



Procedures for Managing Child Safety Incidents or Concerns – Parents and Students

Last Review Date: 23 March 2023

Review Date: 23 March 2024

AIA MISSION STATEMENT

The Academy's Vision is to have graduates who are well prepared and self-motivated to advance and to participate effectively as world citizens with Muslim values.

With this vision in mind, the Academy offers a broad and well-balanced contemporary curriculum with global perspectives within a caring and supporting learning environment.

IB MISSION STATEMENT

The International Baccalaureate aims to develop inquiring, knowledgeable and caring young people who help to create a better and more peaceful world through intercultural understanding and respect.

To this end the organization works with schools, governments and international organizations to develop challenging programmes of international education and rigorous assessment.

These programmes encourage students across the world to become active, compassionate and lifelong learners who understand that other people, with their differences, can also be right.

CONTENT

This document contains the Australian International Academy (**the Academy**)'s Policy on notifying of a child safety related incident or concern and how such a notification is managed by the Academy (**Policy**).

INTRODUCTION

Complaints about “child safety incidents or concerns” that are alleged to have occurred on Academy premises or at Academy events are managed in a different way to other complaints received by the Academy. These kinds of complaints are instead managed using the same procedures that we use for managing incidents of or internal reports about this kind of behaviour.

This is because these kinds of incidents, complaints, allegations or concerns are all of a similar sensitive nature and raise potential privacy and confidentiality issues.

For the purposes of this policy, we use the terms “staff” and “staff member” to include all teaching and non-teaching staff, School Board members, volunteers, contractors and external providers.

DEFINITION OF CHILD SAFETY INCIDENT OR CONCERN

We call **any** behaviour, that may:

- place a student “at risk of significant harm”, as defined in the Children and Young Persons (Care and Protection) Act 1997 (NSW)
- be, or place a student at risk of being the victim of, a “child abuse offence”, as defined in the Crimes Act 1900 (NSW)

- be “reportable conduct” by a staff member, as defined in the Children’s Guardian Act 2019 (NSW) (Children’s Guardian Act)
 - be other “staff misconduct”, as defined in our Procedures for Handling Allegations of Staff Misconduct and Reportable Conduct
 - a breach of our Child Safe Codes of Conduct
- a “**child safety incident or concern**”.

It does not matter whether the behaviour is by a staff member, another student, a parent/carer or any other person on Academy premises or at Academy events.

Breaches of the Child Safe Codes of Conduct

The Academy requires that all staff members, parents/carers, visitors and other adults in the Academy community comply with our **Child Safety Code of Conduct**.

Staff members must also comply with our **Staff and Student Professional Boundaries** policy.

Students must comply with relevant school policies in relation to student behaviour.

Any breach of these Child Safe Policies are considered a child safety incident.

“Risk of Significant Harm” and “Child Abuse Offences”

Our Child Safety Policies set out the different definitions and key indicators of “risk of significant harm” and “child abuse offences”. The following is covered by these definitions and indicators:

- sexual abuse
- grooming and online grooming
- physical abuse
- significant emotional or psychological harm
- significant neglect.

In addition to family members, other adults associated with a student can subject the student to these behaviours, including staff members, other students and other people associated with the Academy.

Staff Misconduct and Reportable Conduct

Staff Misconduct

“Staff misconduct” is conduct by a staff member that:

- breaches the Academy’s Code of Conduct or other key policies/procedures
- displays purposeful neglect of duties/responsibilities
- endangers the safety or wellbeing of students or others at the Academy.

Reportable Conduct

The Children’s Guardian Act defines “reportable conduct” as including:

- any sexual offence or sexual misconduct, committed against, with or in the presence of a child (including child pornography offences or an offence involving child abuse material) including grooming behaviours
- any assault, ill-treatment or neglect of a child

- any behaviour that causes significant emotional or psychological harm to a child.

Conduct by staff members that is reasonable in the circumstances or that is accidental is **not** reportable conduct.

CHILD SAFETY RELATED COMPLAINTS

It is critical that the broader Academy community tells us about all child safety incidents or concerns that occur at or otherwise involve the Academy. This enables the Academy to ensure the safety and wellbeing of students and to comply with its legislative reporting obligations.

We call reports made to the Academy about child safety incidents or concerns at or involving the Academy or its staff members a child safety related complaint.

MAKING A CHILD SAFETY RELATED COMPLAINT TO THE ACADEMY

If you would like to make a child safety related complaint, you can do so by:

1. Sending an email to complaints@aia.nsw.edu.au. Your complaint will then be referred to the Child Protection Officers / Principal.
2. Writing a letter to the Academy addressed to In House Legal and Compliance Officer or the Principal.
3. Telephoning the Academy and asking to speak to the In House Legal and Compliance Officer or the Principal.
4. You may also feel more comfortable speaking with another trusted staff member who will refer the matter to the leadership team.

INVESTIGATING AND MANAGING CHILD SAFETY RELATED INCIDENTS AND COMPLAINTS

Immediate Actions

Depending on the nature of the incident, complaint, allegation or concern, after receiving the internal report or the child safety related complaint, the Academy will – if required by law or by our child safe policies and procedures – report the matter to the Department of Communities and Justice (DCJ), the Police, the Children’s Guardian and/or other relevant external agencies.

The Academy will conduct an initial assessment to identify and mitigate any ongoing risks to student safety and wellbeing. This assessment may occur with Police of the DCJ if an external report is required and made.

The Academy will also ensure that support is provided to any students, staff members and family members impacted by the incident, concern or complaint. In particular, we ensure that they are informed about advocacy and support services that may be available to assist them.

The Internal Investigation

The Academy will then conduct an internal investigation of the incident or complaint, led by the Principal or an external investigator.

However, if DCJ or the Police are investigating the alleged conduct, that investigation takes precedence and the Academy’s investigation will **only** proceed with their permission.

All internal investigations uphold the principles of procedural fairness and confidentiality – information is only shared with those who need to know.

See Appendix for flowchart of general guide to the internal investigation process.

Investigating and Managing Behaviour by a Student Against Another Student

Responding to this kind of child safe-related incident or complaint involves considering the Academy's duty of care both to any student who is a victim and to the student who is the alleged perpetrator, as well as to other students.

The Principal will follow our student discipline policies for these investigations.

Investigating and Managing Behaviour by Non-Staff Members on Academy Premises or at Academy Events

Where the child safety incident, or the child safety-related complaint, involves behaviour by a person who is neither a current or former Academy student nor a current or former staff member (for example they are a parent /carer or a visitor whose behaviour occurs on Academy premises or at a Academy event), the Academy's investigation is generally limited.

It may involve only the risk assessment and a subsequent review of our systems, policies and procedures to ensure the future safety and wellbeing of our students.

REVIEWS OF INVESTIGATION PROCEDURES AND OUTCOMES

Internal Reviews

Staff members, students and parents/carers of students who are involved in the child safe-related complaint and who are not satisfied with an internal investigation or its outcome may request an internal review of:

- the procedures undertaken
- findings made
- disciplinary actions proposed or taken; and/or
- other outcomes (including a decision not to make a finding or to take disciplinary or other action).

Requests for internal reviews should be made to the In House Legal and Compliance Officer via legal@aia.nsw.edu.au.

DISCLOSING INFORMATION TO THE ACADEMY COMMUNITY

The Academy will consult with any relevant external agencies (such as DCJ or Police) to determine when, what and by whom information can be shared.

Sharing Information With Parents/Carers and Students

The parent/carers of a student who is an alleged victim of a child safety-related complaint, or any child safety incident or concern occurring at or involving the Academy, has a legitimate interest in being told that their child is an alleged victim and of the nature of the incident, complaint or allegation.

The parent/carers and student also has a legitimate interest in being informed of the process, progress and findings of any investigation, and of any action that might be taken after the investigation is completed.



However, special issues may arise that require an adjustment to normal information sharing practices. Legal impediments may impact the timeliness of disclosing information, the type or amount of information that is disclosed and to whom the information is disclosed, particularly in the case of incidents or allegations of staff misconduct and reportable conduct.

Information that may identify the victim of the incident, concern or complaint will not be shared with the wider Academy community without the consent of the victim and/or their parent/carer.

APPENDIX

Complaint Handling:

Upholding the rights of children and young people (an overview)

