

**NORTH SHORE TEMPLE EMANUEL IDENTIFY AND RESPOND TO CHILD ABUSE AND NEGLECT POLICY**

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| <b>Title</b>                | Identify and respond to child abuse and neglect policy  | <b>Number:</b>       |              |
| <b>Approved by</b>          | Board of Directors 23 November 2020   |                      |              |
| <b>Status</b>               | Replaces omnibus child protection September 2020 (which was approved 10 December 2018; updated October 2019, Feb 2020, September 2020 and which replaced 2012 policy) |                      |              |
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|                             |   | <b>Next Review:</b>  | ov 2022      |

***North Shore Temple Emanuel is a Progressive, egalitarian congregation that celebrates the spirit and contribution of each and every member.***

### ***Preamble***

Children have a fundamental right to be safe and to grow and develop in environments that are free from violence, exploitation and harm. The safety and protection of children requires a commitment from all levels of the community. At the same time, the community has clear expectations that children will be protected from all forms of harm including sexual, physical and psychological harm as well as ill-treatment and neglect. North Shore Temple Emanuel is supportive of these expectations and strives to promote the safety and protection of children.

### ***Related Legislation***

*Children and Young Persons (Care and Protection) Act 1998 (NSW)*

*Children's Guardian Act 2019 (NSW)*

### ***Related Documentation***

NSW Children's Guardian, Child Safe Organisations <http://www.kidsguardian.nsw.gov.au/working-with-children/become-a-childsafes-organisation>.

Promote Child Safety in the Workplace Policy

Child Protection Records and Information Exchange Policy

Code of Conduct

## ***Introduction***

In accordance with state legislation persons in religious ministry or persons providing religion-based activities to children, such as Rabbis, as well as people working in education, have mandatory reporting obligations, and thus have a legal obligation to report to Department of Communities and Justice (DCJ) any reasonable suspicions that a child is at risk of significant harm. Notwithstanding laws regarding mandatory reporting, North Shore Temple Emanuel (the Synagogue) is committed to responding appropriately and supportively to any concerns about children at risk.

The Synagogue is committed to the principles of a Child Safe organisation, including that children will be listened to and their concerns responded to by staff. The Synagogue is guided in its decisions on child safety, welfare, well-being and protection strategies by the objects and principles within NSW legislation and consistency with the *United Nations Convention on the Rights of the Child*.

This policy will assist staff to understand their broader responsibilities and those of the Synagogue in the area of managing abuse and neglect issues.

## ***Statement of Principles***

1. The Synagogue is proactive in creating safe and supportive environments for children. A safe environment is one where the risk of harm is minimised and children and staff feel safe and secure. Harm relates not only to dangers in the physical environment but also refers to violence, physical threats, verbal abuse, threatening gestures, neglect, emotional or psychological harm, sexual harassment and abuse, grooming behaviour and racial vilification.
2. A supportive environment facilitates and enhances the social, academic, physical and emotional development of children, staff and all those involved with the work of the Synagogue.
3. The Synagogue is committed to fostering the wellbeing of children and to protecting them from any form of abuse or neglect.
4. The Synagogue is committed to maintaining practices that create a culture of safety within which children and staff are supported and protected.
5. The Synagogue is committed to listening and responding to children and to developing avenues for their effective participation as members of the Synagogue.

## ***Scope of Policy***

This policy applies to:

- All Synagogue employees who, under this policy, include all paid staff, contractors and volunteers who are engaged by the Synagogue in working with children.
- All activities authorised by or under the control of the Synagogue, including those activities undertaken at the Synagogue's premises or away from the Synagogue's premises.

### **1. Identifying abuse and neglect issues**

1.1 While children may be at risk due to a range of different factors, the Synagogue identifies the following circumstances as involving possible abuse or neglect and requiring a response in accordance with this policy and associated procedures:

- 1.1.1 The child's basic physical or psychological needs are not being met or are at risk of not being met.
- 1.1.2 The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care.
- 1.1.3 The child has been, or is at risk of being, physically or sexually abused or ill-treated (Note: physical or sexual abuse may include an assault and can exist despite the fact that consent has been given).
- 1.1.4 The child 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.
- 1.1.5 A parent, other caregiver or another child has behaved in such a way towards the child that the child has suffered, or is at risk of suffering, serious psychological harm.
- 1.1.6 The child was the subject of a pre-natal reporting of risk and the birth mother of the child did not engage successfully with support services to eliminate, or minimize to the lowest level reasonably practical, the risk factors that gave rise to the report.

1.2 A child may be at risk of harm from abuse and neglect as a result of a single act or omission or to a series of acts or omissions outlined above.

## 2. Reasonable Grounds for Consultation

2.1. If an employee has reasonable grounds to suspect that a child is at risk of harm from abuse or neglect, they must consult with and report the information as soon as practicable as follows:

- 2.1.1. **Meah teachers** should report any concerns to the Meah Director, Rabbi Moshe Givental. If there are reasonable grounds to suspect a child is at risk of significant harm, Rabbi Givental must be contacted immediately and these concerns must be reported to the **Child Protection Helpline** on **132 111** in accordance with this policy.
- 2.1.2. **Bar/bat mitzvah tutors** should report any concerns to the Senior Rabbi, Rabbi Nicole Roberts. If there are reasonable grounds to suspect a child is at risk of significant harm, Rabbi Roberts must be contacted immediately and these concerns must be reported to the **Child Protection Helpline** on **132 111** in accordance with this policy.
- 2.1.3. **Employees, volunteers or members** should report any concerns to the General Manager, Ryan Blieden. If there are reasonable grounds to suspect a child is at risk of significant harm, Ryan Blieden must be

contacted immediately and these concerns must be reported to the **Child Protection Helpline on 132 111** in accordance with this policy.

2.2. An employee may have reasonable grounds to suspect a child is at risk of harm from abuse or neglect when:

2.2.1. A child tells the employee that he/she has been abused.

2.2.2. Someone else informs the employee (for example, a relative, friend, acquaintance or sibling of the child that a child is being abused.

2.2.3. A child tells the employee that he/she knows someone who has been assaulted (often a child may be referring to himself/herself in this scenario).

2.2.4. The employee's observations of a particular child's behavior may lead them to suspect the child is being abused.

2.2.5. The employee becomes aware that a child is in the care of an alleged offender.

2.3. If a disclosure of abuse is made, the person who receives the disclosure will maintain appropriate pastoral care of the one making the disclosure. This will include:

- Treating each allegation seriously and not attempting to deny the allegation or minimise its impact on the alleged victim. The matter should not be swept under the carpet.
- Not pushing the child to disclose details of the alleged assault or attempting to investigate the allegation.
- Assuring the child that they are understood that their disclosure is being taken seriously that what has happened is not their fault, and that they are correct in disclosing the incident.
- Not making contact with the alleged perpetrator.
- Maintaining confidentiality.

### **3. Mandatory Reporting of Abuse and Neglect to DCJ**

3.1. Mandatory reporting relates to the legal requirement to report certain types of concerns involving the abuse and/or neglect of children to DCJ. The concerns must arise during the course of or from a person's work.

3.2. The table below sets out what must be reported to DCJ.

3.3. Notwithstanding the fact that certain concerns will not require a report to DCJ, it is the Synagogue's expectation that all concerns which constitute abuse or neglect as identified in section 1, will be documented and will receive an appropriate response from the Synagogue in accordance with this policy.

3.4. Reports to DCJ will be made by the people identified in section 2.1 above. The person reporting should use the Mandatory Reporter Guide (MRG) to help decide whether a child is suspected to be at risk of significant harm and, if so, a report should be made. The MRG is a Structured Decision Making (®SDM) tool intended to complement mandatory reporters' professional judgement and critical thinking. The MRG supports mandatory reporters in NSW to:

- 3.4.1. Determine whether a report to the Department of Communities and Justice is needed; and
- 3.4.2. Identify alternative supports for vulnerable children, young people and their families.

The MRG works by posing specific questions that help reporters work systematically through the issues relating to the concerns they have about a child. At the end of the process, a decision report will guide the reporter as to what action to take. The MRG can be accessed at <https://reporter.childstory.nsw.gov.au/s/mrg>.

3.5. The person making the report is required to record the information provided to DCJ, including the reference number of the report, in a confidential file relating to the child. A printout of the outcome of the MRG should also be kept on file.

3.6. Reports can be made by:

- 3.6.1. Calling the NSW Child Protection Helpline on 132 111.
- 3.6.2. Registering to submit a child protection report (eReport) directly through the following website: <https://reporter.childstory.nsw.gov.au/s/>.

Once registered, mandatory reporters:

- can create eReports after running the MRG and will be notified by email when there is a change of status for one of their reports.
- can log in to the ChildStory Reporter Community website to see the status of any previous reports they have submitted.

| What must be reported  | Threshold requirements for reporting  |
|--|---|
| Physical abuse<br>Sexual abuse<br>Emotional / psychological abuse<br>Neglect | <ul style="list-style-type: none"><li>• Reasonable grounds to suspect that a child is at risk of significant harm; and</li><li>• Those grounds arise during the course of or from the person's work</li></ul> <p>A child or young person "is at 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", of basic physical or psychological needs not being met, physical or sexual abuse or ill-treatment and serious psychological harm.</p> |

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| Exposure to domestic violence | As noted above, in making a decision about whether an incident reaches the threshold for significant harm, all staff should refer to the Online Mandatory Reporting Guide (MRG) found at the Keep Them Safe website at<br><br><a href="https://reporter.childstory.nsw.gov.au/s/mrg">https://reporter.childstory.nsw.gov.au/s/mrg</a> |
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#### **4. Protection of Persons who make Reports**

- 4.1. In the event an employee reports in good faith that they suspect a child is at risk of harm, their identity is protected from disclosure. In addition, provided the report is made in good faith, the employee will not be liable in any civil, criminal or administrative proceeding.
- 4.2. The halachic concepts of *mesirah*, *moser* and *lashon hara* do not apply to the communication and reporting of allegations of child abuse to police and other civil authorities.

#### **5. Response from Department of Communities and Justice**

- 5.1. On receipt of a report that a child is suspected of being at risk from abuse or neglect, DCJ may make such investigations and assessment as they consider necessary to determine whether the child or young person is at risk of significant harm, and what action should occur. DCJ may decide to take no further action if, on the basis of the information provided, they consider there is insufficient reason to believe that the child is at risk of significant harm or the information does not reach the reporting threshold.
- 5.2. If no response has been received from DCJ within 5 days, the person reporting should contact DCJ again to obtain information in regard to the status of the report.
- 5.3. Where the abuse or neglect concern involves reportable conduct by a Synagogue employee please refer to the Promoting Child Safety in the Workplace Policy. Consideration should also be given to making a report of the concerns to the Police.

#### **6. Concerns that fall below the threshold for mandatory reporting**

- 6.1. In deciding whether a child is at risk of harm from abuse or neglect, the employee should first discuss the matter with the relevant supervisor as outlined in section 2.1.
- 6.2. If the decision is that the concern does not require a mandatory report the Synagogue must consider what steps and actions should be taken to provide the child and/or their family/ with additional assistance in relation to the identified concerns, either through Synagogue programs or through referral and collaboration with external agencies. The Synagogue regards child protection as a whole of community responsibility and is committed to finding support for children and families in need of our assistance.

- 6.3. To facilitate the provision of services to children and their families, the Synagogue may seek to exchange information or be requested to exchange information related to the safety, welfare or well-being of children and young people. Employees should consult the Child Protection Records and Information Exchange Policy on how and when to do this.
- 6.4. Any child protection concerns must be recorded in a confidential file, including the decisions made about how to respond to the concern, making sure that any relevant actions, timeframes and persons responsible are noted and monitored for implementation.

## **7. Supporting children**

- 7.1. Whether or not a report is made to the DCJ in respect of a child, the Synagogue has a role to play in providing ongoing support and assistance to children who are at risk (and their families) particularly where there is an ongoing relationship between the Synagogue and the child or children.
- 7.2. Synagogue employees have the capacity to build trust and are well placed to observe changes in circumstances which may impact on a child's safety, welfare or wellbeing.
- 7.3. Synagogue employees should consider what steps and actions could be taken to provide the child and/or their family with additional assistance in relation to any identified concerns, either within Synagogue programs or through referral and collaboration with other agencies or services.
- 7.4. To facilitate the provision of services to children and their families, information may need to be exchanged with other agencies. If this is necessary it must be carried out in accordance with the Child Protection Records and Information Exchange Policy.
- 7.5. Where children and their families face complex difficulties and/or there are a number of agencies involved, it can be helpful to have an interagency or care team meeting. Bringing representatives of the agencies together can promote sharing of information and avoid duplication. It is preferable to involve children and their families in interagency meetings as they tend to respond better where there is trust and transparency. It also avoids difficulties with privacy when information sharing is done with consent.
- 7.6. It is important to identify and document strategies for support. Having a written plan with clearly stated outcomes that can be reviewed/tracked, time frames and allocation of responsibility ensures accountability in addressing child protection and wellbeing concerns. It is also important to identify an appropriate person who will exercise case management responsibilities.

## **8. Contact**

28 Chatswood Avenue  
Chatswood  
NSW. 2067  
Tel (02) 9419 7011  
Email: [info@nste.org.au](mailto:info@nste.org.au)

## **APPENDIX 1 – Reporting Child Abuse**

### **Reporting Child Abuse in NSW**

**Anyone** who suspects, on reasonable grounds, that a child or young person is at risk of being neglected or physically, sexually or emotionally abused, should report it to the NSW Community Services on the Child Protection Helpline 132 111 for the cost of a local call, 24 hours a day, 7 days a week.

If you believe that a child is in immediate danger or in a life-threatening situation, contact the NSW Police immediately by calling 000.

Reasonable grounds is the standard that reporters must use in deciding whether or not to report to the Department of Family and Community Services.

It does not mean that reporters are required to confirm their suspicions or provide solid proof before making a report. A useful rule of thumb is to consider whether another person, when faced with similar information, would also draw the same conclusion.

**Mandatory reporters** are required by law to report to Community Services if they suspect that a child is at risk of significant harm.

If you are a mandatory reporter, you can make **non-imminent** suspected risk of significant harm reports to the Child Protection Helpline either by using eReporting or by phone. The Mandatory Reporters Guide can help with this process [www.community.nsw.gov.au/kts/reporting/mrg2](http://www.community.nsw.gov.au/kts/reporting/mrg2). All urgent reports must be made by phone to the Helpline on **132 111**.

Mandatory reporters are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- Health care (e.g. registered medical practitioners, specialists, general practice nurses, midwives, occupational therapists, speech therapists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices)
- Welfare (e.g. psychologists, social workers, caseworkers and youth workers)
- Education (e.g. teachers, counsellors, principals)
- Children's services (e.g. child care workers, family day carers and home-based carers)
- Residential services (e.g. refuge workers)
- Law enforcement (e.g. police)
- persons in religious ministry or persons providing religion-based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, Salvation Army officer, church elder, religious brother or sister) - from 1 March 2020
- registered psychologists providing a professional service as a psychologist (whether or not exclusively to children) - from 1 March 2020

This includes 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, or law enforcement, wholly or partly, to children.



Mandatory reporters should note that the legislation requires that they continue to respond to the needs of the child or young person (within the terms of their work role) even after a report to the Child Protection Helpline has been made.

Note that while it is mandatory to report children aged 0-15 years at risk of significant harm, it is not mandatory to report young people aged 16-17 years or unborn children. Professional judgement should be used in deciding whether concerns about the safety, welfare or wellbeing of an unborn child or a young person warrant a report to the Child Protection Helpline.

**Source and for further information or resources on reporting**

[www.community.nsw.gov.au/preventing-child-abuse-and-neglect](http://www.community.nsw.gov.au/preventing-child-abuse-and-neglect)

[www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)