sense, and if there is any doubt, do not post.

When using any Social Media the school strongly discourages:

1. inviting students to join your personal social networking site or accepting a students' invitation to join theirs;
2. communicating with students on social networking sites;

When using any Social Media you must not:

1. post photos of students or parents on social networking sites;
2. use the School's logo or create School branded accounts which could be interpreted as representing the School;
3. contribute anything which would bring you or the School into disrepute – for example an offensive blog or photo;

4. engage in any conduct that would not be acceptable in the workplace - for example:
 - a. making any adverse, offensive or derogatory statements about other employees or contractors, students, parents or school management. or
 - b. engaging in unlawful discrimination, harassment or bullying of other employees or contractors, students, parents or school management. and
5. disclose any confidential information about the School, including information about other employees or contractors, students, parents or school management.

The above requirements apply regardless of whether you have restricted access to your personal site to selected persons only.

You should also avoid identifying or discussing co-workers or posting photographs that include co-workers unless you have obtained their permission first.

1. Expressing your personal views

It can be difficult to draw a line between your personal and professional life when using Social Media. Even when you are talking as an individual, people may perceive you to be talking on behalf of the School. By identifying yourself as a School employee or contractor, you are creating perceptions about your expertise and about the School. Accordingly you need to be careful that all content associated with you does not conflict with School policies and your obligations as an employee or contractor.

2. Time spent on Social Media

You may access Social Media sites during authorised breaks using your own computers or other electronic communication technologies or on School Systems if you have been authorised to do so. However, excessive use of Social Media during work time for personal reasons may result in disciplinary action.

3. Personal liability

Please bear in mind that information you provide, and statements you make, on Social Media could have significant consequences for you personally, for example:

1. making statements about an individual may constitute defamation (in which case you may be personally liable under applicable legislation to the person about whom you make the statement);
2. making statements may constitute unlawful discrimination, harassment or bullying (in which case you may be personally liable under applicable legislation);
3. making statements about the School, its business, parents or students, may constitute a breach of your obligation not to disclose confidential information and your obligation not to make public statements about or on the School's behalf without express authority; and

4. using other persons' material, text, photographs, music, logos and trademarks may breach copyright laws.

If you feel unsure about what to do in particular circumstances, you should contact the principal who will direct you to appropriate advice.

The terms and prescribed conduct described in this Policy are not intended to be exhaustive, nor do they anticipate every possible use of Social Media. You are encouraged to act with caution and to take into account the underlying principles of this Policy. If you feel unsure about what to do in particular circumstances, you should contact the Principal.

B.4.7 Discipline Policy

Discipline is an integral part of teaching practice at Kindlehill. Guidelines for the best disciplinary practices, in accordance with the educational philosophy and vision of Kindlehill are detailed in the Positive Behaviour Policy.

The teachers make every effort to deal with disciplinary matters quickly and effectively, to ensure the positive and productive learning environment is maintained for all students.

The school implements its Policies and Procedures in the framework of procedural fairness.

Procedural fairness is a basic right of all when dealing with authorities. Procedural fairness refers to what is sometimes describes as the 'hearing rule' and the 'right to an unbiased decision'.

The 'hearing rule' includes the right of the person against whom an allegation has been made to:

- *Know the allegations related to a specific matter and any other information which will be taken into account in considering the matter;*
- *Know the process by which the matter will be considered*
- *Respond to the allegations*
- *Know how to seek a review of the decision made in response to the allegations*

The 'right to an unbiased decision' includes the right to:

- *Impartiality in an investigation and decision making*
- *An absence of bias by a decision-maker*

The review mechanism adds to the fairness of the process.

GENERAL POLICIES AND PROCEDURES

1. Students are required to abide by the school's rules and to follow the directions of teachers and other people with authority delegated by the school.
2. Where a student disregards rules, disobeys instructions or otherwise engages in conduct which causes or may cause harm, inconvenience or embarrassment to the school, staff or other students, the students may be subject to disciplinary action.

3. The disciplinary procedures undertaken by the school will vary according to the seriousness of the alleged offence. When advised of the allegation the student and parents will be informed of the procedural steps to be followed in dealing with the matter. In relation to all matters to be investigated students will be informed of the nature of the allegation and given an opportunity to respond to the allegations.
4. The penalties imposed will vary according to the behaviour and the prior record of the student. At the lower end of the scale, an admonition may be appropriate. At the upper end of the scale, the behaviour could result in suspension or expulsion.
5. Where the offending behaviour is of such a nature that it may result in suspension or expulsion the student also will be:
 - informed of the alleged infringement
 - informed as to who will make the decision of the penalty
 - informed of the procedures to be followed which will include a parent or guardian when responding to the allegations
 - and afforded a right of review or appeal
6. The Principal will reach a preliminary decision in relation to the decision and any penalty to be imposed and advise the student and parents of the view. The students and parents will be advised that if they wished this preliminary decision to be reviewed, they may make application for a review to the principal and submit any information they want to be considered during the review process. The principal will then either confirm the preliminary decision as final or amend the preliminary decision based on the additional information provided.

Corporal Punishment Policy

Kindlehill does not use corporal punishment as a disciplinary measure. Nor do we implicitly or explicitly sanction the use of corporal punishment by parents, to enforce discipline at the school.

B.5 Complaints and Grievances Policy

This procedure is for use for serious complaints and grievances, when other communications protocols have been used. (see communications protocols.)

- a.) Initially, complaints and grievances should be raised directly with the person involved.
- b.) If not resolved, then with the teacher liaison officer who will take the matter to the College of Teachers or arrange to facilitate a resolution.
- c.) If the matter is still unresolved in a satisfactory way, then it should be raised with the principal (if not appropriate to raise it with the principal, then another member of College).
- d.) If you have any queries about this process you should contact the principal.

Complaints and grievances are to be dealt with fairly and expediently. It is important that all relevant information is gathered and that it is considered in an objective manner.

All steps will be taken to deal with the complaint fairly and to take appropriate actions once a course of resolution is decided.

Every endeavour will be made to resolve complaints in a co-operative, open and friendly manner. Follow-up responses are taken to repair and re-establish communication. The principal nominee and teachers promulgate an ethos of cooperativeness in the school community.

In extreme cases, the school may use outside resources to resolve a complaint.

Parents are notified in an information booklet (*Kindlehill – Information for Parents*) of the policy regarding communication, complaints and grievances. In the brochure, “what’s happening and who does what”, the Parent – Teacher Liaison Officer is identified, and this will be updated and provided to the school community at the start of each year.

Complaints and grievances will be examined within the context of Procedural Fairness.

- Procedural fairness requires the person conducting an investigation to:
 - Inform the person of the substance, with as much detail as possible, of the allegation (s) or complaint (s) made against them
 - Provide the person with a reasonable opportunity to put their case, either in writing or orally
 - Make reasonable inquiries or investigations before making a decision
 - Consider all relevant available evidence (both evidence that supports the allegation and evidence that does not support the allegation)
 - Ensure that they do not decide a case in which they have a conflict of interests
 - Act fairly and without bias
 - Conduct the investigation with undue delay
- A simple procedure in response to the raising of a grievance may entail (among other things):
 - Determining the best way of handling the grievance
 - Outlining the alleged behaviour
 - Requesting further information from the person raising the grievance
 - Requesting information from other relevant parties
 - Meeting with those involved in the grievance
 - Reviewing and responding to the grievance or arranging for an appropriate person to review and respond to the grievance
 - Facilitating a meeting between you and the person the grievance is about
 - Advising the persons involved of the school’s response to the grievance and if appropriate, any action to be taken

- Considering any further comment or appeal particularly in relation to suspension, expulsion or exclusion
- Making a final decision

B.6 Volunteer Code of Conduct

The policy encourages a common set of guidelines and practices for parent/grandparent/guardian volunteer work at the school. All parents who engage in volunteer work at the school, from working bees to attendance at excursions, complete and sign this form.

Code of Conduct for Volunteers

A volunteer is a person who works in the school to support the efforts of professional personnel. It is intended that such a volunteer shall serve willingly in that capacity, without compensation or employee benefits.

Our volunteer programme is in place to compliment, not replace, staffing activities at the school. The volunteer programme is a valued and essential part of the school's activities. *As a Volunteer, your roles and responsibilities in the school are unique, and require careful consideration and direction.*

To assist Kindlehill in providing a safe environment and a positive educational climate, volunteers are asked to review and comply with this Code of Conduct for Volunteers.

This has been formulated to clarify the type of conduct that is expected of volunteers when at the school.

In summary, the Code of Conduct defines that volunteers:

- Observe **CONFIDENTIALITY** with all information gained through your participation as a volunteer, unless it is in the context of passing on positive or constructive feedback to a parent, for example, a child was very helpful and supportive.
- When acting as a school volunteer, to **MAINTAIN** student confidentiality at all times and do not discuss any student with anyone except teachers, or the Principal unless it is in the context of passing on positive or constructive feedback to a parent, eg a child was very helpful, supportive, etc.
- Apply reasonable instructions given by supervisors and **REPORT PROGRESS** to the supervising staff and school. Take direction from teachers and the Principal when conducting volunteer work.
- **AVOID WASTE** or extravagance and make proper use of the resources of the school.
- Treat the school's tools and resources with **CARE AND RESPECT** and return them to their original location.
- Observe **SAFE WORK PRACTICES** which avoid unnecessary risks.
- Report to administration any **HAZARDS** or hazardous practice in the workplace.
- Report any **MAINTENANCE** items to administration.
- **UNDERSTAND** that your role is a supportive one. The teacher and principal provide direction for all volunteer work. You must not be left in charge of students at any stage.

- **REMEMBER** volunteers are only permitted to work with students on school grounds, or on a supervised excursion or camp, and under the supervision of the school staff.
- **USE** good judgment and avoid any compromising situations. Work in a room with other people at all times. Usually you will not be left alone with one student out of view of other people. If you are, always keep the door open.
- **STRICTLY** follow the school's discipline policy, by asking the teacher and coordinating staff for assistance with any problematic behaviour.
- **TAKE PRIDE** in your work.
- To **MAINTAIN** a constructive attitude and to focus on positive comments about the school, its personnel, or the students when talking with other volunteers or individuals outside the school.
- **BE PROMPT** and consistent in your attendance. Teachers depend on volunteers and plan their work accordingly. Students depend on volunteers even more.
- **NOTIFY** the school as soon as possible if you will be late or absent, and try to arrange alternative volunteers where possible.
- **ESTABLISH** and maintain good and frequent communication with your classroom teacher, particularly about safety matters.
- **NEVER** be under the influence of drugs or alcohol whilst volunteering, and do not smoke on school grounds.
- **DO NOT** use the Internet inappropriately by going to websites that are not conducive to a professional or educational environment.
- **ALERT** school staff immediately if any student has an accident while working with you.
- Accept and **FOLLOW DIRECTION** from the principal or supervising teacher, and seek guidance through clarification where you may be uncertain of tasks or requirements.
- As a volunteer you have the right to work in a **SAFE** environment, free from preventable risk. Please raise concerns direct with the supervising teacher or our Work, Health, and Safety team.
- As a volunteer providing **TRANSPORT** on school outings;
 - The onus is on the volunteer to ensure their car is registered, and in a safe condition for driving.
 - The onus is on the volunteer to advise the school if their license expires (and is not renewed) or they lose their license.
 - The volunteer must adhere to road rules.

Note: Parent volunteers are not considered mandatory reporters under the Children and Young Persons (Care and Protection) Act 1998. It is imperative that volunteers report to the Principal any safety, welfare or wellbeing concerns for students at the school. Reporting of these concerns should be done promptly, and will be acted on as deemed necessary by the Principal.

B.7 Communications Protocol

Communication in the school; how do you find out what is happening around the school, about decisions that are taken and who makes them? Who do you talk to if you would like to be involved, if you have a question or concern?

We hope the following protocols provide clear pathways to assist you in regard to communication, during your time at Kindlehill.

- **The School Information Booklet** which you receive in the enrolment pack provides a good all round introduction. It summarises the history and ongoing development of the school, provides information about important school protocols as well as about how to follow up in regard to complaints and grievances, communication between parents and teachers, and the school's code of conduct. The second part summarises the philosophy and broad educational principles that underlie the education provided at Kindlehill. This brochure is also connected to our website.
- **Mandates – “What is happening and who does what around the school.”** This paper is distributed to families at the beginning of each year. It informs parents about how the school is organised and who does what around the school, individuals and groups.
- **Talk to your teacher first –** Information about your child's class, concerns about your child, questions about curriculum, matters related to your child's class, **should be directed in the first instance to your child's class teacher.** We encourage parents to keep in touch with their children's progress, to regularly come and look at their children's work, and to promptly raise any concerns with the teacher. Teachers are available for conversation with parents after school and more formal interviews can be arranged at any time of the year. Also, if there is a change of circumstance in the family or a significant issue arises for the child, it is helpful if the teacher is informed so that s/he can bring appropriate support and understanding toward the child.
- **Contacting your class teacher –** please check in with your class teacher if you are unsure of his or her preferred means of communication eg by email, text, times for phone calls and interviews.
- **High School –** Lynn is the high school coordinator. Questions or concerns should be directed to Lynn in the first instance.
- **Principal – parent liaison –** Lynn can provide direction to parents who are unsure how to follow up with a concern, especially when a parent has raised it with the class teacher but feels it has not been dealt with fairly or adequately. Lynn is also a conduit to College, when parents wish to bring a concern to the attention of the teachers in general. Alternatively, parents can approach College about their unresolved concerns through Erica or by letter to College.
- **Parent forums –** From time to time these may be held to provide a forum for interests and concerns to be discussed with parents in general. The

parents' Association can also work with College in regard to matters of concern raised by the general parent body.

- **Promoting a positive, supportive and respectful school environment** - We know from experience that harmonious and friendly relationships between teachers and parents bring many positive benefits to the children. They feel themselves secure and cared for in the manner of an extended family. In order to promote and protect healthy home – school relationships, we request that parents refrain from sharing off-hand criticism and negativity with others. We request that parents take their concerns to their class teacher so that they can be addressed. In doing this, we provide a living example of how we would like our children to address issues and concerns.
- **Complaints and grievances** – a copy of the school's complaints and grievances policy is available to parents on request. It is a process to be used when a parent wishes to make a serious complaint. Procedural fairness is the basis of this policy.
- **School Newsletters** - The fortnightly newsletter as well as the seasonal Kindlings magazine, provide a good source of information in regard to the events and activities of the school, opportunities for parent involvement as well as insights into what lies behind the educational approaches typical to Kindlehill.
- **Class newsletters** - Each teacher provides regular updates to the parents about ongoing class matters and opportunities for parent involvement.
- **Class Teacher-parent evenings** – these are an invaluable source of information for parents about what is happening in your child's class and for information that can help you to understand your child, the curriculum and the Steiner approach to child development that underpins it. These are generally held each term.
- **Email** – Class teachers each have their own class email network and this is used to inform and to organise class activities. Out of respect and courtesy for the teacher, we ask that parents do not use class email networks as a forum for raising or soliciting discussion in regard to concerns or complaints. Concerns and complaints should always be directed in person to the class teacher first and then if necessary through appropriate channels.
- **Social events** - The many social events of the school such as plays, seasonal celebrations and fairs, provide a rich opportunity for parents to share in the community life of Kindlehill. Often these involve presentations by the classes that give parents an insight into the richness of the educational experiences of the children throughout the school.

PROTOCOL RE LEAVING/EXITING THE SCHOOL

Classes are akin to big families or mini communities and what is happening to one student, has its effect on the class as a whole.

Therefore, we request that when parents are considering leaving the school, they **discuss this with the class teacher prior to making the decision.**

Once a decision is made to leave, we request that this be communicated firstly to the class teacher and that the parents discuss with the teacher, appropriate arrangements re the farewelling of the student.

When a child leaves a class, this impacts significantly on the whole class and the teacher, given appropriate notice, can arrange a smooth and satisfactory transition for all.

The school is required to record information as to where the student will next attend school. We also record in brief, the reason for the exit.

B.8 Work Health and Safety Policy

General Policy

In accordance with the *NSW Work Health and Safety Act 2011*, the work health and safety of all persons employed within the school, students, contractors engaged to work at the school, and those visiting the school are considered to be of the utmost importance. Resources in line with the importance attached to work health and safety, will be made available to comply with all relevant Acts and Regulations and to ensure that the workplace is safe and without risk to health.

Management Responsibility

The promotion and maintenance of work health and safety is primarily the responsibility of the School WHS Officer and executive. Management at all levels is required to contribute to the health and safety of all persons in the workplace. To this end, it is the responsibility of the Officer, in consultation with the Health & Safety Committee, to develop, implement and keep under review, in consultation with its employees, the Organisation's WHS Program.

The Business Manager performs the role of school WHS Officer.

Specific Responsibilities

a) Officer and School Executive

The Officer, in conjunction with the School Executive, is required to ensure that this policy and the WHS Program are developed and effectively implemented in their areas of control, and to support teachers and hold them accountable for their specific responsibilities.

b) Health and Safety Committee

The Health and Safety Committee will work with the Officer to ensure the implementation of the school WHS policy. The committee will consult together and will support teachers and contractors with their specific responsibilities.

The WHS Committee will manage all process and procedural changes as a group via a consultative process.

c) Teachers

Each teacher is responsible, and will be held accountable, for taking all practical measures to ensure that:

- WHS Program compliance in the area of their control and employees are supervised and trained to meet their requirements under this Program;
- Employees are consulted in issues, which affect their health and safety and any concerns they may have, are referred to management.

d) Employees

All employees are required to cooperate with the WHS Policy and Programs to ensure their own health and safety and the health and safety of others in the workplace.

e) Contractors

All Contractors engaged to perform work on the school's premises or locations are required, as part of their contract, to comply with the work health and safety policies, procedures and programs of the school and to observe directions on health and safety from designated officers of the school. Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract.

Work Health and Safety Program

In order to implement the general provisions of this policy, a program of activities and procedures will be set up, continually updated and effectively carried out. The program will relate to all aspects of work health and safety including:

WHS training and education; WHS induction for new employees.

- Work design and standard work methods;
- Changes to work methods and practice, including those associated with technological change;
- Emergency procedures and drills;
- Provision of WHS equipment, services and facilities;
- Workplace inspections and evaluations;
- Reporting and recording of incidents, accidents, injuries and illnesses; and;
- Provision of information from the officer and WHS Committee, to employees, contractors and sub-contractors.

B.9 Educational and Financial Reporting Policy

It is important to reiterate the financial reporting obligations and policy as outlined below. The school is required to meet several financial reporting obligations as accountability for the allocation of grant monies. The preparation and delivery of financial accountability is managed through the Board, College and Administration, with professional financial services engaged as needed.

This policy has been recently updated with new requirements as per the NES

The school will maintain the relevant data and will comply with reporting requirements of the NSW Minister for Education and Training, and the Commonwealth Department of Education and Training. This reporting will include public disclosure of the

educational and financial performance measures and policies of the school as required from time to time.

Procedures for implementing the policy include:

Annual Report

- The Business Manager is responsible for co-ordinating the final preparation and distribution of the annual report to the Board and other stakeholders as required.
- for each reporting area, identification of the staff member responsible for the collection, analysis and storage of the relevant data and for providing the relevant information to the coordinator for inclusion in the report. This is the responsibility of the Business Manager, with student attendance statistics provided by the class teachers.
- determination of the specific content to be included in each section of the report and reviewing this each year to ensure ongoing compliance, relevance and usefulness. Visit this link before commencing the annual report: [AIS advice on Annual Report Preparation](#).
- preparation of the report in an appropriate form to send to NESA.
- setting the annual schedule for
 - delivery of information for each reporting area to the coordinator
 - preparation and publication of the report
 - distribution of the report to the Board of Studies and other stakeholders

Requests for additional data from the NSW Minister for Education and Training

To ensure that any requests from the Minister for additional data are dealt with appropriately, the school will identify the staff member responsible for coordinating the school's response. This person is responsible for the collection of the relevant data and for ensuring it is provided to NESA in an appropriate electronic form.

DET Annual Financial Questionnaire

The Business Manager is responsible for completing the annual financial questionnaire.

The Business Manager is responsible for the collection of the relevant data and for ensuring this is provided to DET in an appropriate form.

Financial Viability

The school's financial viability documentation is managed by the Business Manager (supported by the School's Finance Committee) and reported to the Board quarterly.

The school will maintain evidence to demonstrate current financial viability for NESA. This includes:

1. Audited annual financial statements, including an independent audit report; an independent auditor's management letter
2. Evidence of compliance to state or government agencies responsible for funding (eg. Census, Student Attendance Data, Financial Acquittal).
3. Current Financial Questionnaire
4. Current operating accounts
5. Schedule of loans
6. Lease agreements
7. Copies of the Award or agreement under which staff are paid
8. Information about remuneration paid to members of the governing body
9. Current school business plan
10. Current year budget and forecasts for a minimum of 3 years
11. Insurance policies covering risk areas for the school

The school will:

- Assess financial viability according to school and NESA determined KPIs and report to the Board quarterly.
- Retain all audited financial statements from 1 September 2014 for a minimum of seven years.
- Retain copies of NESA financial viability certification or warrant from 1 January 2017 for a minimum of 7 years.
- Notify NESA if the school's contract with the current auditor is terminated prior to the expiry of the contract; reasons for termination of contract are to be disclosed to NESA.
- Notify NESA if the affairs of the Proprietor are under any form of external control.

B.10 Staff Code of Conduct

Intended Use

This Code of Conduct is intended to be made available to the school's staff at the commencement of their employment or to be available and/or provided to staff during the course of their employment or involvement with the school.

The Code forms comprehensive directions to these employees or other workers as to the expected standard of behaviour.

Preface

The School is committed to the achievement of the highest standards of education in which the security, protection and wellbeing of students retains the highest priority. The following guidelines are issued for all staff, responsible in any way for the conduct of educational activities at Kindlehill.

Where these guidelines permit unambiguous expression of practices and standards required, these guidelines are to be adopted as mandatory policy. Where such clarity is not possible, the guidelines should be used as a basis for appropriate professional judgement and discretion.

These guidelines remain subject to all current Child Protection Legislation.

All staff must undergo employment screening procedures, before commencement of their employment with the School.

All staff acknowledge their legal obligation to children placed under their care, ensuring that they act at all times in the best interests of children. The issues of safety and security extend beyond the normal considerations of child protection and include specifically the provision of competent supervision and management.

Staff are required to sign an acknowledgement that they have read, understood and agree to abide by these guidelines.

The Code forms comprehensive directions to these employees or others workers as to the expected standard of behaviour. This Code is intended to apply to all employees and contractors in their work with the school.

Who has to comply with the Code of Conduct?

By accepting employment with the School, you must be aware of and comply with this *Code*.

Therefore, you must:

- (a) conduct yourself, both personally and professionally in a manner that upholds the ethos and reputation of the School;
- (b) comply with the School's policies and procedures;
- (c) act ethically and responsibly; and
- (d) be accountable for your actions and decisions.

Contractors

Contractors and consultants working with the School must be aware of this *Code* and conduct themselves in a manner consistent with the conduct described in it. Conduct that is not consistent with the conduct set out in this *Code* may result in the engagement of a contractor, consultant or volunteer being terminated.

If you are engaging or managing external consultants or contractors, it is your responsibility to make them aware of the School's expectations of conduct during the period of their engagement.

General

This *Code* is not intended to be contractual in nature and does not impose any contractual obligations on the School. The School reserves the right at its sole discretion to vary or cancel this Code at any time.

Nothing in this Code should be taken to limit the circumstances in respect of which the School may take disciplinary action in respect of an employee.

1. What is expected of you as an employee?

As a School employee, you are expected to:

- (a) perform your duties to the best of your ability and be accountable for your performance;
- (b) follow reasonable instructions given by your supervisor or their delegate;
- (c) comply with lawful directions;
- (d) carry out your duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve your knowledge and skills, including through participation in relevant professional development;
- (e) act honestly and in good faith in fulfilling your duties;
- (f) be courteous and responsive in dealing with your colleagues, students, parents and members of the public;
- (g) work collaboratively with your colleagues; and
- (h) ensure that your conduct, whether during or outside working hours, is consistent with the ethos of the School and does not damage the reputation of the School.

2. What happens if I breach the Code of Conduct?

- 2.1 The consequences of inappropriate behaviour and breaches of this *Code* will depend on the nature of the breach.
- 2.2 Employees should report possible breaches by colleagues to their supervisor or the **Principal**. If the possible breach is by their supervisor then it should be reported to the **Principal**.
- 2.3 Factors the School may consider when deciding what action to take may include:
 - (a) the seriousness of the breach;
 - (b) the likelihood of the breach occurring again;
 - (c) whether the employee has committed the breach more than once;
 - (d) the risk the breach poses to employees, students or any others; and
 - (e) whether the breach would be serious enough to warrant formal disciplinary action.
- 2.4 Actions that may be taken by the School in respect of a breach of the Code include management or remedial action, training or disciplinary action ranging from a warning to termination of employment. The school will reserve the right to determine in its entirety the response to any breach of this Code.

3. Required reporting

- 3.1 All employees are required to inform the **Principal** if they are charged with or convicted of a serious offence (those punishable by 12 months or more in jail). You must also inform the Principal if you become the subject of an Apprehended Violence Order.
- 3.2 If, through your employment with the School, you become aware of a serious crime committed by another person, you are required to report it to the **Principal**, who may be required to inform the police.
- 3.3 As a School employee, you must report to the Principal:

- (a) any concerns that you may have about the safety, welfare and wellbeing of a child or young person;
- (b) any concerns you may have about the inappropriate actions of any other employee, contractor or volunteer that involves children or young people;
- (c) any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you; and
- (d) if you become aware that an employee, contractor or volunteer has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving 'reportable conduct'; and
- (e) if you become the subject of allegations of 'reportable conduct' whether or not they relate to your employment in the School.
- (f) if your Working With Children Check clearance is cancelled or if you are or become a *disqualified*² person from working or volunteering with children.

You should refer to the School's **Child Protection Policy** for further information about these obligations.

3.4 Please note that teachers and some other employees have mandatory reporting obligations under the *Children and Young Persons (Care and Protection) Act 1998* (NSW) where they have reasonable grounds to suspect a child under the age of 16 years is at risk of significant harm and have current concerns about the safety, welfare and wellbeing of the child. You should refer to the School's **Child Protection Policy** for further information about these obligations.

3.5 Management and Reporting of Serious Incidents

In the case of serious incidents, these must be reported to the principal or the Work Health Safety Manager. These incidents will then be promptly and appropriately investigated according to the Incident Plan, and under the principals of procedural fairness. (see also Complaints and Grievances Policy).

- The following information on procedural fairness has been adapted from *Child Protection in the Workplace 2004*. NSW Ombudsman.
- Procedural fairness requires the person conducting an investigation to:
 - Inform the person of the substance, with as much detail as possible, of the allegation (s) or complaint (s) made against them
 - Provide the person with a reasonable opportunity to put their case, either in writing or orally
 - Make reasonable inquiries or investigations before making a decision
 - Consider all relevant available evidence (both evidence that supports the allegation and evidence that does not support the allegation)

² As defined in the *NSW Child Protection (Working With Children) Act 2012* Section 18

- Ensure that they do not decide a case in which they have a conflict of interests
- Act fairly and without bias
- Conduct the investigation with undue delay
- A simple procedure may entail:
 - Outlining the alleged behaviour
 - Allowing the person who is subject to the allegation to respond
 - Considering the response
 - Indicating the school's view and likely action to relevant parties
 - Considering any further comment or appeal particularly in relation to suspension, expulsion or exclusion
 - Making a final decision

4. Respect for people

- 4.1 Employees who work with students have a special responsibility in presenting themselves as appropriate role models for those students. Modelling effective leadership and respect in your interactions with students can have a profoundly positive influence on a student's personal and social development.
- 4.2 Similarly, it is important for you to treat your colleagues, other employees, contractors, students and parents with respect. Rude or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, intimidating or derogatory language and physical abuse or intimidation towards other employees, contractors, students and parents is unacceptable. You must not use information and communication technologies, such as email, mobile phones, text or instant messaging, blogs, social media sites and other websites to engage in this type of behaviour.
- 4.3 You must not discriminate against, or harass for any unlawful reason, or bully for any reason any employee, contractor, student or parent.
- Unlawful harassment or discrimination may constitute an offence under the *Anti-Discrimination Act 1977* or federal discrimination legislation. Bullying may be a breach of your obligations under work health and safety legislation or your duty of care at common law.
- 4.4 If you believe you are being unlawfully harassed or discriminated against or bullied:
- (a) where you feel comfortable ask the person to stop, or make it clear that you find the behaviour offensive or unwelcome. It may be useful to speak with your supervisor or the Principal in the first instance to seek guidance on how to do this; and/or
 - (b) raise the issue as a grievance in accordance with the School's Complaints and Grievances Policy as soon as possible after the incident(s) have occurred.
- 4.5 The School takes reports of unlawful discrimination and harassment or bullying seriously and will take action it considers appropriate if such

conduct is found to have occurred, including disciplining or dismissing offenders. Many incidents can be addressed effectively if reported early.

- 4.6 If you lie about or exaggerate a complaint, the School will view this as a very serious matter, and you may be disciplined or dismissed.

5. Duty of care **and work health and safety**

Duty of care

- 5.1 As a School employee, you have a duty of care to students in your charge. That duty is to take all reasonable steps to protect students from risks of harm that can be reasonably predicted. For example, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken. The standard of care that is required, for example the degree of supervision, needs to be commensurate with the students' maturity and ability.
- 5.2 Duty of care to students applies during all activities and functions conducted or arranged by the School. The risks associated with any activity need to be assessed and managed before the activity is undertaken.
- 5.3 Teaching staff should ensure that you are aware of the School's Supervision Policy and Excursions Policy.

Work health and safety

- 5.4 You also have a responsibility under work health and safety legislation to take care of your own health and safety at work. It is also your responsibility to ensure that your activities do not place at risk the health and safety of your co-workers, students or other persons that you may come into contact with at work.
- 5.5 Considerations of safety relate to both physical and psychological wellbeing of individuals.

Supervision of students

- 5.7 You should take all reasonable steps to ensure that no student is exposed to any unnecessary risk of injury.
- 5.8 You should be familiar with and comply with the School's evacuation procedures and bush fire procedures.
- 5.9 Students should not be left without supervision either within or outside of class. You should be punctual to class and allocated supervision.
- 5.10 You should remain with students at after school activities until all students have been collected. In the event that a student is not collected you should remain with the student until collected, or seek advice from the office or your supervisor.
- 5.11 Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. You should actively supervise your designated area.
- 5.12 You should be alert to bullying or any other form of discriminatory behaviour, and report incidents to the appropriate staff member. Additional

detail about student bullying is set out in the No Bullying Policy and Positive Behaviour Policy.

- 5.13 Ill or injured students should be attended to by the supervising staff member. Additional assistance can be provided by the school administration and the school Principal as in some instances, an incident report and process is required.

6. Professional relationships between employees and students

Supervision of students

- 6.1 You should avoid situations where you are alone in an enclosed space with a student. Where you are left with the responsibility of a single student you should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with your supervisor and/or the Principal.
- 6.2 You should avoid driving a student in your car unless you have specific permission from the parents, your supervisor and/or the Principal to do so.
- 6.3 If you wish to conduct a private conversation with a student you should consider the time and venue carefully to avoid placing yourselves in a vulnerable situation. It is preferable to leave the door open. You should not locate yourself between the student and the door.
- 6.4 When confiscating personal items, such as mobile phones or hats, ask students to hand them to you. Only take items directly from students in circumstances where concern exists for the safety of the student or others and your own safety is not jeopardised by this action

Physical contact with students

- 6.5 You must not impose physical punishment on a student in the course of your professional duties.
- 6.6 When physical contact with a student is a necessary part of the teaching/learning experience you must exercise caution to ensure that the contact is appropriate and acceptable. You should seek reassurance from the student by asking for a volunteer if necessary to demonstrate a particular activity.
- 6.7 Attention to the toileting needs of young children should be done with caution. It may be appropriate to have the door open. For students with a disability the management of toileting needs should be included in the student's individual management plan.
- 6.8 When congratulating a student, a handshake, pat on the shoulder or brief hug are acceptable as long as the student is comfortable with this action.
- 6.9 Assessing a student who is injured or ill may necessitate touching the student. Always advise the student of what you intend doing and seek their consent.
- 6.10 Sometimes in ensuring duty of care you may be required to restrain a student from harming him or herself or others using reasonable force. Any such strategy must be in keeping with the School's behaviour management

practices or individual student management plans. You should report to the Principal and document any such incidents.

Relationships with students

- 6.11 You must not have a romantic or sexual relationship with a student. It is irrelevant whether the relationship is homosexual or heterosexual, consensual or non-consensual or condoned by parents or caregivers. You are reminded of:
- (a) the law prohibiting sexual relations with a person under the age of consent (16 years); and
 - (b) the law prohibiting sexual relations between a teacher and their student under the age of 18 years.
- 6.12 You must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. An overly familiar relationship with any student (including any adult student) that you are responsible for teaching, tutoring, advising, assessing, or for whom you provide pastoral or welfare support raises serious questions of conflict of interest, trust, confidence, dependency, and of equality of treatment. Such relationships may also have a negative impact on the teaching and learning environment for other students and colleagues, and may carry a serious reputational risk for the School.
- 6.13 If you consider that a student is being overly familiar, seeking to establish a personal relationship with you or has developed a 'crush' on you, you should report your concerns to your supervisor and/or the Principal as soon as possible so that a plan can be developed to manage the situation effectively and sensitively.
- 6.14 At all times when speaking with students care must be taken to use appropriate language. You must always treat students with respect and without favouritism. There is no place for sarcasm, derogatory remarks, inappropriate familiarity or offensive comments.
- 6.15 You may, as part of your pastoral care role, engage in discussion with students. This is entirely appropriate. However you must be cautious about making personal comments about a student or asking questions that probe your own or a student's sexuality or relationships. You must not hold conversations with a student of an intimately personal nature where you disclose information about yourself.
- 6.16 You must not:
- (a) invite students to your home;
 - (b) visit students at their home; or
 - (c) attend parties or socialise with students,
- unless you have the express permission of the Principal and/or their parents or care giver.
- 6.17 Staff should not engage in tutoring or coaching students from the school for monetary return, except when agreed with the Principal. This does not apply to tutors and contractors.

- 6.18 You must not invite students to join your personal electronic social networking site or accept students' invitations to join their social networking site (see Section 7 - **Appropriate use of electronic communication and social networking sites**).
- 6.19 You must not give gifts to students. You should also carefully consider your position before accepting any gift from a student (see Section 10 - **Declaring gifts, benefits and bribes**).
- 6.20 You should exercise care and due diligence when making educational decisions involving family members or close friends. Where it is not practical to avoid such situations another member of staff should make any significant decisions relating to the student's assessments and have those endorsed by a supervisor.
- 6.21 You should be aware of, and sensitive to, children with culturally diverse or indigenous backgrounds and cultural practices that may influence the interpretation of your behaviour.

Child protection

- 6.22 You must be aware of and comply with the School's **Child Protection Policy**.
- 6.23 As set out in **Section 3** you must report any concerns you may have about any other employee, contractor or volunteer engaging in 'reportable conduct' or any allegation of 'reportable conduct' that has been made to you to the Principal. This includes self-disclosure if the allegation involves you.
- 6.24 Broadly, 'reportable conduct' includes:
- (a) any sexual offence, or sexual misconduct, committed against, with, or in the presence of, a child (including a child pornography offence); or
 - (b) any assault, ill-treatment or neglect of a child; or
 - (c) any behaviour that causes psychological harm to a child,
- whether or not the child consents.
- 6.25 Reportable conduct does not extend to:
- (a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards, or
 - (b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures; or
 - (c) conduct that is exempted from notification by a Class or Kind Agreement³.

³ A Class or Kind Agreement is an agreement between the Ombudsman and an agency (eg the Association of Independent Schools of NSW on behalf of its member schools) that allows for certain kinds of less serious reportable conduct to be exempted from notification to the Ombudsman but the Head of Agency must still conduct a workplace investigation.

6.26 For further information about 'reportable conduct' see the School's ***Child Protection Policy***.

6.27 The requirements outlined in Section 6 in relation Supervision, Physical Contact and Relationships with Students set professional boundaries in relation to your behaviour. They make clear what behaviour is unacceptable and could amount to reportable conduct.

The Working With Children Check

6.28 The Working With Children Check is a prerequisite for **paid child-related work**. Under Part 2, section 6 of the *Child Protection (Working With Children) Act 2012*, child-related work is defined as work in a specific child-related role or face-to-face contact with children in a child-related sector⁴.

6.29 You must have a Working With Children Check clearance which will be valid for a period of five years. You are responsible for renewing your Working With Children Check every five years.

7. Appropriate use of electronic communication and social networking sites

7.1 You must comply with the School's *Information Technology, Computer, Telephone and Equipment Code of Use and Social Networking Policy*. This includes:

- (a) exercising good judgment when using electronic mail, following the principles of ethical behaviour;
- (b) using appropriate and professional language in electronic mail messages;
- (c) being aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them;
- (d) not sending messages that are harassing, discriminatory, defamatory, threatening, abusive or obscene;
- (e) not inviting students into your personal social networking site or accept an invitation to theirs;
- (f) not using social networking sites to email or contact students;
- (g) remembering transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden; and
- (h) reporting any situations where you become aware of the inappropriate use of electronic communication and social networking sites.

7.2 You must never use the School's networks to view, upload, download or circulate any of the following materials:

- (a) sexually related or pornographic messages or material;
- (b) violent or hate-related messages or material;
- (c) racist or other offensive messages aimed at a particular group or individual;

⁴ If you are already in paid child-related work, or you are a volunteer, you will be phased in over a five year period commencing 15 June 2013, according to schedule provided by the Office of the Children's Guardian.

- (d) malicious, libellous or slanderous messages or material; or
- (e) subversive **or other messages or material related to illegal activities.**

7.3 Personal use of equipment

The school's resources should never be used for commercial purposes or personal financial benefit. Limited personal use of the internet, landline and mobile phone, facsimile and photocopier equipment is assumed as long as it is infrequent and brief; does not conflict with your work or that of your colleagues; does not involve a significant cost to the school, or have a financial impact upon the school; is undertaken in your own time; will not benefit you financially; is not for commercial purposes for yourself or others; is not for secondary employment or business.

8. USE OF ALCOHOL, DRUGS AND TOBACCO

8.1 You are responsible for ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk you or any other person's health and safety.

8.2 As a School employee, you must:

- (a) not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
- (b) not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
- (c) notify your supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
- (d) take action to resolve any alcohol or other drug-related problems that you have; and
- (e) consult with your supervisor or Principal if you are concerned about working with other employees who may be affected by drugs or alcohol.

Drugs

8.3 As a School employee, you must not:

- (a) have illegal drugs in your possession while at work. Any illegal drugs found on School property or in the possession of any person on School property may result in disciplinary action including the termination of your employment and referral to the Police;
- (b) give students or other employees illegal drugs or restricted substances, or encourage or condone their use; and
- (c) supply or administer prescription or non-prescription drugs to students unless authorised to do so.

Alcohol

8.4 You must not take alcohol to School or consume it during School hours, including those events conducted outside School premises unless expressly permitted to do so by the Principal. A School function is any occasion organised by the School and/or in the School's name, including dances, farewells, excursions, sporting fixtures and fund raising events.

8.5 You must not:

- (a) purchase alcohol for, or give alcohol to, any School student (or to any other person under the age of 18 years); and
- (b) encourage or condone the use of alcohol by students of any age during educational activities.

Tobacco

8.6 You must not smoke or permit smoking in any School buildings, enclosed area or on School grounds. This includes all buildings, gardens, sports fields, cars and car parks.

8.7 You must not purchase tobacco or tobacco products for any School student, or give them tobacco or tobacco products.

9. IDENTIFYING AND MANAGING CONFLICTS OF INTEREST

9.1 As a School employee, you must not act in conflict with the School's best interests. A conflict of interests can involve:

- (a) pecuniary interests i.e. financial gain or loss or other material benefits;
- (b) non-pecuniary interests i.e. favours, personal relationships and associations.

It may not only be about your own interests. It may include:

- (a) the interests of members of your immediate family or relatives (where these interests are known);
- (b) the interests of your own business partners or associates, or those of your workplace; or
- (c) the interests of your friends.

9.2 When faced with a situation in which conflict of interests may be present, you should report any potential or real conflict to your supervisor or the Principal.

9.3 You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.

9.4 If a conflict of interest involves the Principal you should address your concerns to a member of College.

10. DECLARING GIFTS, BENEFITS AND BRIBES

If you are offered a bribe (i.e. anything given in order to persuade you to act improperly), you must refuse it, explain why it is not appropriate, and immediately report the matter to the Principal.

11. COMMUNICATION AND PROTECTING CONFIDENTIAL INFORMATION

Communication

11.1 You are required to comply with the Kindlehill Communications Protocol and Complaints and Grievances Policy.

11.2 You should be mindful of confidentiality when in discussions with parents. You cannot provide a guarantee of confidentiality if the matter under discussion requires mandatory reporting.

11.3 You should not disclose personal information about another staff member to students or parents or discuss their work performance, except if authorised by the Principal in the context of grievance resolution.

11.4 All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with students, members of the school community, or the public.

11.5 The media should not be given access to students or allowed entry to the School without the express permission of the Principal. You should not make any comments to the media about the School, students or parents without the express permission of the Principal.

Confidential information

11.6 As a School employee, you must only use confidential information for the work-related purpose it was intended.

11.7 Unless authorised to do so by legislation, you must not disclose or use any confidential information without **the express permission of the Principal**.

11.8 You must make sure that confidential information, in any form, should not be accessible by unauthorised people.

Privacy

11.9 Sensitive and personal information should only be provided to people, either within or outside the School, who are authorised to have access to it.

11.10 You should always exercise caution and sound judgment in discussing the personal information of students, parents, staff and other people with other School employees. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist in carrying out the School's work because of their expertise.

12. RECORD KEEPING

12.1 All employees have a responsibility to create and maintain full, accurate and honest records of their activities, decisions and other business transactions.

12.2 You must not destroy, adjust or remove records without appropriate authority.

12.3 Supervisors have a responsibility to ensure that the employees reporting to them comply with their records management obligations.

12.4 Employees responsible for assessing and recording marks for students' work must do so accurately, fairly and in a manner that is consistent with relevant policy and the requirements of the School.

12.5 Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

13. COPYRIGHT AND INTELLECTUAL PROPERTY

13.1 When creating material you need to ensure the intellectual property rights of others are not infringed and information is recorded about any third party copyright/other rights included in materials.

13.2 Advice relating to sharing or licensing the School's intellectual property should be sought from the Principal.

13.3 The School cannot give away or assign its intellectual property without the approval of the Principal.

13.4 If you develop material that relates to your employment with the School, the copyright in that material will belong to the School.

13.5 You should not use the School's intellectual property (including copyright) for private purposes without obtaining written permission from the Principal.

B.11 Child Protection Policy

Part A – Child Protection: Policy and Procedures

Introduction

This Policy has been authorised by the School Council.

At Kindlehill School, each teacher is fundamentally concerned with the wellbeing of the children and young people in his/her care. Protection from harm and neglect in all its forms is an integral aspect of the care and respect that teachers effect towards each of the children and young people in their classes.

The teachers also work to develop strong, positive relationships with parents to support the children through their education. This occurs through formal interviews, informal chats, home visits, parent information nights and the many performances given by the students in a year that provides a social context to their schooling.

The kindergarten and primary school teachers meet together weekly to discuss the development and wellbeing of the students in the school as a whole. Over the course of a year, each student is specifically discussed, any concerns highlighted and a set of strategies developed for addressing these. In this way, the teachers form a broader 'guardianship' over the students in the school as a whole. The high school teachers work collaboratively and meet at least once a term to discuss together the wellbeing of students. Less formal meetings typically occur between individual teachers and the High School Coordinator throughout the term.

The teachers at Kindlehill work from an understanding of child development, given as indications by Rudolf Steiner (1861-1925), for the education of children and young people. The teachers work daily to support the physical, emotional, intellectual and spiritual well being of the children and young people in their care. It is very conscious work. The teachers endeavour to ensure the children and young people are treated with dignity and respect, and have their needs met in a safe environment.

The teachers retain the right to use minimal restraint in the rare circumstance where a child puts oneself or another person at risk of injury.

Duty of Care of Employees

The safety, protection and well-being of all students is of fundamental importance to the School.

Both you and the School have a range of different obligations relating to the safety, protection and welfare of students including:

- a duty of care to ensure that reasonable steps are taken to prevent harm to students;

- obligations under child protection legislation; and

- obligations under work health and safety legislation.

The purpose of this Policy is to summarise the obligations imposed by child protection legislation on the School and on employees, contractors and volunteers at the School and to provide guidelines as to how the School will deal with certain matters.

Child protection is a community responsibility.

This policy applies to all who deliver educational or welfare services to children and young people, and/or have direct supervision of or responsibility for, children and young people at Kindlehill School. This includes teachers, assistants and aides, tutors, outside tutors and external providers, and other staff who have direct supervision and/or responsibilities toward students.

These persons are required to familiarise themselves with the school's Child Protection Policy. They are required to sign off an agreement to abide by the practices and responsibilities, as set out and referred to in this policy at the point of employment.

3. Responsibilities

1. Mandatory Reporters

The Principal, the teachers and any other staff who have supervision duties of children and young people, are mandatory reporters. They are required to report any concern regarding the welfare, safety or well being of a student to the Principal. They are to report incidents or concerns of children at risk of significant harm to the Principal, in compliance with legislative requirements as set out in this policy,

If the allegation involves the Principal, report must be made to the Child Protection Officer who is also a member of The College of Teachers.

2. The Principal:

The Principal is responsible to inform all school employees of their legal obligation in regard to reportable conduct; and in regard to reporting suspected risk or harm. *This occurs twice a year at general staff meetings or by email communication.*

The Principal is responsible to inform employees of the procedures for reporting. From time to time, updates and training are to be provided in regard to child protection issues, in professional standards for teacher-student relationships, and in knowledge of the indicators of reportable conduct and neglect. *Review of procedures and indicators occurs at least once a year at a general staff meeting.*

The Principal will ensure the Working With Children Check is conducted at the point of employment for all employees and that it is kept up to date in alignment with the employment screening and notification requirements of the Commission for Children and Young People.

The Principal will direct the school in working collaboratively with others to plan and provide services for the care and protection of children and young people. This will involve developing contacts with:

Department of Community Services

The Ombudsman

Commission of Children and Young People

Human Services Network

Regional help agencies and referral services

The Association of Independent Schools

5. The Principal or a nominated Child Protection Investigation Officer will investigate reportable conduct allegations, including allegations against employees, and ensure that appropriate, responsible action is taken in relation to the findings.

A copy of investigations reports together with relevant documentation will be kept by the **Principal** in a secure and confidential location.

6. The Principal will also keep a record of signatories to the school's Child Protection Policy and Code of Conduct, as well as those screened under the Working with Children Check.

Legislative Requirements

The school Child Protection Policy is underpinned by the legislation in relation to child protection as documented in:

- a. ***Ombudsman Amendment (Child Protection and Community Services) Act 1998*** – now known as ***the Ombudsman Act 1974*** – which gives the Ombudsman jurisdiction to oversee and monitor systems for the prevention of reportable conduct in government departments and designated agencies and which requires those agencies to report all allegations of reportable conduct made against their employees.
- b. ***Children and Young Persons (Care and Protection) Act 1998*** – which places a duty of mandatory reporting on staff when they have reasonable grounds to suspect a child or young person is **at risk of significant harm**.
- c. ***The Child Protection (Working with Children) Act 2012***– which puts systems in place for employment screening and notification to the Commission for Children and Young People of relevant completed disciplinary proceedings in relation to allegations of reportable conduct made against employees of agencies specified under this Act.

PART A: THE CARE AND PROTECTION ACT

RISK OF SIGNIFICANT HARM

The Care and Protection Act provides for mandatory reporting of children at risk of significant harm.

NOTE: Any concern regarding the safety, welfare or well being of a student must be reported to **the Principal**.

1. Who is a mandatory reporter?

Under the Care and Protection Act persons who:

- a) in the course of their employment, deliver services including health care; welfare, education, children's services and residential services, to children;
- or

- b) hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services including health care, welfare, education, children's services and residential services, to children, are mandatory reporters.

All teachers are mandatory reporters. Other School employees may also be mandatory reporters. If you are not sure whether you are a mandatory reporter you should speak to the Principal.

2. When must a report be made to Community Services?

2.1 What is the threshold?

A mandatory reporter must, where they have reasonable grounds to suspect that a child (under 16 years of age) is at risk of significant harm, report to Community Services as soon as practicable, the name, or a description, of the child and the grounds for suspecting that the child is at risk of significant harm.

In addition, while not mandatory, the School considers that a report should also be made to Community Services where there are reasonable grounds to suspect a young person (16 or 17 years of age) is at risk of significant harm and there are current concerns about the safety, welfare and well-being of the young person.

2.2 Reasonable grounds

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:

- a) first hand observations of the child, young person or family
- b) what the child, young person, parent or another person has disclosed
- c) what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' does not mean that you are required to confirm your suspicions or have clear proof before making a report.

Mandatory reporters must report their concerns to the Principal when they consider children are at risk of significant harm.

Risk of Significant Harm

A child or young person is 'at risk of significant harm' if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:

- a) the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,

- b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- c) in the case of a child or young person who is required to attend school in accordance with the Education Act 1990 —the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,
- d) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
- e) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,
- f) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,
- g) the child was the subject of a pre-natal report under section 25 of the Care and Protection Act and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

1. DEFINITIONS

a. Other relevant definitions

Policy definition of significant harm

A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare or well-being of the child or young person are present to a significant extent.

What is meant by 'significant' in the phrase 'to a significant extent' is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well-being.

In the case of an unborn child, what is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child after the child's birth.

The significance can result from a single act or omission or an accumulation of these.

Child is a person under the age of 16 years for the purposes of the Care and Protection Act.

Child abuse and neglect

There are different forms of child abuse. These include neglect, sexual, physical and emotional abuse.

Neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.

Physical abuse is a non-accidental injury or pattern of injuries to a child caused by a parent, caregiver or any other person. It includes but is not limited to injuries which are caused by excessive discipline, severe beatings or shakings, cigarette burns, attempted strangulation and female genital mutilation.

Injuries include bruising, lacerations or welts, burns, fractures or dislocation of joints.

Hitting a child around the head or neck and/or using a stick, belt or other object to discipline or punishing a child (in a non-trivial way) is a crime.

Serious psychological harm can occur where the behaviour of their parent or caregiver damages the confidence and self esteem of the child or young person, resulting in serious emotional deprivation or trauma.

Although it is possible for 'one-off' incidents to cause serious harm, in general it is the frequency, persistence and duration of the parental or carer behaviour that is instrumental in defining the consequences for the child.

This can include a range of behaviours such as excessive criticism, withholding affection, exposure to domestic violence, intimidation or threatening behaviour.

Sexual abuse is when someone involves a child or young person in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Child sexual abuse is a crime.

Child wellbeing concerns are safety, welfare or wellbeing concerns for a child or young person that do not meet the mandatory reporting threshold, risk of significant harm.

Young person means a person who is aged 16 years or above but who is under the age of 18 years for the purposes of the Care and Protection Act.

3 What should you do if you consider that a mandatory report is required?

Reporting by the School about these matters to Community Services and, where necessary, the police, is generally undertaken by **the Principal**. This is in accordance with best practice principles and is the expectation of the School.

If you have a concern that a child or young person is at risk of significant harm you should contact **the Principal** as soon as possible to discuss whether the case reaches the threshold of 'risk of significant harm' and the steps required to report the matter.

However, if there is an immediate danger to the child or young person and the Principal is not contactable you should speak to the Police and/or the Child

Protection Helpline directly and then advise the Principal or next most senior member of staff at the School as soon as possible.

You are not required to, and must not, undertake any investigation of the matter yourself.

You are not to inform the parents or caregivers that a report to Community Services has been made.

You are required to deal with the matter confidentially and only disclose it to the persons referred to above or as required to comply with your mandatory reporting obligations. Failure to maintain confidentiality will not only be a breach of this policy, but could expose you to potential civil proceedings for defamation.

4 What should you do if you have a concern that is below the mandatory reporting threshold?

While the Care and Protection Act outlines a mandatory reporter's obligation to report to Community Services, as an employee of this School, any concern regarding the safety, welfare and wellbeing of a student must be reported to the Principal.

You are required to deal with all reports regarding the safety, welfare or wellbeing of a student with confidentiality and only disclose it to the Principal and any other person the Principal nominates. Failure to do so will be a breach of this policy.

PART B: THE OMBUDSMAN ACT

Responsibilities

1.1 General

Part 3A of the Ombudsman Act requires the heads of certain agencies, including non government schools in New South Wales, to notify the New South Wales Ombudsman of all allegations of reportable conduct by an 'employee' and the outcome of the School's investigation of these allegations.

An 'employee' includes employees, contractors, volunteers, work experience participants, clergy, ministers of religion and instructors of religion who provide pastoral or liturgical services. In this part where there is a reference to an employee it includes all of these persons.

1.2 The Ombudsman

The Ombudsman:

- a) must keep under scrutiny the systems for preventing reportable conduct by employees of non government schools and the handling of, or response to, reportable allegations (including allegations which are exempt from notification) or convictions;

- b) must receive and assess notifications from non government schools concerning reportable conduct or reportable convictions;
- c) is required to oversee or monitor the conduct of investigations by non government schools into allegations of reportable or reportable convictions;
- d) must determine whether an investigation that has been monitored has been conducted properly, and whether appropriate action has been taken as a result of the investigation;
- e) may directly investigate an allegation of reportable conduct or reportable conviction against an employee of a non government school, or the handling of or response to such a matter (eg arising out of complaints by the person who is the subject of an allegation); and
- f) may undertake 'own motion' investigations of non government schools where the Ombudsman considers it appropriate to do so, including where there is evidence of systemic failure or serious conflict of interests.

1.3 Head of Agency

The Head of Agency is the Principal of the School.

Under the Ombudsman Act the Head of Agency must:

- a) set up systems within their organisation to ensure that they are advised of any allegations of reportable conduct against employees;
- b) notify the Ombudsman as soon as possible and no later than thirty days after being made aware of an allegation;
- c) notify the Ombudsman whether or not the School plans to take disciplinary or other action in relation to an employee who is the subject of a reportable allegation or conviction, and the reasons for taking or not taking any such action as soon as practicable; and
- d) provide the Ombudsman with any documentary and other information as the Ombudsman may from time to time request to assist in the Ombudsman's monitoring of an investigation.

1.4 Your obligations to report

You must report any concerns you may have about any other employee engaging in reportable conduct or any allegation of 'reportable conduct' that has been made to you, to the Principal, including information about yourself. If you are not sure whether the conduct is reportable conduct but consider that it is inappropriate behaviour you must still report it.

You must also report to [the Principal] if you become aware that an employee has been charged with or convicted of an offence (including a finding of guilt without the court proceeding to a conviction) involving reportable conduct. This includes information relating to yourself.

If the allegation involves [the Principal], you are required to report to the Child Protection Officer who is also a Member of College.

1.5 Contact for parents

The Principal is the contact point for parents if they wish to report an allegation of reportable conduct against an employee.

1 What is reportable conduct?

1.1 Definition of reportable conduct

Reportable conduct is defined as:

- a) any sexual offence or sexual misconduct committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material);
- b) any assault, ill-treatment or neglect of a child; and
- c) any behaviour that causes psychological harm to a child whether or not, in any case, with the consent of the child.

Reportable conduct does not extend to:

- a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards; or
- b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures; or
- c) conduct that is exempted from notification by a Class or Kind Agreement.

1.2 Other relevant definitions

Set out below are definitions of the various terms referred to above in relation to reportable conduct.

Behaviour that causes psychological harm to a child is behaviour that is obviously or very clearly unreasonable and results in significant harm or trauma to a child. There needs to be a proven causal link between the inappropriate behaviour and the harm, and the harm must be more than transient.

Child is a person under the age of 18 years for the purposes of the Ombudsman Act.

Ill-treatment captures those circumstances where a person treats a child in an obviously or very clearly improper manner. The focus is on the alleged conduct rather than the actual effect of the conduct on the child.

Ill-treatment can include disciplining or correcting a child in an obviously unreasonable or inappropriate manner; making excessive and obviously

unreasonable demands on a child; malevolent acts towards children; and inappropriate and hostile use of force against a child.

Neglect includes either an action or inaction by a person who has care responsibility towards a child. The nature of the employee's responsibilities provides the context against which the conduct needs to be assessed.

1. Supervisory neglect:

- An intentional or reckless failure to adequately supervise a child that results in the death of, or significant harm to, a child, or
- An intentional or reckless failure to adequately supervise a child or a significantly careless act or failure to act, that:
 - Involves a gross breach of professional standards, and
 - Has the potential to result in the death or significant harm to a child.

2. Carer neglect:

- Grossly inadequate care that involves depriving a child of the basic necessities of life: such as the provision of food and drink, clothing, critical medical care or treatment, or shelter.

3. Failure to protect from abuse:

- An obviously or very clearly unreasonable failure to respond to information strongly indicating actual or potential serious abuse of a child.

4. Reckless act (or failure to act):

- A reckless act, or failure to act, that:
 - Involves a gross breach of professional standards, and
 - Has the potential to result in the death of, or significant harm to, a child.

Physical Assault is any act by which a person intentionally inflicts unjustified use of physical force against another. An assault can also occur if a person causes another person to reasonably apprehend that unjustified force is going to be used against them. Even if a person who inflicts physical harm or causes another person to reasonably apprehend physical harm does not actually intend to inflict the harm or cause fear, they may still have committed an assault if they acted 'recklessly'.

'Recklessness' in this context relates to circumstances when the person ought to have known that their actions would cause a person physical harm or cause them to fear injury.

Assaults can include hitting, pushing, shoving, throwing objects or making threats to physically harm a child.

PSOA 'person subject to the allegation'

Sexual Misconduct has two categories which include:

- (1) crossing professional boundaries, and
- (2) sexually explicit comments and other overtly sexual behaviour.

The alleged conduct must have been committed against, with or in the presence of a child.

1. Crossing professional boundaries

Sexual misconduct includes behaviour that can reasonably be construed as involving an inappropriate and overly personal or intimate:

- relationship with;
- conduct towards; or
- focus on;

a child or young person, or a group of children or young persons.

Codes of conduct that outline the nature of the professional boundaries which should exist between employees and children/young people can be particularly useful. For employees who either intentionally breach such codes or have demonstrated an inability to apply them appropriately, it may be necessary to provide more detailed written advice about what constitutes appropriate behaviour.

2. Sexually explicit comments and other overtly sexual behaviour

Behaviour involving sexually explicit comments and other overtly sexual behaviour which can constitute sexual misconduct. Some forms of this behaviour also involve crossing professional boundaries. This conduct may include:

- a) inappropriate conversations of a sexual nature
- b) comments that express a desire to act in a sexual manner
- c) unwarranted and inappropriate touching
- d) sexual exhibitionism
- e) personal correspondence (including electronic communications such as e-mails and text messages) with a child or young person in relation to the adult's sexual feelings for a child or young person
- f) exposure of children and young people to sexual behaviour of others including display of pornography
- g) watching children undress. For example, in change rooms or toilets when supervision is not required or justified.

Sexual Offences encompasses all criminal offences involving a sexual element that are 'committed against, with or in the presence of a child'.

These offences include (but are not limited to) the following:

- (a) indecent assault
- (b) sexual assault
- (c) aggravated sexual assault
- (d) sexual intercourse and attempted sexual intercourse
- (e) possession/ dissemination/ production of child pornography or child abuse material
- (f) using children to produce pornography
- (g) grooming or procuring children under the age of 16 years for unlawful sexual activity
- (h) deemed non-consensual sexual activity on the basis of special care relationships

2 What happens when an allegation of reportable conduct is made?

3.1 Initial steps

Once an allegation of reportable conduct against an employee is received, the Head of Agency is required to:

- (a) determine on face value whether it is an allegation of reportable conduct;
- (b) assess whether Community Services or the Police need to be notified (ie, if reasonable grounds to suspect that a child is at risk of significant harm or criminal offence);
- (c) notify the child's parents (unless to do so would be likely to compromise the investigation or any investigation by Community Services or the Police);
- (d) notify the Ombudsman within 30 days of receiving the allegation;
- (e) carry out a risk assessment and take action to reduce/remove risk, where appropriate; and
- (f) investigate the allegation or appoint someone to investigate the allegation.

3.2 Investigation principles

The School will:

- (a) be mindful of the principles of procedural fairness;
- (b) inform the person subject of the allegation (PSOA) of the substance of any allegations made against them and provide them with a reasonable opportunity to respond to the allegations;
- (c) make reasonable enquiries or investigations before making a decision;

- (d) avoid conflicts of interest;
- (e) conduct the investigation without unjustifiable delay;
- (f) handle the matter as confidentially as possible; and
- (g) provide appropriate support for all parties including the child/children, witnesses and the PSOA.

3.3 Investigation steps

In an investigation the Head of Agency or appointed investigator will generally:

- (a) interview relevant witnesses and gather relevant documentation;
- (b) provide a letter of allegation to the PSOA;
- (c) interview the PSOA;
- (d) consider relevant evidence and make a preliminary finding in accordance with the NSW Ombudsman guidelines;
- (e) inform the PSOA of the preliminary finding and provide them with an opportunity to respond;
- (f) consider any response provided by the PSOA;
- (g) make a final finding in accordance with the NSW Ombudsman Guidelines;
- (h) decide on the disciplinary action, if any, to be taken against the PSOA;
- (i) apply the NSW Commission for Children and Young People (CCYP) Guidelines and decide if the matter is reportable to CCYP; and
- (j) send the final report to the Ombudsman and report to the CCYP (where required) (see Part C).

The steps followed in the investigate process will be guided by the "Recommended Protocols for Internal Investigative and Disciplinary Proceedings, 2001" (IEU/AIS) as updated from time to time (See Appendix 2.)

The steps outlined above may need to be varied on occasion to meet particular circumstances. For example it may be necessary to take different steps where the matter is also being investigated by Community Services or the NSW Police.

A PSOA may have an appropriate support person with them during the interview process. Such a person is there for support only and as a witness to the proceedings and not as an advocate or to take an active role.

3 Risk management

Risk management means identifying the potential for an incident or accident to occur and taking steps to reduce the likelihood or severity of its occurrence.

The Head of Agency is responsible for risk management throughout the investigation and will assess risk at the beginning of the investigation, during and at the end of the investigation.

4.1 Initial risk assessment

One of the first steps following an allegation of reportable conduct against an employee is for the Head of Agency to conduct a risk assessment. The purpose of this initial risk assessment is to identify and minimise the risks to:

- (a) the child(ren) who are the subject of the allegation;
- (b) other children with whom the employee may have contact;
- (c) the PSOA;
- (d) the School, and
- (e) the proper investigation of the allegation.

The factors which will be considered during the risk assessment include:

- (a) the nature and seriousness of the allegations;
- (b) the vulnerability of the child(ren) the PSOA has contact with at work;
- (c) the nature of the position occupied by the PSOA;
- (d) the level of supervision of the PSOA; and
- (e) the disciplinary history or safety of the PSOA and possible risks to the investigation.

The Head of Agency will take appropriate action to minimise risks. This may include the PSOA being temporarily relieved of some duties, being required not to have contact with certain students, or being suspended from duty. When taking action to address any risks identified, the School will take into consideration both the needs of the child(ren) and the PSOA.

Please Note: A decision to take action on the basis of a risk assessment is not indicative of the findings of the matter. Until the investigation is completed and a finding is made, any action, such as an employee being suspended, is not to be considered to be an indication that the alleged conduct by the employee did occur.

4.2 Ongoing Risk Management

The Head of Agency will continually monitor risk during the investigation including in the light of any new relevant information that emerges.

4.3 Risk Management at the Conclusion of the Investigation

At the completion of the investigation, a finding will be made in relation to the allegation and a decision made by the Head of Agency regarding what action, if any, is required in relation to the PSOA, the child(ren) involved and any other parties.

5. What information will be provided to the PSOA?

The PSOA will be advised:

- (a) that an allegation has been made against them (at the appropriate time in the investigation); and
- (b) of the substance of the allegation, or of any preliminary finding and the final finding.

The PSOA does not automatically have the right to:

- (a) know or have confirmed the identity of the person who made the allegation; or
- (b) be shown the content of the Ombudsman notification form or other investigation material that reveals all information provided by other employees or witnesses.

Under the CCYP Act once the 'relevant employment proceedings' have been completed a PSOA can seek access to the records held by the School on their 'relevant employment proceedings' (see Part C section 3).

6. Disciplinary Action

As a result of the allegations, investigation or final findings, the School may take disciplinary action against the PSOA (including termination of employment).

In relation to any disciplinary action the School will:

- (a) give the PSOA details of the proposed disciplinary action; and
- (b) give the PSOA a reasonable opportunity to respond before a final decision is made.

7. Confidentiality

It is important when dealing with allegations of reportable conduct that the matter be dealt with as confidentially as possible.

The School requires that all parties maintain confidentiality during the investigation including in relation to the handling and storing of documents and records.

Records about allegations of reportable conduct against employees will be kept [in a secure area] and will be accessible by [the Head of Agency or with the Head of Agency's express authority].

No employee may comment to the media about an allegation of reportable conduct unless expressly authorised by the Principal to do so.

If you become aware of a breach of confidentiality in relation to a reportable conduct allegation you must advise the Principal.

PART C: WWC Act

1 General

The Office of the Children's Guardian (OCG) is responsible for employment screening for child related employment. A Working With Children Check (Check) is a prerequisite for anyone in child-related work. It involves a national criminal history check and review of reported workplace misconduct findings. The result of a Check is either a clearance to work with children for five years, or a bar against working with children. Cleared applicants are subject to ongoing monitoring by the OCG, and any relevant new records which appear against a cleared applicant's name may lead to the Check being revoked.

It is the responsibility of the child-related worker to ensure that when they are eligible to apply for a Check or when their Check is up for renewal that they do so.

If you are an existing employee, employed at this school in paid child-related work prior to the commencement of the new Working With Children systemⁱ, or you are a volunteer, your requirement to obtain a Check will be phased in over a five year period, according to the phase in schedule developed by the OCG

2 Responsibilities

The object of the WWC Act is to protect children:

- (a) by not permitting certain persons to engage in child-related work; and
- (b) by requiring persons engaged in child-related work to have working with children check clearances.

Schools are required to:

- (a) verify online and record the status of each child-related worker's Check;
- (b) only employⁱⁱ or engage child-related workers or eligible volunteers who have a valid Check; and
- (c) report findings of misconduct involving children made against child-related workers or volunteers.

Child-related workers and eligible volunteers are required to:

- (a) hold and maintain a valid Check;
- (b) not engage in child-related work at any time that they are subjected to an interim bar or a bar; and

- (c) report to the Principal if they are no longer eligible for a Check, the status of their Checkchanges or are notified by the OCG that they are subjected to a risk assessment.

All volunteers are required to:

- (a) sign the Volunteer Statutory Declaration. Some volunteers engaged in high risk roles maybe required to have a Check;
- (b) to be aware and follow the expectations of conduct expressed in the School Staff Code of Conduct.

3. Relevant Definitions

3.1 Bars

Final bar

This bar is applied based on a decision made by the OCG, following a risk assessment. This person is barred against working with children.

Interim bar

An interim bar is issued to high risk individuals to prevent them from continuing to work with children while a risk assessment is conducted. An interim bar may be applied for up to 12 months. If an interim bar remains in place for six months or longer, it may be appealed against through the Administrative Decisions Tribunal.

Not everyone who is subject to a risk assessment will receive an interim bar; only those representing a serious and immediate risk to children.

Interim bars are issued only for risks considered likely to result in a final bar.

3.2 Child-related work

Child-related work includes, but not limited to work in the following sectorsⁱⁱⁱ:

- (a) early education and child care including education and care service, child care centres and other child care;
- (b) education schools and other educational institutions and private coaching or tuition of children;
- (c) religious services;
- (d) residential services including boarding schools, homestays more than three weeks, residential services and overnight camps; or
- (e) transport services for children including school bus services, taxi services for children with disability and supervision of school road crossings.

3.3 Child-related worker

A person who has physical contact or face to face contact with children in work outlined above in 3.2, including schools. This may include volunteer work.

A child-related worker may commence work once they have completed the Check application process. An application is completed when the online application form is complete and the worker's identity has been proven at the NSW motor registry or Council Agency and the fee has been paid (if in paid work).

If you are unclear if your role is child-related you should speak with the Principal.

3.4 Disqualified person

A disqualified person is a person who has been convicted, or against whom proceedings have been commenced for a disqualifying offence outlined in Schedule 2 of WWC Act.^{iv}

A disqualified person is a person who has a bar preventing them from working with children in child-related work.

It is an offence for an employer to knowingly engage a child-related worker when they do not hold a Check or who has a bar or an interim bar.

It is an offence for an employee to engage in child-related worker when they do not hold a Check or has a bar or an interim bar.

3.5 Findings of misconduct involving children

The school will report to the OCG when a finding has been made that the person (an employee of the school) subject to the finding engaged in:

- (a) sexual misconduct committed against, with or in the presence of a child, including grooming of a child; or
- (b) any serious physical assault of a child.^v

The School will advise the person that the OCG has been notified of a finding of misconduct involving children.

The WWC Act enables a person who has a finding referred to the OCG under the Act to request access to the records held by the School in relation to the finding of misconduct involving children.

3.6 Reporting body

Independent Schools which are members of the AISNSW are defined as a reporting body by the WWC Act.

Section 35 of the WWC Act requires this School to notify the OCG findings of misconduct involving children made against a child-related worker. The school may also be obliged to report, amend or provide additional information to the OCG as outlined in the WWC Act.

3.7 Risk assessment

Risk assessment is an evaluation of an individual's suitability for child-related work.

The OCG will conduct a risk assessment on a person's suitability to work with children when a new record is received which triggers a risk assessment. This may include an offence under Schedule 1, pattern of behaviour or offences involving violence or sexual misconduct representing a risk to children, findings of misconduct involving children or notification made to OCG by the Ombudsman.

3.8 Working With Children Check Clearance

A Working with Children Check (Check) means authorisation under the WWC Act to engage in child-related work. An employee will be issued with a number which is to be provided to the School to verify the status of an employee's Check.

ⁱ The New Working With Children system commenced in NSW on 15 June 2013. The previous Working With Children system ceased 7 June 2013.

ⁱⁱ As of 15 June 2013, existing employees and volunteers are subjected to a phase in schedule developed by the OCG. This can be found at www.kids.gov.nsw.au or at appendix XX (which may be updated from time to time by the OCG).

ⁱⁱⁱ Further information at Part 2 Division 1 Section 6 Child Protection (Working With Children) Act 2012 found at <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+51+2012+cd+0+N>

^{iv} Schedule 2 disqualifying offence can be found at:
<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+51+2012+cd+0+N>

^v Further details of obligations of employers can be found in the *Information for Employers* guidelines and/or *Information for reporting bodies* factsheet developed by the OCG found at www.kids.nsw.gov.au