



Safeguarding Children and Young People Policy

Document number: PO2025-019

Version 2

Approval

Policy owner	Executive Director, Enabling Services		
Approved by	Executive Leadership Team State Council		
Date approved	ELT: 21.10.2025 State Council: 01.11.2025	Review date	01.11.2028

Purpose

1. The Society of St Vincent de Paul (NSW) and the company titled the St Vincent de Paul Society NSW (together the Society) are committed to:
 - being a best practice Child Safe Organisation with a zero tolerance for behaviours and practices that harm children and young people
 - protecting children and young people by developing systems and mechanisms to raise awareness of child safety, prevent harm and support effective responses and reporting of concerns
 - placing children’s participation, safety, and wellbeing at the centre of practice by building a child-safe culture in alignment with the National Principles for Child Safe Organisations, NSW Child Safe Scheme, the National Catholic Safeguarding Standards, NDIS Code of Conduct, and NDIS Practice Standards
 - providing employees, members and volunteers with clear behavioural protocols to enable them to understand their role in keeping children safe
 - ensuring employees, members, and volunteers are equipped to recognise, respond to, and report concerns or incidents of child abuse and neglect sensitively, effectively, and appropriately.

Scope

2. This policy applies to all Society Personnel in NSW engaged in any capacity in the Society (including employees, members, volunteers, carers, and Board Directors).
3. The Society’s services, programs, and activities that involve interactions with children and young people, including as clients (those we assist), family members of clients, members, volunteers, employees, or as members of the public (for example, as customers of the Society’s retail shops).

Policy principles

4. The Society:
 - values, respects, and promotes the inherent dignity and rights of all children and young people, especially those who are most vulnerable in our community
 - recognises in policy and practice, the diverse needs and circumstances of children and young people and ensures that support is tailored accordingly so that children are kept safe – regardless of social or economic position, cultural context, abilities and impairments
 - recognises the additional challenges and vulnerabilities experienced by some communities including:
 - culturally and linguistically diverse communities
 - First Nations Peoples
 - children and young people who identify as part of the LGBTQIA + community
 - children and young people with a disability
 - recognises and values members and volunteers of all ages and ensures that Society activities are suitable and age-appropriate for children and young people before and during their

involvement

- acknowledges that parents/carers have primary responsibilities for the development, wellbeing and safety of their children
 - acknowledges children's right to participate, be heard, listened to and taken seriously, and provides them with opportunities that support this in practice including by:
 - ensuring that programs and services involving children and young people systematically embed their voices in program design, implementation, monitoring, and evaluation
 - basing decisions regarding the welfare and protection of children and young people on their best interests after giving serious regard to the child or young person's views
 - engages in partnership with parents/carers, families, and communities to develop safe, inclusive, and supportive environments and processes to facilitate well-being, and to prevent the abuse and neglect, of children and young people, including by:
 - informing and engaging openly with parents/carers, families, and communities on issues, policies, and decisions impacting child safety and wellbeing
 - facilitating the participation of parents/carers in decisions affecting their child or young person
 - acknowledges that physical environments can pose a risk to children and designs Society services to balance visibility, child privacy, and a child's capacity to engage in creative play
 - acknowledges that online environments can pose a risk to children and implements risk management processes to ensure these risks are identified and mitigated without compromising a child's right to privacy or wellbeing
 - believes that safeguarding the wellbeing of children and young people must be committed to, supported, and monitored by *all* levels of the organisation through appropriate recruitment, ongoing training of Society Personnel, and the implementation of appropriate preventative and responsive safeguarding systems, and regular monitoring and auditing of the effectiveness of these strategies.
 - implements child-focused, timely, and effective processes to respond to concerns and complaints about child safety.
5. The Society has zero tolerance for any behaviour that compromises child safety. Such actions may lead to dismissal and will be reported to the appropriate authorities.
6. The Society is committed to preventing abuse or harm to children and young people by:
- implementing appropriate risk management systems for all activities involving children and young people
 - executing child-safe recruitment and screening measures
 - requiring child-safe behaviours from all Society Personnel
 - educating Personnel, children, young people and their families about abuse/harm and prevention

- ensuring accurate, timely and secure documentation
- implementing procedures for reporting and responding to concerns about children and young people, and
- implementing effective procedures for reporting and responding to child protection allegations against Society Personnel.

Participation of children and young people

7. The Society recognises the unique insight, experiences, and contribution of children and young people and provides opportunities for their feedback about Society Personnel and services to be heard and incorporated into its policies and programs.
8. The Society will inform children and young people about:
 - their rights
 - the behaviour expected from Society Personnel
 - the Society's procedure for responding to concerns about children and young people, including who to contact if they are at risk, have been abused, or are concerned about another child.
 - other agencies or organisations that can support and advocate for them.
9. Where appropriate, children and young people will be involved in making decisions that affect them.
10. All activities or programs where children attend without their parents, carers, or school, must have a designated employee present for the duration of the activity. Any exemptions to this requirement must be approved in writing by the Safeguarding Team.

Safeguarding behaviour expected of Society Personnel

11. The Society's Code of Conduct identifies acceptable and unacceptable behaviour (including appropriate boundaries) expected of Society Personnel working with children and young people.
12. All Personnel are required to review and sign the Code of Conduct every two years, and demonstrate appropriate, professional, safeguarding behaviours as referenced in their signed Code of Conduct.
13. Any behaviour that is not child safe, is unlawful or identified as grooming, will be treated seriously and may result in immediate suspension, or permanent removal from the Society. Unlawful behaviour will be reported to the relevant authorities.
14. Any use of Restrictive Practices must be in accordance with the Restrictive Practices Policy.
15. Behaviour Support strategies must be implemented in accordance with the Behaviour Support Policy.
16. Any employees, members and volunteers engaged in Overseas Development are required to adhere to requirements outlined in the National Safeguarding Children & Vulnerable Adult Policy. It is a crime for Australians to travel overseas to engage in, encourage or benefit from sexual activity with children (under 16 years of age). Despite occurring overseas, these offences can be investigated and prosecuted in Australia.

Risk Management

17. The Society sets minimum age requirements for children and young people participating in its

activities.

18. The Society ensures that relevant Personnel are trained in safeguarding risk assessment so that they can identify potential risks to children and young people and actively minimise the risk of harm.
19. The Society conducts child protection risk assessments for all operations, programs, and activities involving and affecting children and young people and ensures these are updated regularly:
 - new activities or programs for children and young people must have a risk assessment approved by the Safeguarding Team **before** the activity or program commences.
 - risk assessments for existing child-related activities and programs must be approved by the Safeguarding Team **annually**.

Guidelines on conducting a child protection risk assessment are [available on the staff portal](#).

20. Risk assessments and risk management plans must be recorded in the Society's Integrated Risk Management System.
21. The agreed risk management plan must be implemented throughout the duration of the activity or program cycle, oversighted by the relevant Manager, Director, or Regional Director.
22. The Society's programs and services identify and mitigate risks to children from online environments without compromising their right to privacy or wellbeing by ensuring effective measures are in place. The Child Safety in Online Environments Guideline is at Appendix 10.

Communication and use of children's images

23. The Society will portray children in a respectful and appropriate way at all times.
24. The Society will obtain informed consent from children/young people and their parent(s)/guardians before using a child's story, image or personal information for promotion, fundraising and/or educational purposes.
25. When requesting consent, the Society will give examples of, and provide details as to how, where and for how long the story, information and/or image will be used.
26. Before seeking consent, the Society will:
 - undertake a risk assessment (with the child and their family) regarding publication of any image, information or story about the child or young person.
 - explain to the child/young person and their parent(s)/guardian(s) that it cannot control the use of images, stories or information once they are uploaded to the internet and that they could be viewed by anyone with internet access at any time.
27. The Society will not disclose any information identifying children/young people (including their family name, community or school name) in the published images.
28. Any photographs or videos of children or young people can only be taken on Society owned devices and must be deleted from the device once appropriately stored. Personal devices cannot be used to take, record, or store images of children or young people.
29. The Society will ensure that all images and information about children and young people are stored safely and can only be accessed by authorised personnel. Images must be managed in accordance with the Records Management Policy.

Personnel recruitment and selection

30. The Society implements child safeguarding measures within recruitment and selection processes for all employees, members and volunteers to:
 - reduce the risk of engaging people who may pose a risk to children and young people
 - ensure that people working with children and young people are suitable to secure the safety and wellbeing of children and young people in practice.
31. The Society requires all Society Personnel over 18 years old to undergo pre-engagement checks as outlined in the Police and Working with Children Check Policy.
32. WWCCs are a statutory requirement wherever employees, members or volunteers engage in child-related work. Where specified positions in particular areas are demonstrably not child-related work under the legislation, the Service Manager or Director may seek an exemption through the Society's Safeguarding Team. All requests supported by the Safeguarding Team must be approved by the CEO.
33. The CEO and all Board Directors are required to have a valid Working with Children Check, verified on the Office of the Children's Guardian (OCG) Website.
34. The Society will not allow any person without the appropriate Working with Children Check clearance to engage in any child-related work. Personnel who are under the age of 18 engaged in child related work must apply for a Working with Children Check in the 3 months prior to their 18th birthday.
35. Where a person currently engaged by the Society receives a bar, or interim bar from working with children, the Society will immediately remove them from any child-related role and will only continue their engagement in non-child related work with the approval of the CEO.
36. WWCCs are obtained and 'owned' by the individual and provided to the Society to complete online verification of the current clearance on the OCG website. Since WWCCs have a five-year expiry date, all Personnel are required to renew their check before it expires, in line with legislative requirements and the processes set out by the Office of the Children's Guardian.
37. All WWCCs are verified by designated personnel. No person can self-verify. In the event the designated personnel are unable to complete a verification, this will be conducted by the Safeguarding Team.
38. To ensure compliance with the Society's *Police Check and Working with Children Check Policy*:
 - Pre-engagement checks: A Police Check must be obtained before commencing work in a paid or voluntary capacity with the Society.
 - Existing employees, members, and volunteers must obtain a Police Check within three months of turning 18.
 - Re- All individuals must complete a new police check every three years, regardless of their role.
39. Agreements with other agencies (such as a Work for the Dole provider) will require a Police Check to a standard that is consistent with the Society's requirements. Where this is not possible, such as for volunteers engaged through Community Service Orders or Corrective Services, the agreement must be approved by the relevant Director, with risk assessments conducted on a site-by-site basis, approved by the Safeguarding Team. Records of all participants must be kept in approved Society system.
40. The Society requires interviews for all potential employees, members, and volunteers. For child-related roles, the interviews must include behavioural based safeguarding interview questions.

42. The Society requires all new members, volunteers, and employees in child-related roles to provide the contact details of two referees before commencement of their role (written references will not be accepted). The Society will make direct contact with each referee before engaging the person and will ask about the candidate's suitability to work with children and young people.

Safeguarding children education and training

43. The Society will promote safeguarding practices in Society activities and in the communities in which it works by:
- educating personnel about creating child-safe environments
 - assessing and reducing risks to children and young people
 - providing ongoing monitoring and supervision of personnel engaged in child related work
 - providing children, young people, their families, and communities joining Society programs or using Society services with information about this policy, the Society's Code of Conduct, and the Society's complaints and investigations processes.
41. The Society will ensure that all Society Personnel receive appropriate training in safeguarding behaviours, measures to prevent harm to children, and measures to appropriately respond to, and report concerns about child safety. This includes ensuring all Society Personnel:
- complete mandatory Safeguarding Learning as part of their induction, and before having contact with people we assist.
 - participate in refresher training at least every two years.
42. The Society will communicate this and related policies and procedures to all Society Personnel in onboarding and induction procedures and ensure that they understand their responsibility, and the procedures, to report concerns about children and young people, including mandatory reporting obligations, in accordance with the *Procedure for identifying and responding to concerns about Children and Young People* (Appendix 2).
43. Society Personnel engaged in child work or who are designated Mandatory Reporters will be required to complete additional training as directed by their Managers and/or recommended by the Safeguarding Team.

Responding to and reporting child protection concerns

44. Child abuse—including physical or sexual harm—is criminalised across all Australian states and territories. Additionally, neglect or abuse of children and young people **must be reported** to state child protection authorities and relevant statutory bodies, as mandated by law. The Society considers the abuse and neglect of children to be completely unacceptable, takes all concerns and reports of child abuse and neglect seriously, and acts on these reports immediately.
45. The Society is committed to a reporting process that is fair and professional.
46. Every effort will be made to protect the best interests, rights, and safety of the child or young person in responding to concerns and reports of child abuse/neglect.
47. It is mandatory for all Society Personnel to report any disclosed, witnessed, suspected or alleged incidents of child abuse, concerns about a child or young person's safety, or any breach of this Safeguarding Policy or the Code of Conduct by immediately following the Society's *Procedure for identifying and responding*

to concerns about Children and Young People (Appendix 2).

48. The Society will not take responsibility for any personal fines or legal action taken against individual personnel for failing to meet legislative reporting requirements.
49. Confidentiality is a key principle in reporting and managing child protection concerns. Any information relating to a child protection concern must only be shared with the designated Manager or Society Safeguarding personnel, or as required to ensure safety and address needs. The names of people involved, and the details of the report will remain confidential. Information will only be released on a 'need to know' basis, when required by Australian law, or when a report to police or child protection authorities is made.
50. All reports will be reviewed by the Safeguarding Team for quality control, risk mitigation, continuous improvement and to determine any additional reporting obligations.

Roles and responsibilities

Role	Responsibility
Society Personnel	<ul style="list-style-type: none"> • demonstrate appropriate and professional safeguarding behaviours at all times, adhere to this and related policies and the Code of Conduct, and take all reasonable steps to protect children and young people from abuse or harm • advise the Society immediately if a reason arises why they may be ineligible to work with children or young people • immediately report any concern about a child or young person in accordance with the Society's procedure for identifying and responding to a concern about a child or young person and relevant legislative requirements • participate in the Society's Safeguarding Learning and induction required for their role and seek clarification from managers about child safeguarding responsibilities, if necessary.
Board of Directors and State Council	<ul style="list-style-type: none"> • promote and uphold a culture that prioritises the safety and wellbeing of children and young people across the organisation • ensure the Society complies with Child Protection legislation • ensure effective oversight of the management of safeguarding risks, including ensuring appropriate policies and procedures for safeguarding children and young people exist and are reviewed on a regular basis • ensure effective oversight of the management of safeguarding risks • complete training as required, including as needed to understand their legal and ethical responsibilities.
CEO	<ul style="list-style-type: none"> • promote and uphold a culture that prioritises the safety and wellbeing of children and young people across the organisation • ensure safeguarding priorities are reflected in the organisation's

	<p>strategic goals, planning documents, and annual business plans</p> <ul style="list-style-type: none"> • ensure the effective management of safeguarding risks across the organisation, including the development, implementation, monitoring and evaluation of policies to safeguard children and young people • ensure organisational compliance with relevant safeguarding legislation including the NSW Child Safe Scheme • act as Head of Agency for Reportable Conduct allegations as required by the <i>Children’s Guardian Act, 2019</i> (NSW) • approve any exemptions to this policy. Exemptions to this Policy must be requested using an Application for Exemption, available on the Staff Portal which requires: <ul style="list-style-type: none"> - risk assessment - the rationale - the conditions under which the exemption applies - the duration of the exemption - process for review of the decisions.
Central Council Presidents	<ul style="list-style-type: none"> • promote and uphold a culture that prioritises the safety and wellbeing of children and young people • ensure that this policy is communicated to members in their area and that these members are aware of, sign onto, and agree to comply with this policy including the requirement to report children and young people at risk of harm • ensure that any breach by a member is reported and responded to appropriately and promptly • ensure compliance with the Society’s Safeguarding Learning requirements.
Executive Directors	<ul style="list-style-type: none"> • promote and uphold a culture that prioritises the safety and wellbeing of children and young people • ensure compliance with legislative obligations and with this policy in their directorates • ensure all Society personnel in their Directorate have appropriate levels of support, resources and training to implement this policy • ensure Society systems and processes under their area of responsibility are effective in supporting successful implementation of this policy • ensure appropriate record-keeping of pre-employment checks and risk assessments for all employees, members and volunteers (including Work for the Dole participants, agency employees and community service work participants) are maintained as per the approved System of Record.
Regional Directors, Directors, and Regional/Area Managers	<ul style="list-style-type: none"> • ensure the effective implementation of policies and procedures to safeguard children and young people in the relevant Region or area of responsibility • promote and uphold a culture that prioritises the safety and wellbeing of children and young people • proactively identify, assess, and manage safeguarding risks in all activities, programs, and physical environments involving children

	<ul style="list-style-type: none"> • ensure all members, volunteers, and employees in their area understand their responsibilities under the Safeguarding Children and Young People Policy, sign and agree to comply with this policy • disseminate communications about how the Society safeguards children to relevant stakeholders including members, volunteers, employees, people we assist, customers, and the broader community • ensure that all programs or activities that have direct or indirect contact with children and young people have a risk assessment, approved by the Safeguarding Team and recorded in the Society-wide Risk Register at least seven (7) days before commencement • ensure that all activities explicitly address any identified risks with assistance from People and Culture, ensure that recruitment, screening, supervision, and training requirements are met for all members, volunteers, and employees • ensure that all reportable conduct allegations are reported to the CEO and the Safeguarding Team for investigation • if they are a designated Mandatory Reporter, be accessible to provide support to non- Mandatory Reporters and fulfil legislative requirements to assess and report risk of significant harm to the child protection authority (Department of Communities and Justice) in line with Society procedures • ensure that employees, members or volunteers who breach this policy or who behave in a way that is not child safe are dealt with in accordance with this policy in a timely manner. • ensure all NDIS reportable incidents regarding children are reported in line with legislative requirements.
Safeguarding Team	<ul style="list-style-type: none"> • assess and approve child-related risk assessments and mitigation strategies • coordinate training and development programs for members, volunteers, and employees in line with policy requirements and identified needs • assess and approve child-related risk assessment and mitigation strategies • develop communication materials to effectively promote the Society's policy and procedures to members, volunteers, employees, children and families, and the broader community • provide support and advice to Central Councils and others on effective implementation of this policy • collect, analyse, and report on safeguarding data (e.g., number and type of incidents, training completion, audit outcomes) to inform risk management and continuous improvement • lead/ support regular (minimum of biennially) audits of safeguarding practice across services and programs working with children and young people to assess compliance, identify gaps, and drive improvements • promote the safeguarding of children and young people and a Society-wide culture of safeguarding children • provide a mechanism for all members, volunteers, and employees to receive

	<p>advice and support from an experienced professional when mandatory reporting may be required</p> <ul style="list-style-type: none"> • provide oversight and direction on all child-related incidents, reports, and statutory responses • manage investigations that involve children and young people • respond to any assessment notice issued by the Office of Children's Guardian • ensure compliance with any assessment notice or enforcement notice issued by the Office of the Children's Guardian • stay informed about changes in legislation, mandatory reporting, and best practices and update Society Personnel accordingly.
<p>Service Managers / Team Leaders</p>	<ul style="list-style-type: none"> • promote the safeguarding of children and young people and a culture of safeguarding children in their area • ensure the distribution of policy and procedures and implementation in their area • manage incidents in accordance with this and other relevant policies ensure Safeguarding Behaviours are demonstrated by Society Personnel and that all instances of unacceptable behaviour are addressed • ensure recruitment processes are adhered to and that supervision is provided to all Society Personnel • proactively identify, assess, and manage safeguarding risks in all activities, programs, and physical environments involving children and young people. • stay informed about changes in legislation, mandatory reporting, and best practices and update teams accordingly • ensure child protection reports, concerns and allegations are reported and managed through the Integrated Risk Management System • regularly review safeguarding incidents and near misses to identify trends and improve policies or practices • ensure accurate and confidential record-keeping • seek support from senior staff wherever needed and especially where there are compliance issues • support training and development for all members, volunteers, and employees in their area • ensure documentation is maintained as per relevant society policies and legislative requirements.

Breaches of this Policy

51. All Society Personnel are required to fully comply with this policy and attached procedures. The Society will take appropriate action to respond to any breach.
52. Breaches of this policy should be reported to the Safeguarding Team as per the procedure at Appendix 6.

53. Society Personnel who refuse to comply with this policy or demonstrate behaviours that are not child safe, will be immediately removed from any contact with children or young people while the matter is being investigated. Depending on the nature and severity of the alleged behaviour, they may be suspended from their duties with the Society pending the outcome of an investigation.
54. Substantiated breaches may incur, depending on the severity of the breach, disciplinary action including: compulsory further education and training, a written warning, performance review, suspension, or dismissal. This may include multiple instances of minor behavioural breaches, or behaviour that can be construed as grooming.
55. Any breach that meets the definition of reportable conduct will be dealt with in accordance with Appendix 5 of this document.

Review

56. This policy and the effectiveness of its implementation will be reviewed at least once every three years or on a needs basis as required to align with legislative or practice changes.

Monitoring and evaluation

57. The Safeguarding Team will provide the Executive Leadership Team and to the Board's Service Quality and Safety Committee (SQS) with quarterly reports on safeguarding matters. The SQS will escalate concerns to the Board if required.
58. The Safeguarding Team will provide the State Council with quarterly reports on safeguarding matters relevant to members of the Society.
59. The Society will regularly evaluate its safeguarding strategies, including reporting against relevant safeguarding implementation plans and participating in accreditation and auditing against the NSW Child Safe Standards.
60. The Society will ensure that accreditation report recommendations are communicated and addressed.

Further assistance

61. This Policy and Procedures document is written to comply with NSW legislation. Accordingly, advice should be sought from the Safeguarding Team in situations where the Society works across State borders.
62. For additional assistance or information about a concern about a child or young person, Society Personnel should contact:
 - Safeguarding team: safeguarding@vinnies.org.au / childprotection@vinnies.org.au / 1800 4 SUPPORT (1800 478 776).
63. Society Personnel should raise any questions about the implementation of this policy with their Manager.
64. Feedback on the policy can be provided to the Policy Owner (Executive Director, Enabling Services) or the Safeguarding Manager.

Related policies and procedures

1. Related policies and procedures include:

- Acceptable Use of Technology Policy
- Behaviour Support Policy
- Code of Conduct (including Professional Boundaries)
- Complaints and Feedback Policy
- Counselling and Disciplinary Policy
- Work Health and Safety Policy
- Incident Management Policy
- Person We Assist Charter of Rights
- Police Check and Working with Children Check Policy
- Privacy Policy
- Recruitment Policy
- Restrictive Practices Policy
- Safeguarding Vulnerable Adult Policy
- Trauma Informed Practice Policy
- Person-Centred Service Delivery Policy
- Risk Management Framework
- Volunteer Policy
- Whistleblower Policy

References

65. The following links may provide further information and assistance:

- the Mandatory Reporter Guide: <https://reporter.childstory.nsw.gov.au>
- NSW Office of the Children’s Guardian at <https://www.ocg.nsw.gov.au>

66. Legislation, regulations, and guides relevant to this policy include:

- *Child Protection (Working with Children) Act 2012* (NSW)
- *Child Protection (Working with Children) Regulations 2013* (NSW)
- *Children’s Guardian Act 2019* (NSW) NSW: Reportable Conduct Scheme
- *Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Privacy Act 1988* (Cth)
- *Crimes Act 1900* (NSW).

67. This suite of legislation is referred to in this document as ‘the Child Protection Legislation’.

Approval and amendment history

Version	Approved authority	Date	Amendment summary
Version 1	Working Document	August 2007	NA
Version 2	State Council	July 2012	Complete rewrite of policy
Version 3	State Council and Board	11 February 2017	Complete rewrite of policy
Version 3.1	Executive Director of People and Culture (pursuant to	19 July 2018	Updated to incorporate voluntary OOHHC requirements

	delegated authority)		
Doc # PO2020-019	ELT and State Council	22 February 2020	Updated to ensure compliance with the NSW Child Safe Standards
Doc # PO2020-019 Version 2	Executive Director Strategy and Governance	10 June 2020	Minor amendments to comply with legislative changes to the Children's Guardian Act 2019
Doc # PO2020-019 Version 3	Executive Director Corporate Services	27 July 2020	Updated ownership and responsibilities to align with organisational structure changes
Doc # PO2020-019 Version 4	ELT	24 February 2021	Updated to comply with requirements stipulated by the Office of the Children's Guardian
Doc # PO2020-019 Version 5	Director Office of the CEO	15 September 2021	Updated hyperlink at p.14 to new document location.
Doc # PO2020-019 Version 6	Director Office of the CEO	7 December 2021	Amendments to require a staff member presence at activities for children where there are no parents/guardians present, and that risk assessments for any child activities require approval by the Safeguarding Team.
Doc # PO2020-019 Version 7	Executive Leadership Team and State Council	24 June 2022	Desktop review undertaken and minor updates included: <ul style="list-style-type: none"> • requirement to embed the Child Safe Scheme • references to the Integrated Risk Management System for reporting purposes.
Doc # PO2020-019 Version 8	Executive Director, Enabling Services	11 June 2024	Minor amendments to reflect organisational changes, updated training module, and clarify training requirements in line with Child Safe Scheme. Additional flowchart added at Appendix 3.
Doc # PO2020-019 Version 9	Executive Leadership Team and State Council	1 Nov 2025	Updates to reflect that the Society no longer provides voluntary out of home care, or NDIS services to children and young people. Additional guidance on photographing children and young people. Minor clarifications and editorial changes to improve

			readability.
Doc # PO2025- 019	Executive Leadership Team State Council	21 Oct 2025 1 Nov 2025	Review completed in accordance with policy review schedule.
Doc # PO2025- 019 Version 2	Executive Director, Enabling Services	20 Jan 2026	Incorporates minor changes to compliance requirements of the NSW Office of Children's Guardian.

Appendix 1: Definitions

Term	Definition
Allegation	An allegation against any Society Personnel that might involve behaviour that is reportable conduct, or behaviour that is exempt from notification to the Office of the Children’s Guardian but is required to be investigated by the agency (<i>Children’s Guardian Act 2019 NSW</i>)
Behaviour Support	Behaviour support is creating individualised strategies that are responsive to the person’s needs, in a way that reduces the occurrence and impact of behaviours of concern and minimises the use of restrictive practices.
Child and Young Person	In this Policy document ‘Child’ means persons between the ages 0-15, a ‘young person’ is any person between the ages 16-17. Children and young people may be people we assist, family members of people we assist, members (Mini Vinnies, High School Conferences), volunteers, employees, or members of the public (for example, customers of Society retail shops or activities where children and young people regularly or occasionally attend such as working bees with local schools or parish youth groups to pack Christmas hampers)
Child abuse	Any non-accidental act or acts that endangers a child’s health, wellbeing or development. This includes behaviour by parents, caregivers, other adults or older adolescents that entails a substantial risk of causing physical or emotional harm to a child or young person. Child abuse can be physical, emotional, sexual, or through exposure to domestic or family violence. Child abuse can be intentional or unintentional and can include acts of omission (i.e., neglect) and commission (i.e., abuse).
Child Protection	Responsibilities and activities undertaken to prevent or stop children being abused or maltreated.
Child Protection Legislation	<i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW), <i>Child Protection (Working with Children) Act 2012</i> (NSW), <i>Child Protection (Working with Children) Regulations 2013</i> (NSW), the <i>Children’s Guardian Act 2019</i> (NSW), <i>Privacy Act 1988</i> (Cth) <i>Privacy and Personal Information Protection Act 1998</i> (NSW) and the <i>Crimes Act 1900</i> (NSW).
Child-related work	Child-related work is defined by Part 2, section 6 of the <i>Child Protection (Working with Children) Act 2012</i> (NSW), as work in a specific, child-related role or face-to-face contact with children in a child-related sector. Additional roles can be found in Section 7 of the Act and in the <i>Child Protection (Working with Children) Regulation 2013</i> (NSW).
Child Safeguarding	Actions, policies and procedures that create and maintain protective environments for children including to protect them from exploitation and abuse of all kinds.
Child Safe Organisation	An organisation in NSW that is captured by the definition in Schedule 6 of the <i>Children’s Guardian Act 2019</i> (NSW) child safe organisation means 1 of the following — (a) an entity mentioned in Schedule 1

	<p>(b) a religious body —</p> <p style="padding-left: 40px;">(i) that provides services to children, or</p> <p style="padding-left: 40px;">(ii) in which adults have contact with children,</p> <p>(c) a local government authority,</p> <p>(d) a club or other body providing programs or services of a recreational or sporting nature for children and in which workers are required to hold a working with children check clearance under the Child Protection (Working with Children) Act 2012 (NSW),</p> <p>(e) an entity, or part of an entity, prescribed by the regulations for this definition.</p>
Concern (in relation to a Child or Young person)	Any information that may indicate that a child or young person is at risk of harm.
Conviction (as it relates to Reportable conduct)	Any conviction of a person, in NSW or elsewhere, of an offence involving reportable conduct, and includes a finding by a court that a charge for such an offence is proven even though the court does not proceed to a conviction <i>Children's Guardian Act 2019 (NSW)</i> .
Designated person	A designated person is an employee who has been assigned the responsibility of verifying WWCCs on the OCG website and provided with relevant logins. A list of these employees is maintained by the Safeguarding team.
Direct or indirect contact (with persons under 18)	Any contact with a child or young person regardless of the role of Society Personnel, the child or young person, and regardless of whether the interaction is face to face, via the phone or internet. It includes examples such as providing services to a child or a young person, providing services to the parents or carers of a child or young person while a child or young person is present.
Disclosures	Where a child or young person, or another adult, says something that indicates that they or another child or young person may be at risk of harm.
Duty of Care	The Society's legal obligation to protect children from all reasonably foreseeable risk of injury.
Emotional and psychological abuse	Repeatedly rejecting, frightening or threatening a child. This may involve name calling, being put down or continual coldness from a parent or care giver, exposure to domestic or family violence, under-age marriage.
Employee	<p>A paid member of staff unless otherwise specified. This includes full time, part time, fixed term or casual staff and includes contractors providing services to the Society for a set time or specific task and those engaged in the performance of duties for the Society from a labour hire agency.</p> <p>This policy document does not distinguish between the roles and responsibilities of paid and unpaid Personnel unless specifically prescribed by relevant legislation.</p>

<p>Grooming</p>	<p>A series of behaviours and actions designed to prepare a child or young person for sexual abuse or exploitation. This may include acts of manipulating others (parents, carers, co-workers) and situations to gain and maintain access to the victim/s. Grooming is a process that can be difficult to recognise or distinguish from seemingly innocent or everyday actions. It has two core elements:</p> <ul style="list-style-type: none"> • building a trusting or special relationship with the child or young person and his/her carers, and • isolating the child or young person in order to abuse them. <p>There is no one set of actions or behaviours that are used to groom a child or young person or those around them.</p>
<p>Mandatory Reporters</p>	<p>Persons required by NSW legislation to make a report to the Department of Communities and Justice (also known as Family and Community Services) where they have reasonable belief that a child or young person is “at risk of significant harm”</p> <p>NSW legislation identifies Mandatory Reporters as:</p> <p>(a) a person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children’s services, residential services, disability services or law enforcement, wholly or partly, to children, and</p> <p>(b) a person who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services, disability services or law enforcement, wholly or partly, to children.</p> <p>(c) a person in religious ministry, or a person providing religion-based activities to children, and</p> <p>(d) a registered psychologist providing a professional service as a psychologist.</p>

	<p>Volunteers are not usually Mandatory Reporters, except in the case of volunteers who are managers of the services outlined above.</p> <p>The following Society roles are Mandatory Reporters:</p> <ul style="list-style-type: none"> • all staff members in refuges, disability services, accommodation services, health services, welfare services, case work, education, childcare and any Society program with persons under 18 years old as clients. • member and volunteer Support Staff. • managers, coordinators and supervisors who have any oversight for health care, welfare, education, children’s services, accommodation services and disability services. • all senior management roles including CEO, Executive Director, Chief Financial Officer, Regional Director, Director and Manager. • members of the State Council and Board. • any person in religious ministry, or a person providing religion-based activities to children. <p>Note: The Society requires all other Personnel to report any concern about the safety, welfare or wellbeing of children or young people to 1800478776 or childprotection@vinnies.org.au</p> <p>All Personnel retain their right to report directly to the Department of Communities and Justice (also known as Family and Community Services).</p>
<p>Mandatory Reporter Guide (MRG)</p>	<p>The MRG is a Structured Decision-Making tool intended to complement mandatory reporters' professional judgement and critical thinking. The MRG supports mandatory reporters in NSW to:</p> <ul style="list-style-type: none"> • determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child or young person; and • identify alternative supports for vulnerable children, young people and their families. <p>The MRG is located here: https://reporter.childstory.nsw.gov.au</p>
<p>Member</p>	<p>A person who is part of a St Vincent de Paul Society Conference. This is an unpaid or ‘voluntary’ role. For the purposes of legislative compliance, all requirements set out for volunteers in this policy and in Child Protection legislation also apply to members as Society Personnel.</p> <p>For the purpose of this policy, the Society does not distinguish between the roles and responsibilities of paid and unpaid Personnel unless specifically prescribed by relevant legislation.</p>
<p>National Catholic Safeguarding Standards</p>	<p>The National Catholic Safeguarding Standards (NCSS) are a framework developed by Australian Catholic Safeguarding Ltd (ACSL) to ensure that all Catholic entities across Australia provide safe environments, especially for children and vulnerable adults. These standards align closely with the Royal Commission’s Child Safe Standards and are designed to drive a culture of safety and accountability.</p>

NSW Child Safe Scheme	The Child Safe Scheme requires organisations to embed the Child Safe Standards as the primary framework that guides child safe practice. The Scheme provides the Children’s Guardian with powers to monitor the implementation of the Child Safe Standards, and to investigate complaints and concerns about a child safe organisation’s implementation of the Child Safe Standards. See appendix 8.
NDIS Reportable Incident	Registered NDIS providers must notify the NDIS Commission of all reportable incidents (including allegations). Reportable Incidents include: <ul style="list-style-type: none"> • The death of a child or young person with disability • Serious injury of a child or young person with disability • Abuse or neglect of a child or young person with disability • Unlawful sexual or physical contact with, or assault of, a child or young person with disability • Sexual misconduct, committed against, or in the presence of, a child or young person with disability, including grooming for sexual activity • Unauthorised use of restrictive practices in relation to a child or young person with disability.
Neglect	Depriving a child or young person of anything that they need to thrive to the degree that it impacts their health, wellbeing or development, including medical, education, shelter, food, hygiene and supervision.
Society Personnel	Any person (or group of people) engaged by the Society to assist in its works. This includes members, volunteers, employees, contractors and consultants.
Physical abuse	Purposefully injuring or threatening to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.

Prescribed body	<p>A prescribed body is any organisation specified in section 248(6) of the <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW) or in Schedule 5 of <i>Children and Young Persons (Care and Protection) Regulation 2022</i> (NSW).</p> <p>Generally prescribed bodies are:</p> <ul style="list-style-type: none"> • NSW Police Force • A State government department or a public authority • A government school or a registered non-government school or a TAFE • A public health organization or private health facility • an accredited adoption service provider • a registered community housing provider • a designated agency • a registered agency • a children’s service • any other organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services, or law enforcement, wholly or partly to children
Records	<p>Electronic or hard copy documents, information and data stored in and retrieved electronically from the Society’s and/or other Society systems and areas that enable the Society to report its activities and funding expenditures.</p>
Restrictive Practice	<p>Restrictive practice means any practice or intervention that has the effect of restricting the rights or freedom of movement of a person with disability. These include seclusion, chemical restraint, mechanical restraint, physical restraint and environmental restraint.</p>
Reportable conduct	<p>Defined by <i>Children’s Guardian Act 2019</i> (NSW), as:</p> <ul style="list-style-type: none"> • Reportable conduct means the following conduct, whether or not a criminal proceeding in relation to the conduct has been commenced or concluded-a sexual offence, • sexual misconduct, including grooming, • ill-treatment of a child, • neglect of a child, • an assault against a child, • an offence under section 43B or 316A of the <i>Crimes Act 1900</i> (NSW), • behaviour that causes significant emotional or psychological harm to a child.

<p>Risk of Significant Harm (as it relates to a Child or Young Person)</p>	<p>A child or young person is at current “risk of significant harm” if current concerns exist for the safety, welfare or wellbeing of the child or young person because of the presence, to a significant extent, or any one or more of the following circumstances:</p> <ul style="list-style-type: none"> • the child or young person’s basic physical or psychological needs are not being met or are at risk of not being met • 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 • in the case of a child or young person who is required to attend school in accordance with the <i>Education Act 1990</i> (NSW), 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 • the child or young person has been, or is at risk of being physically or sexually abused or ill-treated • 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 • 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 • the child was the subject of a pre-natal report under section 25 of the <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW) 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. <p><u>Note.</u> Physical or sexual abuse may include an assault and can exist despite the fact that consent has been given (Section 23, <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW)).</p> <ul style="list-style-type: none"> • Further information is available on the Family and Community Services website at https://www.facs.nsw.gov.au/families/Protecting-kids/mandatory-reporters
<p>Sexual abuse</p>	<p>Sexual abuse is any sex act committed on, or in the presence of, a child or young person. It can involve touching or no touching at all and usually involves the use of force, threat or coercion. It can include sexualised language, voyeurism, fondling genitals or breasts, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object and exposing a child to, or involving a child in pornography.</p>
<p>State Council</p>	<p>The State Council of the Society of St Vincent de Paul (NSW).</p>
<p>Volunteer</p>	<p>A person undertaking unpaid work for the Society. For the purposes of legislative compliance all requirements of volunteers in this policy apply to members as well as all types of ‘compulsory volunteers’ including interns, student placements, Work for the Dole participants, and mandated court orders.</p> <p>For the purpose of this policy, the Society does not distinguish between the roles and responsibilities of paid and unpaid Personnel unless specifically prescribed by relevant legislation</p>

Appendix 2: Procedure for identifying and responding to concerns relating to Children and Young People

1. Society Personnel must ensure that all concerns relating to children and young people are taken seriously and assessed for risk of significant harm, in line with the Society's legal mandatory reporting responsibilities.
2. A concern about children and young people includes any information that may indicate that a child or young person is, or may be, at risk of harm.
3. Under the *Children and Young Persons (Care and Protection) Act 1998* (NSW), the following concerns must be reported:
 - 3.1 Physical Abuse
 - Deliberate injury or excessive physical discipline by a parent, carer, or another adult.
 - Indicators include bruises, burns, fractures, or patterns of frequent injuries.
 - 3.2 Sexual Abuse
 - Any sexual activity or exploitation involving a child.
 - Includes grooming, exposure to pornography, sexual touching, or penetration.
 - 3.3 Psychological (Emotional) Abuse
 - Repeated verbal abuse, threats, rejection, or exposure to trauma like domestic violence.
 - Leads to anxiety, withdrawal, self-harm, or developmental delays.
 - 3.4 Neglect
 - Failure to meet basic needs such as food, shelter, supervision, medical care, or hygiene.
 - Can be chronic (long-term) or situational (e.g. due to crisis).
 - 3.5 Exposure to Domestic and Family Violence
 - When a child sees, hears, or is otherwise affected by violence between caregivers.
 - Often causes emotional and psychological harm.
 - 3.6 Carer Concerns
 - When a parent or carer is unable or unwilling to care safely for the child due to:
 - Substance misuse
 - Mental illness
 - Intellectual disability
 - Incarceration
 - Severe neglect of the carer's own well-being
 - 3.7 Harm to Unborn Children
 - Maternal substance use
 - Domestic violence
 - Lack of antenatal care
 - Homelessness or unsafe environments
 - 3.8 Danger to Self or Others

- When a child or young person has serious suicidal thoughts or behaviours, or presents a danger to others due to mental illness, trauma, or environmental risks.
- May require urgent intervention from child protection and mental health services.

3.9. Relinquishing Care

- When a parent or carer states an intention to permanently relinquish care of the child or has already done so without safe alternative arrangements.
- This includes abandonment or placing the child in unsafe informal care settings.

4. Concerns about a child or young person may arise in the following ways:

- Society personnel observes something concerning
- Someone outside the organisation raises a concern
- A child, young person, or adult makes a disclosure that suggests they - or another child or young person - may be at risk of harm.

5. It does not mean that this concern is proven or that action will always be required, however, Society Personnel MUST report all concerns to ensure this can be assessed by appropriately trained employees. Society Personnel must use the following process to respond to any information that may indicate that a child or young person is at risk.

6. Society Personnel (who are not a Mandatory Reporter) with any concerns or information that may indicate that a child or young person is at risk must:

- In an emergency or after hours:
 1. call Police on 000 immediately (only in an emergency),
 2. alert line manager as soon as possible, and
 3. report to Department of Communities and Justice Child Protection Helpline – 24-hour service (132 111)
- If not an emergency:
 1. contact the Safeguarding team on 1800 4 SUPPORT (1800 478 776) or childprotection@vinnies.org.au
 2. complete a Safeguarding Notification Form https://erm.protecht.com.au/vinnies/worms/client/app/react/AnonymousEntry/registers/table_113370/entries/anonymous

Mandatory Reporter

7. The Mandatory Reporter must gather sufficient information to assess whether the child or young person is at *risk of significant harm* based on: their professional judgement; the [Mandatory Reporter Guide](#) (MRG) which provides guidance about whether a concern reaches this threshold; and by seeking further information from other organisations as appropriate. The MRG is a decision-making tool and must be used with the support of professional judgement.
8. The Mandatory Reporter must use the MRG to assess the concern and follow the instructions stated in the outcome.
9. Where the MRG directs the Mandatory Reporter to make an immediate Community Services Report the Mandatory Reporter MUST report their concerns to Department of Communities and Justice (DCJ) immediately and no later than the end of the Mandatory Reporter's **current** shift. Reports can be made either by phone on 132111 or by e-report at <https://reporter.childstory.nsw.gov.au> **and**

forward the documentation to childprotection@vinnies.org.au or upload via IRMS.

10. Where the MRG directs the Mandatory Reporter to make a report to Community Services the Mandatory Reporter **MUST** report their concerns to DCJ within 24 hours **and** forward the documentation to childprotection@vinnies.org.au or upload via the IRMS. Reports can be made either by phone on 132 111 or by e-report at <https://reporter.childstory.nsw.gov.au>
11. Where the MRG does not direct the Mandatory Reporter to report the concern, the Mandatory Reporter must still complete the Safeguarding Notification Form and forward to 1800 4 SUPPORT (1800 478 776) or childprotection@vinnies.org.au or upload via the IRMS
12. If you disagree with the outcome of the MRG and still hold concerns for the safety and well-being of a child or young person, you can still report your concerns to DCJ.
13. Any concerns that involve a serious criminal element must be reported to the Police.
14. All MRG results must be saved and stored confidentially with Safeguarding Notifications.
15. All Personnel have the right to report any concern for the wellbeing of a child or young person directly to Police and DCJ by contacting the 24-hour Child Protection Helpline (132 111) regardless of whether or not they have already reported the concern internally. You do **not** need to seek permission or approval to make such a report. However, once you have made a report to Police or DCJ, you also notify the Safeguarding Team as soon as possible to ensure we are providing appropriate support to the child or family, meeting legal and organisational responsibilities and keeping accurate records.
16. Society Personnel involved in any report are required to maintain confidentiality and to only discuss the matter for the purpose of legal compliance or seeking professional advice.
17. Society Personnel must document any concerns and actions immediately or as soon as practicable before the end of the Personnel's shift.
18. To enable Society Personnel to quickly access relevant information any reports should be cross-referenced in electronic records. For example, the client file should note that a report was made to internal Safeguarding Team and/or DCJ.
19. The Safeguarding Team is responsible for following up individual notifications to the Child Protection Helpline that relate to allegations against Personnel or ROSH incidents that occur in relation to a Vinnies Service.
20. Records of these reports will be documented in the Safeguarding Register.

Reportable Incidents in NDIS Services:

21. Under the National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018, if a Reportable Incident occurs or is alleged to have occurred in an NDIS service, Society Personnel must follow the steps outlined in the NDIS Reportable Incident Procedure.

Ensuring children and young people are safe from further harm

22. Where Society Personnel suspect that a child or young person is at risk, they must, to the best of their ability, put in place measures to protect children from further harm and continue to respond to the needs of the child, even though they have made a report to DCJ. Measures may include:
 - conducting a risk assessment

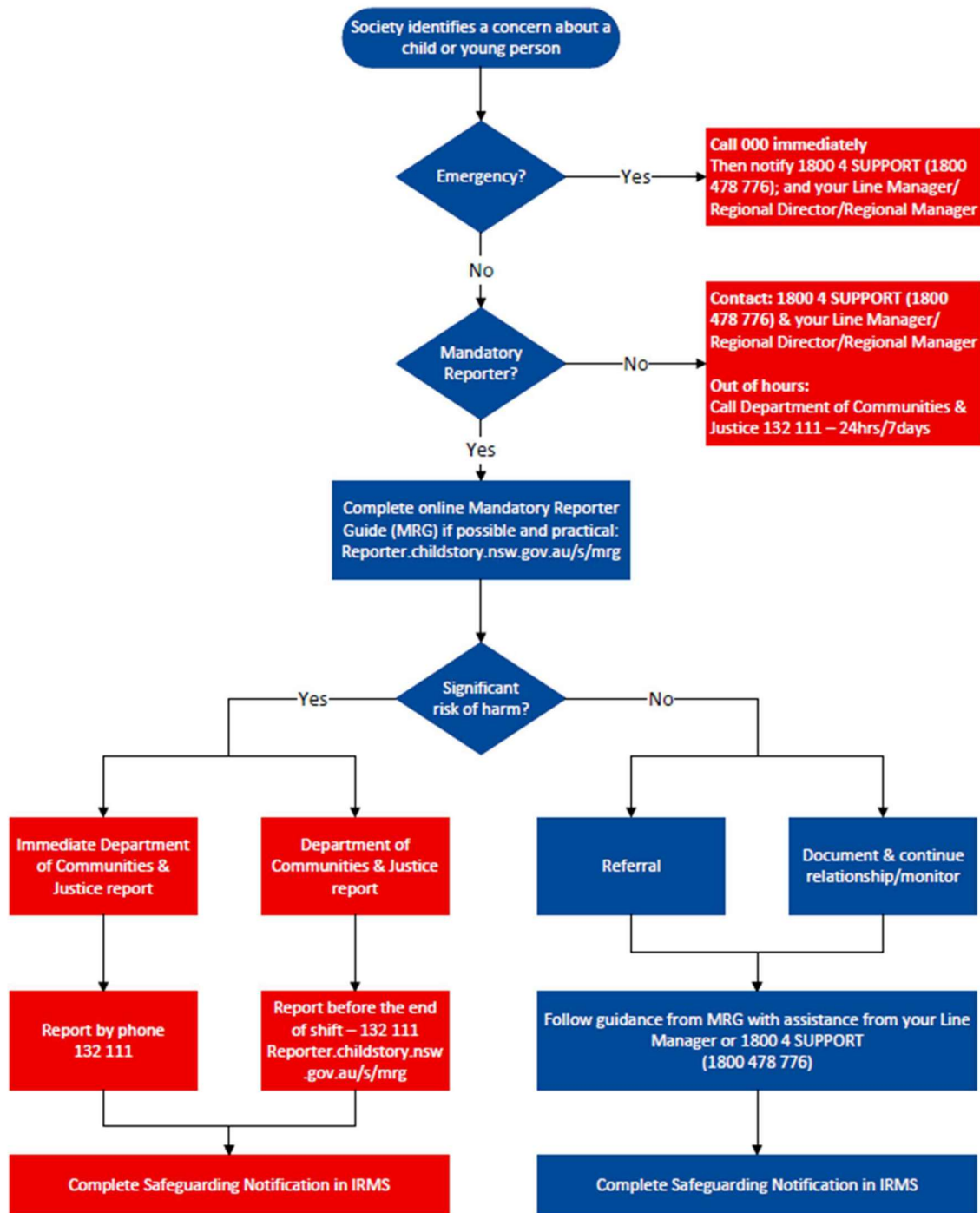
- implementing measures to mitigate or reduce identified risks (e.g., provide additional supervision)
- providing referrals to professional services, as required
- providing ongoing support and assistance appropriate to the situation
- reporting to the Safeguarding team and providing updates on circumstances.

Section 16A Exchange of information

23. Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) allows information to be exchanged between prescribed bodies despite other laws that prohibit or restrict the disclosure of personal information.
24. Prescribed bodies may share information relating to the safety, welfare or wellbeing of a child or young person. A prescribed body is any organisation specified in section 248(6) of the Act or in Schedule 5 of *Children and Young Persons (Care and Protection) Regulation 2022* (NSW).
25. Any requests for or responses to requests for information Under Chapter 16A must be dealt with according to the procedures in Appendix 11.

A list of prescribed bodies can be found in *Appendix 1 Definitions*.

Appendix 3: Managing concerns in relation to a child or young person.



Appendix 4: Responding to Child Protection Allegations against children or young people in our services.

This procedure must be used for allegations of abuse from a member of the public or other people we assist towards a child or young person engaged in a Society program or service.

For any allegation concerning Society Personnel, the procedures outlined in Appendix 5 must be followed.

Personnel must manage and report child protection incidents or allegations as follows:

1. Clarify the allegation – exactly what has been alleged. Who, what, when, where etc.? Do not commence investigation at this time. Focus on clarifying the key elements of the allegation.
2. Notify the Director of the relevant Vinnies Services Directorate and the Executive Director of Vinnies Services.
3. Notify the Safeguarding Team as soon as possible after an allegation is made, regardless of whether the allegation meets the ROSH threshold. The Safeguarding Team will oversee any further enquiries or investigations and will inform the Director, Legal, and the CEO as appropriate.
4. Society Personnel must report any potential risk of significant harm concerns to the Department of Communities and Justice (DCJ) and must report all criminal matters to the Police immediately.
5. Conduct a risk assessment that considers and documents the risk to the safety and well-being of children and young people, including the alleged victim, the alleged perpetrator, staff, other people we assist and the organisation. Refer to the Safeguarding Risk Template.
6. Where a Police or DCJ investigation is required, the Society must await the outcome of the Police or DCJ investigation before the Society conducts any further enquiries or investigations.
7. Consider who needs to be notified about the allegation as well as what to tell others who are not involved but aware (e.g., parents, employees). Remind all parties of the sensitivity of the situation and confidentiality requirements.
8. Society Personnel who received the disclosure or witnessed the incident must:
 - report the incident to their Manager or Supervisor and the Safeguarding team
 - report the allegation or concern using the Safeguarding register in the IRMS OR
 - if the abuse or harm was connected to the delivery of the Society's programs, services or activities, you must also complete an Incident and Hazard Report Form may be required on advice from the Safeguarding Team.
9. The Safeguarding Team must oversee the Safeguarding Register in the Society's Integrated Risk Management System.
10. The Service Manager, Team Leader, Regional Manager, or Program Manager must ensure reports are documented and escalated appropriately.
11. Any allegations that do not meet the ROSH threshold must be assessed to determine further action.

12. Address support needs of both the child/young person and the person who is the subject of the allegation.
13. The Safeguarding Team will be the point of contact between the Society and the Office of the Children's Guardian.
14. If applicable, the matter will be reported by the Society to relevant statutory authorities including OCG and NDIS Quality & Safeguards Commission.

Appendix 5: Procedure for Responding to Child Protection allegations against Employees, Members and Volunteers.

This procedure must be used for allegations of misconduct, abuse, neglect or failure to comply with mandatory reporting obligations, from Society Personnel towards a child or young person engaged in Society program or service, and for significant breaches of this Policy.

1. The Safeguarding Team will manage any incidents or investigations involving harm or abuse of children, young people or adults at risk. The Safeguarding Team must be advised as soon as possible after an allegation is made. The Safeguarding Team will ensure the Director, Legal and the CEO are informed.
2. Personnel must manage and report child protection incidents, allegations, or serious policy breaches as follows:
 - a. report the incident to the Safeguarding Team, and their Manager or Supervisor (unless the manager or supervisor is the subject of the allegation)
 - b. document the allegation or concern using the digital Safeguarding Notification Form OR report the allegation directly to the Safeguarding team at 1800 478 776 or childprotection@vinnies.org.au
 - c. An Incident and Hazard Form may also be required on advice from the Safeguarding Team: childprotection@vinnies.org.au
3. All Safeguarding reports are recorded in the Safeguarding Register and managed in the Society's Integrated Risk Management System (IRMS).
4. Personnel must always ensure that any potential risk of significant harm concerns towards children and young people are reported to the Department of Communities and Justice (DCJ), where required, and all criminal matters are reported to the Police or DCJ immediately.
5. Where a Police or DCJ investigation is required, Personnel must await the outcome of the Police or DCJ investigation before the Society conducts an internal investigation of an allegation of reportable conduct.
6. The Chief Executive Officer (CEO) must be notified immediately of allegations of reportable conduct from a member, volunteer or employee.
7. The CEO must notify the OCG of all allegations of reportable conduct within 7 days.
8. The Safeguarding Team must conduct a risk assessment which considers and documents the risk to the safety and well-being of the alleged victim, other children/young people, the involved employee, member, volunteer, to Vinnies and the integrity of the investigation. While the primary concern of the Society, at all times, is the safety and care of children and young people, Society Personnel must take all reasonable steps to adhere to the principles of procedural fairness and natural justice so that the privacy and dignity of all involved may be considered and maintained.
9. The Society must investigate allegations of "reportable conduct" or allegations of "misconduct which may involve reportable conduct" that are made against its members, volunteers and employees pursuant to child protection legislation.
10. A formal investigation including a documented investigation plan, approved by the CEO, and investigation report must always occur if the incident is a "reportable conduct allegation".
11. Where a member is the subject of an investigation, the relevant Central Council President will be informed that an investigation is to be undertaken and will be further advised of the investigation outcomes. Where an investigation concerns a Central Council President, the State Council President

must be informed.

12. Where a Board Director, CEO, Senior Manager, or member of the Vinnies Safeguarding Team is the subject of an allegation, an external, independent investigator will be engaged to conduct the investigation.
13. If in conflict, the legislative requirements set out by the *Children's Guardian Act 2019* (NSW) shall supersede any Society policy requirement.
14. For incidents that involve allegations of abuse or neglect, the Director or Regional Director must:
 - consider and implement the appropriate action such as removal, temporary redeployment, or relocation of the person against whom an allegation has been made while a risk assessment is completed
 - seek advice from the Employment Relations Manager and the Safeguarding team.
 - ensure a Safeguarding report is completed
 - manage the allegation according to the procedures outlined in this policy.
15. The risk assessment must consider the risk involved in the subject of the investigation poses to:
 - the child/young person who is the alleged victim
 - other people we assist
 - themselves
 - the organisation
 - the investigation process (considering the risk once an allegation is made, during an investigation and at the end of the investigation).

Stages in the conduct of an investigation of an allegation of reportable conduct and serious misconduct

16. The staged response by the Society to allegations of reportable conduct against members, volunteers and employees is known as “relevant proceedings”. There are five stages, that will be managed by the Safeguarding Team, in a proper response to allegations of reportable conduct and misconduct involving members, volunteers and employees.
17. The Safeguarding Team will manage all reportable conduct investigations. The Safeguarding Team must be advised immediately an allegation is made.

Stage One: Initial Response to an allegation

18. The following steps must be taken as part of the Society's initial response to any allegation that is about a member, volunteer or employee's conduct towards a child or children:
 - clarify the allegation – exactly what has been alleged. Who, what, when, where etc.? Do not commence investigation at this time. Focus on clarifying the key elements of the allegation.
 - Society Personnel who receive the disclosure or witness the incident must report the incident as outlined in point 2 above.
19. The Safeguarding team oversees all Safeguarding reports in the Safeguarding Register.
20. The Manager or Team Leader must:
 - ensure reports are documented and escalated appropriately.
 - Assess whether or not a child or young person is at risk of significant harm, and if so, make a report to Department of Communities and Justice.

- Any allegations that do not meet the ROSH threshold must be assessed to determine if they constitute a breach of Society policy or Code of Conduct.
- All allegations, regardless of whether they meet the ROSH threshold, must be reported to the Safeguarding team and to the CEO.
- Assess any possible risks posed by the member, volunteer or employee to children and take any necessary interim action to ensure the safety and wellbeing of children. This may include changed duties or a suspension during the investigation process.
- Consider who else needs to be notified about the allegation as well as what to tell others who are not involved but aware (e.g., parents, other employees). Remind all parties of the sensitivity of the situation and of confidentiality requirements.
- Address support needs of both the child and the person who is the subject of the allegation.

21. The Safeguarding Team must:

- Ensure relevant risk of significant harm reporting requirements have been met.
- Assess if the allegation constitutes a criminal offence and if so, make a report to the police before taking further action (seek advice from police as to what the Society can and cannot do).
- Assess whether or not the allegation relates to 'reportable conduct'; and if so ensure that a report is made to the Office of the Children's Guardian within 7 days of Head of Agency becoming aware of the allegation.
- The Safeguarding Team will develop a plan for the investigation based on the outcomes and decisions of these.

22. The Safeguarding Notification form will be recorded in the Society's Integrated Risk Management System and overseen by the Safeguarding Team.

23. The Safeguarding team will be the point of contact between the Society and the Office of the Children's Guardian.

Stage Two: Investigative stage

24. The Safeguarding Team must manage any reportable conduct investigations. The Safeguarding team must be advised as soon as possible after an allegation is made.

25. An employee from the Safeguarding team must be allocated to the investigation provided they:

- have relevant expertise and experience, and
- do not have or be perceived to have a conflict of interest or bias regarding the incident or people involved.

26. An external investigator must be appointed:

- if the allegation is against a Board Director, State Council Member, CEO, Senior Manager, or member of the Vinnies Safeguarding Team, and
- only with the approval of the Executive Director, Enabling Services.

Stage Three: Determination of a "preliminary finding"

27. Based on the investigator's report, the Executive Director, Enabling Services, will make a "preliminary finding" as to whether, on the balance of probabilities, the allegation(s) of reportable

conduct is (are) sustained, not sustained or false, or another of the outcomes listed. The Society will then set out proposed reporting to the Office of the Children’s Guardian (OCG) and any appropriate disciplinary action.

Stage Four: Final finding

28. After there has been a reasonable opportunity for the member, volunteer or employee to respond to the preliminary finding, either confirmation of the preliminary finding as final or review of the investigation will occur, as applicable.
29. The investigation and investigation report must be completed within 25 working days from the date an investigator is assigned. If the investigation cannot be resolved within this timeframe, the investigation must be escalated to the Executive Director as soon as possible to ensure the Society can meet its OCG reporting obligation of 30 days or provide an update to the OCG if more time is required.
30. The investigation report must document the outcome of the investigation, including whether there will be any disciplinary action taken (including reasons for taking or not taking such action). A documented risk assessment (with risk mitigation strategies) must be developed at the conclusion of the investigation and approved by the Safeguarding team and Executive Director, Corporate Services.

Stage Five: Reporting and disciplinary action

31. An interim or final report must be made to the OCG within 30 days of the initial notification. The Society is also responsible for implementing any appropriate disciplinary action.

Procedural fairness

32. During the conduct of “relevant employment proceedings”, the requirements of procedural fairness specify that the member, volunteer or employee has:
 - a. A right to an impartial decision
 - The Investigators and other decision-makers should conduct all aspects of the process in an impartial and objective manner without prejudging the matters under consideration.
 - The member, volunteer or employee should be given an unbiased hearing of his/her responses both to the matters alleged and to any proposed adverse finding or recommended disciplinary action.
 - b. A right to be heard
 - Prior to being interviewed, members, volunteers and employees should be advised of the allegation in as much detail as possible to enable them to respond and should be provided with a summary of the employer’s current investigation process and/or a copy of this document.
 - Members, volunteers and employees should be provided with reasonable notice regarding arrangements for any interview regarding the allegations, although they may waive the notice period and request the interview proceed at a mutually acceptable earlier time.
 - Members, volunteers and employees should be advised of their right to have a support person present at any interview.
 - Members, volunteers and employees should be advised of the names of the people who have been appointed by the employer to conduct the investigation. Any actual or perceived conflicts of interest should be addressed by an open and transparent process. If such concerns are not resolved, it may be advisable to appoint an alternative investigator.

- During the investigation phase (Stage Two) of the process, members, volunteers and employees should be provided with sufficient information to enable a response to each allegation.
- Members, volunteers and employees should be provided with reasonable opportunities to respond to the allegations whether at interview and/or in writing.
- Members, volunteers and employees should be advised of and given an opportunity to comment upon any proposed adverse finding and on any proposed report to the Office of the Children’s Guardian and disciplinary action (“preliminary finding stage” – Stage Three). The personnel’s comments should be considered prior to the final determination of the findings and disciplinary action.
- Members, volunteers and employees and parents have the right to complain to the Office of the Children’s Guardian if they are not satisfied with the agency’s response to their complaint about the outcome or the way the agency investigation was conducted.

Appendix 6: The Child Safe Scheme & NSW Child Safe Standards

The Child Safe Scheme requires organisations to embed the Child Safe Standards as the primary framework that guides child safe practice. The Scheme provides the Children’s Guardian with powers to monitor the implementation of the Child Safe Standards, and to investigate complaints and concerns about a child safe organisation’s implementation of the Child Safe Standards:

1. Child safety is embedded in organisational leadership, governance and culture
2. Children participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved
4. Equity is upheld and diverse needs are taken in to account
5. People working with children are suitable and supported
6. Processes to respond to complaints of child abuse are child focused
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education training
8. Physical and online environments minimise the opportunity for abuse to occur
9. Implementation of the Child Safe Standards is continually reviewed and improved
10. Policies and procedure documents how the organization is Child Safe

Appendix 7: Statement of Commitment

1. The St Vincent de Paul Society is a lay Catholic organisation that values and respects the dignity of all persons, especially the most vulnerable in our community. Safeguarding children and young people so that they thrive in their families and communities is a fundamental aspect of our work in providing a hand up to those facing adversity.
2. The Society strives to work with the wider community to prevent all forms of abuse against children and young people and to ensure that the inherent dignity, care and wellbeing of all children and young people is upheld.
3. The Society is committed to being a Child Safe Organisation and to continually assessing and evaluating its Child Safe strategies to ensure that we are vigilant in our work to support and protect children.
4. The Society will:
 - support and nurture all children and young people who come into contact with the Society
 - promote the rights, dignity and wellbeing of children and young people
 - enable children and young people to fully participate in the Society and in their local communities
 - ensure children and young people's safety and protect them from abuse and all forms of harm
 - always put the best interests of children and young people first.

Appendix 8: Child Safety in Online Environments Guideline

These guidelines are for Society programs and services where we provide internet or computer access to children and young people and includes all personnel in those programs.

Physical Locations of Devices

1. Where possible, computers and other devices should be used in an open environment where program or service personnel can supervise the activity.
2. Devices must not be left unattended in public places. After usage, all devices must be stored securely.
3. Society Devices are not to be taken home by children or young people.

Internet usage

4. Where Wi-Fi services are used, parental controls must be set to an age-appropriate level, to restrict adult and inappropriate content.
5. A web filter tool must be used on all Society devices provided to children and young people. To determine which categories to filter, follow the NSW Department of Education standards <https://education.nsw.gov.au/policy-library/policies/pd-2020-0471-01>. Although the following is not an exhaustive list, web filters on the devices will exclude the following:
 - Obscene digital material or pornography
 - Jokes, video clips, images, text, or other displays which contain material or words that negatively reflect on a particular race, gender, religion, colour, national origin, disability, sexual preference, marital status, or status as a parent or carer
 - Shopping
 - Mature adult material
 - Websites that support illegal or unethical activities
 - Anything that attempts to compromise the security of a device.
6. *YouTube* access should be locked on the devices. Note that the NSW Department of Education blocks *YouTube* access to students until Years 11 & 12 due to unfiltered and inappropriate content. *ClickView* and *Vimeo* – which have educational content devised by Educators and IT Professionals - are suggested as alternatives by the NSW Department of Education. *YouTube Kids* is an appropriate alternative.

Briefing

7. Children and young people accessing Society devices should be briefed in appropriate online behaviour. Briefs should be age-appropriate and should include:
 - Acceptable use of the device
 - Appropriate interactions with others / bullying
 - The importance of not sharing personal details, location etc.
 - Where to go if they need assistance or to report an issue
 - Appropriate sites and content
 - Consequences for breaches of the rules or guidelines

Social media usage

8. All social media activity must comply with and adhere to the Society's Code of Conduct, External Communications Policy, Privacy Management Policy and the Safeguarding Children and Young People Policy.

Camera usage

9. Access to cameras should be locked unless a project specifically requires it.

Storage of data

10. Devices provided to children and young people in our programs or services should not be used to store data or personal information of any kind.

Passwords

11. Passwords should be chosen and managed by the Administrator, following Society IT process.
12. Passwords should only be provided on a need-to-know basis. Administrator passwords must not be shared.

Incidents and breaches

Any unauthorised access or disclosure or loss of personal information held by the Society should be reported as per the Data Breach Incident Response plan.

Control Exemptions

13. All exemption requests must be reviewed and assessed for both IT security and child safety concerns and approved by the Director or Regional Director.

Appendix 9: Guidelines for Sharing Information under Chapter 16A

Safeguarding children and young people so that they thrive in their families and communities is a fundamental aspect of our work in providing a hand up to those facing adversity.

The Society strives to work with the wider community to prevent all forms of abuse against children and young people and to ensure that the inherent dignity, care, and well-being of all children and young people is upheld.

Introduction to this guide:

The purpose of these guidelines is to provide Society Personnel information about Chapter 16A of the *Children and Young Person's Care and Protection Act 1988* (NSW) (the Act).

Key policies for reference are [Safeguarding Children & Young People Policy](#) and [Privacy Policy](#).

For information, guidance and support speak with the Safeguarding team on **1800 4SUPPORT** (1800 478 776) or childprotection@vinnies.org.au

A [flowchart](#) and [template letters](#) for use with Chapter 16A requests can be found at the end of these guidelines.

Chapter 16A Summary

1. Under the *Children and Young Persons (Care and Protection) Act 1998* (NSW), Chapter 16A allows information to be exchanged between prescribed bodies despite other laws that may prohibit or restrict the disclosure of personal information.
2. Chapter 16A sets out the conditions under which information exchange can occur and between whom (see [Types of information that can be exchanged under Chapter 16A](#) and [Prescribed Bodies](#)).
3. **Why is it important?** We may have certain information about a child or young person that makes us suspect that the child is at risk. Chapter 16A allows us to seek information from others so that we have a better understanding of the child's situation and are better able to assess the level of risk to the child. Like pieces of a puzzle, by sharing the pieces we each have, we can see the whole picture. (see [Four Principles of Chapter 16A](#)).
4. **When can it be used?** Society Personnel can apply for information under Chapter 16A if they believe that a child or young person's safety, welfare, or well-being is at risk. This applies to all levels of risk, including Risk of Significant Harm (the statutory threshold for reporting to the Department of Communities and Justice) or Risk of Harm. (See [Relationship to Risk of Significant Harm ROSH](#)). Consent to share information is not required, but it is considered best practice to obtain consent wherever possible (see [Key points on consent and privacy](#)).
5. **Who can use it?** Prescribed bodies are any organisation specified in section 248(6) of the Act or in Schedule 5 of the *Children and Young Persons (Care and Protection) Regulation 2012* (NSW). A list of prescribed bodies can be found [here](#). St Vincent de Paul Society NSW is considered a prescribed body under the legislation.
6. **How can it be used?** Information exchange can be:
 - requested or provided
 - requested in writing (via email/ letter) or orally (phone/ in-person). However, our preference is that requests be completed in writing whenever possible to ensure the legitimacy and quality of the information exchange, including confirming the identity of the requesting party. (see [Responding to requests or providing information to exchange](#)).
 - provided voluntarily, without requiring a request. For example, when you hold information that relates

to the safety, welfare, and well-being of a child and this information would be relevant to another agency that is providing a service to the child.

- declined under some circumstances (see Decline to exchange information under Chapter 16A).
7. [Decline to exchange information under Chapter 16A](#), must be documented in case/ file notes. Any information exchanges relating to the concerns for the safety, welfare, or well-being of a child/ young person must be reported to your line manager and **1800 4SUPPORT**. This can be done via phone (1800 478 776) (Mon- Fri 8 am-4 pm) or email (childprotection@vinnies.org.au). See [Documentation](#).
 8. **For more information:** Department of Communities and Justice (DCJ), 2020, 'Exchanging information related to child protection and wellbeing', accessed at <https://dcj.nsw.gov.au/service-providers/deliver-services-to-children-and-families/nsw-interagency-guidelines-for-practitioners/information-sharing-for-service-coordination.html>

Relationship to Risk of Significant Harm (ROSH)

9. Information exchange may be sought:
 - where there is sufficient concern/evidence to deem that the child or young person is at Risk of Significant Harm (ROSH)
 - when concerns/evidence do not meet the threshold for ROSH, yet assistance for the child/young person is required.
10. Therefore, Chapter 16A can be used even when there has not been a ROSH report about a child/ young person made to DCJ Child Protection Helpline/ Child Story Portal.
11. Society Personnel are required to follow the [Safeguarding Children and Young People Policy](#) and procedures for 'Identifying and responding to concerns of a child/ young person'.

Four principles of Chapter 16A

12. DCJ (2020) state that organisations using Chapter 16A should be guided by four (4) principles:
 - *“organisations that have responsibilities for children or young persons should be able to provide and receive information that promotes the safety, welfare or wellbeing of children or young persons*
 - *organisations should work collaboratively and respect each other's functions and expertise*
 - *organisations should be able to communicate with each other to facilitate the provision of services to children and young persons and their families*
 - *the needs and interests of children and young persons, and of their families, in receiving services relating to the care and protection of children or young people takes precedence over the protection of confidentiality or of an individual's privacy”.*

Types of information that can be exchanged under Chapter 16A

13. Information that can be exchanged under Chapter 16A: must relate to the “safety, welfare or wellbeing of a child or young person or class of children or young persons (in compliance with legislation)” and will assist the requesting organisation to:
 - make a decision, assessment, or plan
 - initiate or conduct an investigation
 - provide service delivery

- manage risk.
14. The information must already exist. An organisation cannot request that new information is gathered, or a new assessment is undertaken.
 15. Information received from an agency through a Chapter 16A request can be forwarded to another organisation, if it is part of a separate Chapter 16A request received by the Society on the same child/young person.
 - For example, the Society has previously requested information from the Department of Education under Chapter 16A for a young person they are supporting. On a later occasion, a Youth organisation that is working with that same young person makes a Chapter 16A information exchange request to the Society. Information from both the Society and the Department of Education that is **relevant** to the Youth organisation’s Chapter 16A request can be provided.
 16. When requesting or providing information, Society employees must ensure that the information exchange pertains to the 4 DCJ principles (see [Four principles of Chapter 16A See Responding to requests or providing information to exchange](#) and [Attachments](#) for DCJ Chapter 16A letter templates for requesting, providing, and refusing Chapter 16A information exchanges.

Prescribed bodies

17. The Society is identified as a prescribed body under the legislation.
18. A prescribed body is any organisation specified in section 248(6) of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) or Schedule 5 of *Children and Young Persons (Care and Protection) Regulation 2022* (NSW). Generally prescribed bodies are:
 - NSW Police Force
 - a State government department or a public authority
 - a government school or a registered non-government school or a TAFE
 - a public health organisation or private health facility
 - an accredited adoption service provider
 - a registered community housing provider
 - a designated agency
 - a registered agency
 - a children’s service
 - any other organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services, or law enforcement, wholly or partly to children.

Key points on consent and privacy

19. Consent from the child, young person, or their family is not required to exchange information under Chapter 16A, however, it is best practice to work with families to try to obtain consent wherever possible.
20. Consent must be gained directly from children and young people, wherever possible, in an age-appropriate way.

“Generally, children over the age of 12 are considered capable of understanding aspects of their privacy and information sharing issues. Younger children may also be able to express a view”. This, however, may vary with individual children including those with disabilities or other additional needs.” (DCJ 2020)

21. In some circumstances obtaining consent or informing the child/ young person or family would **not** be appropriate. Such as:
- where you believe it is likely to further jeopardise a child or young person’s safety, welfare, or wellbeing
 - where you believe it would place you or another person at risk of harm
 - where you are unable to contact a parent/carer and the matter is urgent.

Responding to requests or providing information to exchange

22. When responding to Chapter 16A:
- assess that the information exchange is in line with the requirements of Chapter 16A (see [Types of information that can be exchanged under Chapter 16A](#)). The prescribed body requesting the information exchange must provide enough information to make this assessment and the Society must verify the legitimacy of the request, for example, identify the prescribed body over the phone.
 - all formal requests for Chapter 16A should be in writing wherever possible. These requests must be approved by the Service Manager. If the Service Manager is unavailable the Safeguarding team at 1800 4SUPPORT can approve. Society Personnel must use DCJ’s Chapter 16A templates in [Attachments](#) section of these guidelines to make, respond or refuse requests for information exchange
 - information provided in Chapter 16A must be reviewed in relation to the specific request. Only information relevant to the request must be provided. Requests for full files to be submitted must be verified with Safeguarding and / or Legal teams. It is possible to refuse to provide information in some circumstances (see [Decline to exchange information under Chapter 16A](#)).
 - all Chapter 16A requests (verbal or formal) must be documented clearly in case/file notes in the relevant approved Society system e.g., SCIS.
 - If the information exchange relates to immediate concerns for the safety and wellbeing of a child/ young person then the information exchange must also be reported to the Safeguarding team at 1800 4 SUPPORT using the Safeguarding Notification Form (see [Documentation](#)).
 - Subpoena requests are different from Chapter 16A. Individuals and the organisation must follow appropriate procedures for subpoenas (see [Privacy](#) and Personal Information Requests policies). Subpoena requests must be approved through the Society’s Legal Team.
23. Verbal or ‘Informal’ exchange of information under Chapter 16A can occur in some circumstances such as:
- timeliness of the information exchange is of importance e.g., prompt exchange is needed to manage risk for a child/ young person
 - information exchange may be needed to verify or confirm existing information
 - when there are agreements between organisations such as a Memorandum of Understanding.
 - written records of all verbal requests and exchanges must be documented in case/file notes.
24. When possible, it is best practice that consent be obtained from the person we serve (client) before sharing information. This is done so to support engagement and trust within the working relationship.
25. Further information is available at the Department of Communities and Justice website ‘[Checklist for providing information or responding to a Chapter 16A information request](#)’:
<https://www.facs.nsw.gov.au/download?file=336192>

Decline to exchange information under Chapter 16A

26. Under some special circumstances, the request for information exchange may be declined. These exemptions are contained in section 245D (4) of the Act.
27. An organisation is not obliged to provide any information requested if the organisation reasonably believes this would:
 - prejudice the investigation of any contravention (or possible contravention) of a law
 - prejudice a coronial inquest or inquiry
 - prejudice any care proceedings
 - contravene any legal professional or client legal privilege
 - enable the existence or identity of a confidential source of information in relation to the enforcement or administration of a law to be ascertained
 - endanger a person's life or physical safety
 - prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating, or dealing with a breach (or possible breach) of a law, or
 - not be in the public interest.
28. Due diligence must be conducted to obtain relevant context and information before disclosing information under Chapter 16A. This includes discussing the request with your line manager.
29. When considering declining a request you must escalate to Service Manager for approval then contact the Safeguarding team to confirm that the decision does not make us non-compliant with Chapter 16A. Contact the Safeguarding team at 1800 4 SUPPORT or child.protection@vinnies.org.au.

Documentation

30. All Chapter 16A requests for and exchanges of information must be documented by:
 - using only Society approved systems to record case / file notes. Case/ file notes must adhere to the principles of being an 'impartial, accurate and complete' record of the information exchanged
 - storing copies of Chapter 16A letters and email correspondence in the people we serve (client) files (electronic or hard copies in your service)
 - submitting to the Safeguarding team at 1800 4SUPPORT using a Safeguarding Notification Form (CPNF) with relevant documentation if the exchange relates to immediate concerns for a child/ young person's safety, well-being, and welfare.

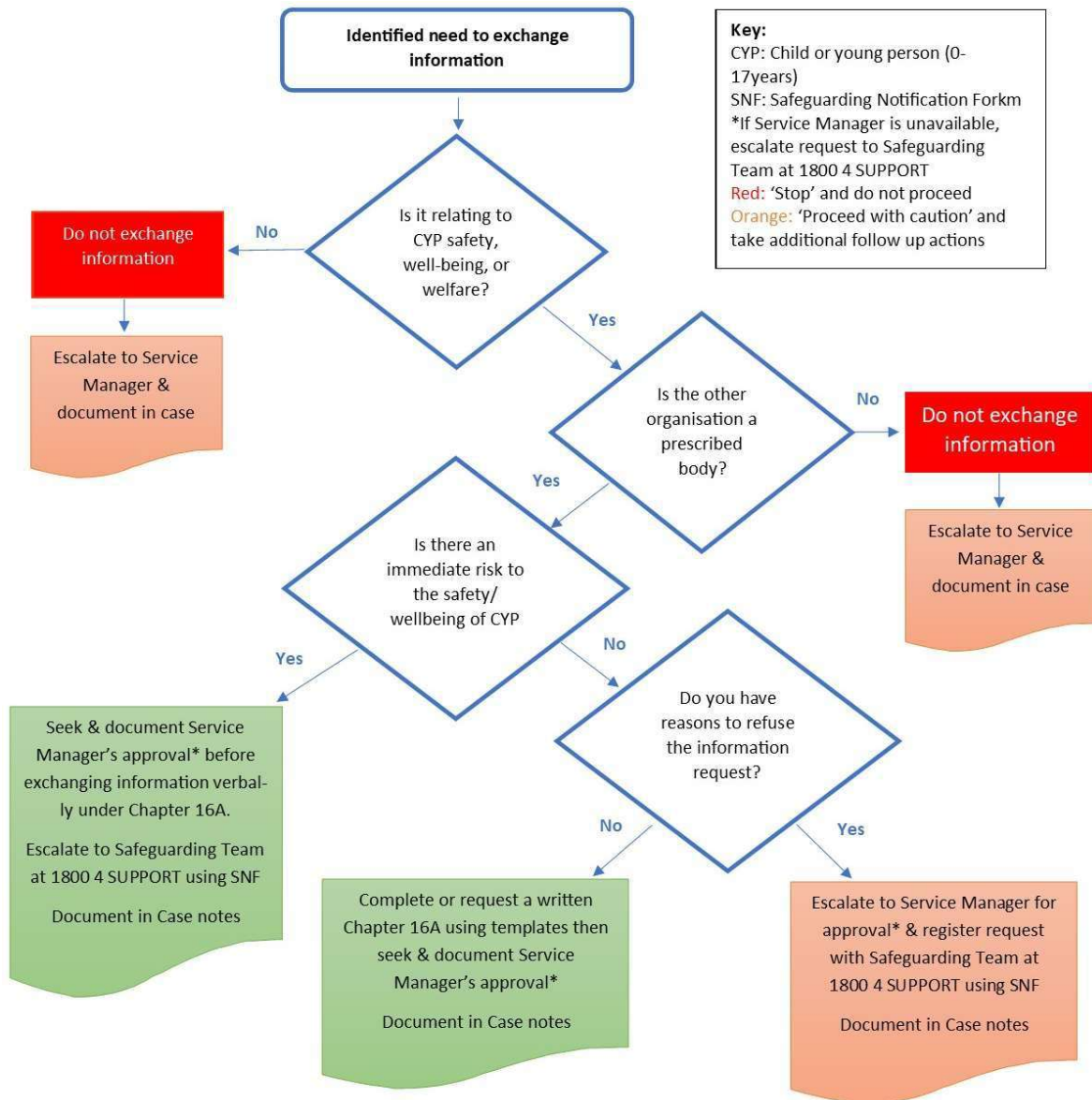
Process for sharing Information under 16A:

31. On receipt of a request for information under 16A follow the process outlined in Attachment A.

Attachments: DCJ Chapter 16A Templates:

32. See pages below letter templates, sections highlighted in yellow are to be edited for the specific Chapter 16A information exchange.
 - Attachment A- Chapter 16A Flowchart (p. 7)
 - Attachment B- Letter Requesting Information under Chapter 16A (p. 8-9)
 - Attachment C- Letter for Providing Information under Chapter 16A (p. 10-11)
 - Attachment D- Letter Declining a Chapter 16A Request (p.12-13)

Attachment A- Chapter 16A Flowchart



Attachment B- Letter Requesting Information under Chapter 16A



Our ref: <no>

Date: <date>

<Requesting Officer Name>

<Title>

<Organisation>

<Address>

Dear <name>

Re: Requesting information under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*

Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* provides for the exchange of information regarding the safety, welfare or wellbeing of a particular child or young person or class of children or young persons.

<Requesting prescribed body> is requesting information from <providing prescribed body> on the basis that there is a lawful reason to do so, in accordance with the provisions of Chapter 16A.

This request is made in regard to: <name of child or young person>

Date of Birth:

Gender:

Information is also sought regarding the following persons:

Name	Gender	Relationship to child/young person	DOB	Other identifying information
<insert>	<(M/F)>	<insert>	<dob>	<insert>

This information is sought in relation to the following issues of concern held for the above-mentioned child/young person or class of children or young persons:

<insert details as to how the information is relevant to the safety, welfare or wellbeing of the Unborn Child/Child/Class of Children/Young Person/Class of Young People>

This information is sought because it relates to the safety, welfare or wellbeing of the child or young person (or class of children or young persons) and will assist with:

- making a decision, assessment or plan
- initiating or conducting an investigation
- providing a service and/or
- managing a risk, to a child or young person that might arise in this agency's capacity as an employer or designated agency.

Specific information is requested in regard to:

- relevant current and/or historical concerns about safety, welfare or wellbeing of the child, young person or family

- current and/or past history of involvement with the child, young person and/or their family
- family/ relationship dynamics (if known)
- attitude of the child, young person and/ or family to agency/service involvement
- other details required

Please provide the requested information

- by phone
- by email
- by mail.

The information is required by <date>.

Consent should be sought in regard to the exchange of information, where appropriate, and the person should be given adequate information in a manner and language they can understand. However, the Act authorises the exchange of information under Chapter 16A without consent.

- The child/ young person/ family has consented to the release of information requested in this form by mail.

OR

- The child/ young person/ family has not consented to the release of information requested in this form by mail. The reason for this is:

- The child/ young person/ family has been informed of this request for information.

OR

- The child/ young person/ family has not been informed of this request for information. The reason for this is:

Contact details of the person making the request:

Name:

Title:

Organisation:

Phone:

Email:

Mailing Address:

Attachment C- Letter Providing Information under Chapter 16A



Our ref: <no>
Date: <date>
<Providing Officer Name>
<Title>
<Organisation>
<Address>

Dear <name>

Re: Provision of information under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*

Section 245C of the Act allows a prescribed body to provide information of their own accord to another prescribed body that relates to the safety, welfare or wellbeing of a particular unborn child, child, young person or class of children or young persons.

<Providing prescribed body> is providing the information enclosed with this letter on the basis that there is a lawful reason to do so, in accordance with the provisions of Chapter 16A.

The information provided is in regard to: <name of child or young person>

Date of Birth: <dob> Gender: <(M/F)>

Information is also provided regarding the following persons:

Name	Gender	Relationship to child/young person	DOB	Other identifying information
<insert>	<(M/F)>	<insert>	<dob>	<insert>
<insert>	<(M/F)>	<insert>	<dob>	<insert>

This information is provided in relation to the following issues of concern held for the above-mentioned child/young person or class of children or young persons:

<insert details as to how the information is relevant to the safety, welfare or wellbeing of the Unborn Child/Child/Class of Children/Young Person/Class of Young People>

This information is provided because the <providing prescribed body> believes it relates to the safety, welfare or wellbeing of the child or young person (or class of children or young persons) and would assist you with:

- making a decision, assessment or plan
- initiating or conducting an investigation
- providing a service and/or
- managing risk to a child or young person that might arise in your capacity as an employer or designated agency.

Should you decide, in accordance with Chapter 16A, to provide some or all of this information, either on your own motion or in response to a request from a prescribed body, the information can only be shared on a

confidential basis in accordance with the processes and principles of Chapter 16A.

If the information is sought from you for any purpose other than that described in Chapter 16A, you should refer the requesting organisation to the original owner of the information.

Any information provided herewith is not to be used in any court or tribunal proceedings. Should the matter proceed to court, the information should be subpoenaed or summonsed.

If you require further information or wish to discuss the matter, please contact <Providing Organisation's Contact Officer's name> on <Providing Organisation's Contact Officer's phone number> during business hours, quoting the reference number above.

Yours sincerely

<Providing Organisation's Officer's name and title>
Enclosed: Information

Attachment D- Letter Declining a Chapter 16A Request



Our ref: <no>

Date: <date>

<Requesting Officer Name>

<Title>

<Organisation>

<Address>

Dear <name>

Re: Request for release of information under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)*

I refer to your letter/fax/email dated <date> in which you sought information from <responding prescribed body> under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998 (NSW)* (the Act) relating to the

<name of child or young person> and <d.o.b>.

Sections 245D (4) and (5) allow a prescribed body to refuse to provide information in certain circumstances, with the reasons for the refusal to be given in writing.

In this instance, <responding prescribed body> has decided to withhold information for the following reason/s:

<insert reasons, with reference to section 245(D)(4)>

I trust you will accept <responding prescribed body> decision. However, if you wish to discuss this matter further, please contact <Responding Organisation's Contact Officer's name> on < Responding Organisation's Contact Officer's phone> during business hours, quoting the reference number above.

Yours sincerely

<Responding Organisation's Contact Officer's name and title>

Appendix 10: Guidelines for member non-compliance with the Society's Safeguarding Obligations

Introduction

1. The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted significant failings across many institutions to protect children and young people from sexual abuse. The NSW Child Safe Scheme and the National Catholic Safeguarding Standards were developed to provide greater rigor in how organisations protect children against all forms of abuse.
2. The Society's Safeguarding Children and Young People Policy (the Policy) outlines the steps we must take as a Society to ensure compliance with these Standards. This Policy and the Standards apply to members, employees and volunteers who have any contact with the people we assist or have access to information about the people we assist.
3. Most importantly, we need to ensure that our members are compliant with Working with Children Checks (WWCCs), National Police Checks (police checks), and mandatory **Safeguarding Learning**.
4. This document outlines the approved processes for responding to these scenarios. It is important to note that many situations will be unique and the Safeguarding Team can assist with best practice responses to the wide range of situations that the Society encounters.
5. Managing non-compliance issues can be challenging for anyone involved. These processes must be managed respectfully and confidentially. If you need to instigate these processes or escalate a matter, the Safeguarding Team can assist you.
6. Confidential and free support and counselling is available and should be offered to all non-compliant members through our EAP Provider – Converge 1800 687 327.

Non-compliance with WWCCs, Police Checks and Safeguarding Learning.

7. Regional Offices will monitor and advise members three months ahead of when their WWCCs or police checks are due. The Conference President (or appropriate President) will be copied into any correspondence to a member. The Learning and Development Team will advise members when they are required to complete or do a refresh of the Safeguarding Learning.
8. Correspondence to members regarding non-compliance will advise the member that if they are having difficulties in meeting the requirements that they can speak to their Conference President and seek assistance.
9. If a member does not comply with the WWCC, police check or Safeguarding Learning requirements in the time stipulated in the reminder email/correspondence, the Conference President will be contacted and advised that the member is non-compliant.
10. If a Conference President is non-compliant, the Regional President will be notified.
11. If a Regional President is non-compliant, the Central Council President will be notified.
12. If a Central Council President is non-compliant, the State Council President will be notified.
13. If the State Council President is non-compliant, the National Council President. Governance will be notified.
14. In the event of a Member being ill or absent within the three-month period when their checks or training fall due, the Conference or Regional President should communicate their absence to the Regional Director and their absence noted in Rostery. If there are non-compliance matters that need to be addressed on their return:

- the member will be advised to apply for a Police Check or undertake the Safeguarding Learning within four weeks of their return to the Society
- the member must have a valid WWCC before they can return to any direct or online contact with the people we assist.

Step 1: Conversation with President

15. The Conference President (or other appropriate President) will have a conversation with the member to ascertain their reason for non-compliance.
16. If non-compliance is due to a lack of understanding of the process, or logistical issues that can be reasonably addressed, the Conference President can offer all assistance to support the person complete their compliance obligations. For example:
 - difficulty managing online training or online applications
 - unable to travel to a Services NSW Office for the WWCC.
17. Members can be given four weeks to meet compliance obligations, for police checks, and Safeguarding Learning. As WWCCs are required under legislation, no extensions can be given and the member will be removed from duties (involving direct or online contact with the people we assist) until a valid WWCC is provided.
18. Where there is a genuine case and the member will not be able to complete compliance obligations in the four-week timeframe, the President can contact the Regional Office for assistance on how the Member can be supported to meet their compliance obligations.
19. The President will advise the Regional Director of the outcomes of their discussions.

Step 2: Formal meeting with Supervisor and possible suspension

20. The Regional Director will advise the Conference President (or appropriate President) if the member remains non-compliant within a week of the four-week deadline expiring.
21. The Conference President will arrange a formal meeting with the member or will contact the member by phone, within two weeks of receiving the advice that the member is still non-compliant.
22. The Conference President will advise the member that they have a further two weeks to comply, after which time they will receive a formal letter advising them that they cannot participate in any Conference activities where there is direct contact with the people we assist, or where any information is shared about individual people we assist.
23. If the member still does not comply, the Regional Director will inform the Conference, Regional and Central Council Presidents, and (with support from the Safeguarding Team) will prepare a formal letter for the Central Council President's signature.
24. The Member cannot return to Conference duties where they may have contact with the people we assist until after they meet their compliance obligations.

Approved by ELT 25.01.2023 and State Council 25.02.2023