

Child Safety and Family Law at Catholic Schools Parramatta Diocese

Catholic Schools Parramatta Diocese (CSPD) has an obligation, as far as practicable and appropriate, to ensure that every child attending school is given the opportunity to achieve their educational potential.

Grounded in the Catholic belief in the inherent dignity of every human person, this framework recognises that each child is created in the image and likeness of God and is entitled to be treated with respect, care and compassion. In all circumstances, the safety, wellbeing and best interests of the child remain paramount.

Where decisions are required, the child's safety and wellbeing will be the primary consideration, balanced with any duty of care to other individuals including staff and members of the school community.

CSPD relies to a significant degree on the cooperation and assistance of parents as outlined in our **Family and School Partnership Principles**.

The below Principles form the foundations for our Principals and staff when navigating decisions concerning child safety within our care, arising out of family law situations, and to assist school leaders in balancing those decisions against taking reasonable care to prevent harm and provide a safe environment within our schools for students, staff and members of the school community.

Principle 1: CSPD as a neutral body

CSPD has an obligation, as far as practicable or appropriate, to ensure that every child attending school is given the opportunity to achieve their educational potential. In meeting this obligation, CSPD relies to a significant degree on the cooperation and assistance of parents as outlined in our **Family and School Partnership Principles**.

The role of the school is to remain independent and therefore it is not the role of the school to enforce family court orders or resolve family law disputes. Neutrality does not require inaction. Where a child raises a genuine safety concern, or where staff otherwise identify circumstances giving rise to an immediate safety concern, the school may take reasonable and proportionate steps to protect the child while referring the matter to the appropriate statutory authority. Such action should not be interpreted as the school siding with, or preferring, one parent or carer over another. Schools are not a party to court orders.

Where family law disputes, domestic violence matters or AVO/ADVO issues create actual or potential risks to staff, schools may implement reasonable measures to protect employees, including limiting access to school grounds, requesting police attendance, varying meeting arrangements, or directing communication through designated staff members.

In order to execute their role as Responsible Persons, the primary focus for school principals in any decision-making is the continued educational and welfare needs of the child balanced with the duty of care to all staff and members of the school community. Where parents cannot agree on what is in their child's best interests, it is the role of the court, not the school, to determine those interests.

Principle 2: Child Safety is Weighted Above Litigation Risk

Where a genuine, immediate safety concern is raised by a child, parent, staff member or otherwise identified by the school, our tolerance for the operational and legal discomfort of acting on it is higher than our tolerance for the risk of a child coming to harm.

Principals who act reasonably and in good faith on a stated safety concern, following this framework, and where relevant, in consultation with CSPD subject matter experts, will be supported by CSPD, including where a parent later disputes the school's actions or threatens legal action.

Principle 3: Schools Do Not Investigate

It is not the school's role to establish the facts of a family law dispute, a domestic violence allegation, or a breach of an AVO/ADVO. That is the role of NSW Police, the Department of Communities and Justice (DCJ), and the courts. However, it does fall within the scope of a school to have sufficient information on hand to exercise its duty of care to provide a safe learning environment for students.

Nothing in this framework prevents staff from asking reasonable questions necessary to understand the immediate safety concern, assess urgency, determine whether a mandatory report may be required, or identify appropriate escalation pathways. Such information gathering is distinct from conducting an investigation.

Principle 4: The Child's Wishes Are Prioritised, When Developmentally Appropriate

Where a child is able to understand and express a view about their own safety, that view is given real and primary weight in the school's immediate response, consistent with their evolving capacity, age, and maturity.

Younger children or those with limited capacity to understand the situation will have their wishes considered alongside a more protective, precautionary default.

Adolescents capable of articulating a clear, consistent safety concern should ordinarily have that view acted on in the immediate term, even where a parent disputes it.

"Prioritising the child's wishes" is about the school's immediate, short-term response (e.g. who they go to today); it is not a substitute for, or a determination on, the longer-term parenting or custody arrangement, which remains a matter for parents, DCJ, and the courts.

Principle 5: Schools Will Liaise with NSW Police and DCJ but Facilitate a Known Safe Carer in the Interim

The school must engage NSW Police and/or the DCJ Child Protection Helpline promptly wherever the threshold for a report is met. Where there is an appropriate, known, and safe alternative carer available (for example, the other parent, a grandparent, or another authorised emergency contact), the school will facilitate the child going to that person, in the absence of a better option, to buy time for statutory bodies to respond, rather than the child going to the address that is the subject of the concern, or the school holding the child indefinitely.

Principle 6: Schools Cannot Hold Children, Or Stay Open, Indefinitely

A school's capacity to keep a child on site while awaiting a statutory or family response is finite. Schools cannot force a child to leave with a particular parent or carer. At some point, guided by the specific circumstances, the time of day, and advice from Police/DCJ, a decision must be made that prioritises the child's safety and stated wishes, using the best information available at the time.

Principle 7: Facilitating Safety is Not Making a Ruling or Determination

Acting on a reported or otherwise identified safety concern, including facilitating a child going to a known alternative carer is the school responding to a report of risk. It is not, and must not be characterised as, a finding of fact about the allegations, a custody determination, or a view on the outcome of any family law or ADVO/AVO proceedings.

Schools may retain parenting orders, recovery orders, ADVOs and other relevant documents provided to them. While such documents may inform operational decisions, actions taken under this framework are triggered by the safety concern raised and are not based on the school's interpretation of the merits of competing legal claims.

Any arrangements facilitated by the school under this framework are temporary safety responses only and do not create ongoing parenting arrangements, custody arrangements, or expectations regarding future care of the child or child.

Principle 8: Information is shared on a need-to-know basis

Family law, domestic violence and child safety matters involve highly sensitive information. Information should only be shared with those individuals or bodies who require it to perform their role in supporting the safety, wellbeing or supervision of the student.

Principle 9: Every Step is Documented

Because the school is not investigating or ruling, and because these situations frequently intersect with later legal proceedings, contemporaneous and factual documentation is essential to protect the child, the staff involved, and the school.

Records will be maintained and retained in accordance with CSPD privacy and records management policies and any applicable legal hold, subpoena, or court related policies.

Further information on this document can be directed to the Student Support or the Legal, Governance & Risk directorates via [Contact Us](#).

12 August 2026

Ref - 4713923