

Child Protection Policy

Vision Statement:

The purpose of Pacific Hills Christian School is to provide a Christian educational community as a centre of teaching and learning excellence, founded on Biblically-based beliefs, values and behaviour.

Rationale:

All adults have a responsibility to care for children and to protect them from any kind of abuse or neglect. The School is responsible to provide a safe environment for children and to provide an education which fosters their health, developmental needs, spirituality, self respect and dignity. We are entrusted by parents with the care of their children, who are precious in the sight of God.

This policy outlines the requirements in relation to Child protection at Pacific Hills Christian School. It relates to suspected or reported cases of abuse against students by staff, parents, other students, or by other persons outside the school. Such abuse can also constitute sexual harassment. Therefore, this policy is to be read in conjunction with the Sexual Harassment Policy of Pacific Hills Christian School.

Values and Mission Goals:

In Christian community life:

- 3a. To create safe relationships through being just and fair according to Biblical principles.
- 3b. To be compassionate and merciful as God is to us.
- 3c. To develop curriculum which explicitly addresses relational issues.

Policy:

Pacific Hills Christian School is committed to providing a caring, safe and accepting environment for students.

Principles:

- a. The School will provide proactive opportunities for developing caring, safe and accepting environments for students.
- b. The School will take all available reasonable measures to identify and appropriately react to children or young people at risk of harm.
- c. The definitions of 'child', 'young person' and 'risk of harm' are according to the Children and Young Person (Care and Protection) Act, 1998.
 - ie. i) a 'child' is a student under 16
 - ii) a 'young person' is a student between 16 and 18
 - iii) 'risk of harm' means current concerns about the safety, welfare and well-being of a child or young person if there are reasonable grounds that any of the following apply:

Neglect: the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met.

Medical Neglect: the parents/caregivers have not arranged necessary medical care for the child or young person, and are either unable or unwilling to do so.

Physical (including Sexual) abuse: the child or young person has been, or is at risk of being, physically or sexually abused or ill treated.

Violent Domestic Context: the child or young person is living in an household where there have been incidents of domestic violence, and as a consequence, is at risk of serious physical or psychological harm.

Psychological harm: the parent or caregiver has behaved in such a way towards the child or young person that they have suffered, or are at risk of suffering serious psychological harm.

Further information about Risk of Harm can be found in Section 23 of the Act.

- d. The Principal, Deputy Principal or Director of Pastoral Care are to be informed promptly of all matters that may or will involve a student at risk of harm, and will manage the situation.
- e. All staff providing education, or who manage such services, are obligated to report to DOCS for all categories of risk of harm above, for children. Reporting young people at risk of harm is discretionary. Such reporting will be done through principle 'd' above.
- f. Any allegations of child abuse or current prosecutions or knowledge of a prior conviction for child abuse by an employee must be reported immediately to the Principal, or Deputy Principal who will report the allegations to the NSW Ombudsman on the form provided by the office of the NSW Ombudsman, in accordance with the Ombudsman Amendment (Child Protection and Community Services) Act 1998. Under this Act 'child' is interpreted as any student under 16 years of age and 'employee' as any person who is engaged with children on behalf of the school, including volunteers.
- g. Accurate documentation will be kept concerning reports made about possible child abuse, details of notification, actions within the school resulting from notification, and other details related to reported cases of abuse.
- h. Staff employment policy and procedures will ensure that staff who are appointed to positions are fit and proper persons to occupy those positions and understand their responsibilities in this area.
- i. Inservice and induction processes will ensure all staff are thoroughly conversant with this policy and related procedures.
- j. Child Protection curriculum will be effectively incorporated and implemented within the school curriculum.
- k. In relation to this policy the following should be taken as guiding principles:
 1. In every action related to child risk of harm the best interest of the child is of paramount consideration;
 2. The value of the family unit and the Biblical responsibility for parental education of children is to be respected but not to the detriment of the well being of the child;
 3. In proceeding to take action under the Children and Young Persons (Care and Protection) Act, 1988 school staff must satisfy themselves that they are acting on reasonable grounds;
 4. All persons involved in situations where abuse is suspected or disclosed are to be treated with sensitivity, dignity and respect;
 5. Staff who have access to information regarding suspected or disclosed child risk of harm are to observe strict confidentiality in relation to the entire matter;
- l. Staff members who demonstrate misconduct or neglect of duty with reference to this policy will be summarily dismissed from employment.
- m. This policy and procedures document will be re-examined on a systematic basis each year.

Procedures and Guidelines

1. Identifying abuse

- a. If a child tells you about Harm - Staff need to be well prepared so that they can be supportive of the student and clear about their responsibilities at the same time. It is essential that the staff member remains calm and supportive of the student. The staff member should:
 - actively listen to the student and never probe for details or ask leading questions;
 - refrain from questioning excessively through fear of making a mistake in deciding to notify;
 - talk gently and reassuringly, pointing out you are there to help;
 - only ask one general open ended question that is designed to provide sufficient information about whether the suspicion of harm is sufficiently strong to warrant a report being made: the question is "What does this mean to you?"
 - do not take a written statement if you believe the incident being reported to you may be subject to mandatory reporting.
 - where the harm is taking place outside the school's control, never assure the student that the harm will stop as that cannot be guaranteed;
 - do not make promises that you will not tell anyone; in fact, you should disclose that you have a responsibility to tell the Principal.

If a student begins to make a disclosure in a group situation (say in a camp sharing time) staff are required to:

- acknowledge that you have heard the student;
- indicate your support by explaining that what the student has said sounds important and that it would be better to talk about it later;
- quietly arrange an appropriate time to see the student away from other students.

- b. If you have reason to suspect Risk of Harm - From time to time staff may suspect child abuse may have occurred or may be about to occur. Staff need to be aware of the indicators of child abuse. Appendix 2 lists some general and specific indicators of child abuse.

Notified or suspected child risk of harm must be reported to the Mandatory Report Line: 13DOCS (133627). If the school has evidence of a crime, the matter will be reported directly to the police with respect to the offender.

Allegations of child abuse by employees or notification of any convictions against any employees for child abuse must be reported to the NSW Ombudsman within 30 days of the allegation being reported using the form provided by the NSW Ombudsman's office.

- c. If someone reports Harm to you - Staff or students who in good faith make an allegation of improper conduct of a sexual or abusive nature by a person against a student will not be prejudiced in any way.

If anyone reports actual or suspected abuse you should report this to the Principal or Deputy Principal or Director of Pastoral Care immediately.

2. The role of DOCS

- a. The Children and Young Persons (Care and Protection) Act 1988 (as amended).

This Act forms the statutory basis for the role of DOCS for the investigation of cases of suspected child risk of harm and the responsibilities borne by schools in relation to such cases. A child is defined as a person under the age of 16 years.

Mandatory reporting of risk of harm to DOCS is required under the Children and Young Persons (Care and Protection) Act 1988 for teachers, Counsellors, Principals and Heads of Schools for any child under the age of 16 years, even if reporting is against the wishes of the child. All staff are to report cases of suspected risk of harm to the Principal or Deputy Principal or Director of Pastoral Care, who will notify DOCS, if reasonable grounds are given.

Mandatory Reporters are to use 13 3627 (13DOCS).

General enquiries are on 13 2111.

If for any reason the Principal, Deputy Principal or Director of Pastoral Care cannot or will not report a matter, an obligation still exists for the other named reporters to notify.

Further, the Legislation provides for Mandatory reporting if there are reasonable grounds that risk of harm there may be in the future.

All notifications that involve a criminal offence under the Children and Young Persons (Care and Protection) Act, the Crimes Act 1900, or the Crimes (Female Genital Mutilation) Act 1995 must be referred by DOCS to the Joint Investigation and Response Team, comprised of Police and DOCS personnel. This includes all cases of sexual abuse. Child abuse under the Crimes Act 1900 refers to a range of offences that result in harm to a child victim or which involve behaviours to which a child cannot give consent. Offences include sexual intercourse, indecent assault and indecent acts. The

practising, aiding, abetting, counselling on or procuring of someone to practise female genital mutilation is an offence under the Crimes (Female Genital Mutilation) Act 1995.

3. The Role of the NSW Ombudsman

The role of the Ombudsman is to monitor the way an allegation or conviction of child abuse is managed by the employer.

The Ombudsman monitors the progress of an investigation conducted by the School concerning child abuse allegations or convictions relating to staff members.

The Ombudsman may observe interviews conducted by or on behalf of the School, and may confer with the persons conducting the investigation about the conduct and progress of the investigation.

If asked, the School must provide the Ombudsman with any information relating to the investigation.

When notifying the Ombudsman of a child abuse allegation or conviction against an employee, the School must provide:

- details of the allegation or conviction;
- advice as to whether or not the School proposes to take disciplinary or other action in relation to the employee, and the reasons for taking or not taking any action; and
- any written submissions made to the School by the employee about what action should be taken against him or her.

Allegations which are found to be false will be reported in writing by the school, and by the Ombudsman to the employee and will not be forwarded to other parties. The School is obliged to notify all employees, including volunteers, of this process.

All employees must complete a 'Prohibited Persons' Declaration form. This includes volunteers in regular contact with any students.

4. Procedures in relation to an allegation or reporting of Abuse

Allegations are to be reported to the Principal, Deputy Principal or Director of Pastoral Care either orally or in writing. Where an allegation is made to a staff member other than the Principal, the staff member should immediately report the matter to the Principal. In cases of allegations against the Principal the Board Chairman should be contacted.

Staff or students who in good faith make an allegation of improper conduct of a sexual or abusive nature by a person against a student will not be prejudiced in any way.

The Principal must respond promptly and sensitively to any allegation. Except in cases of risk of harm, which are to be reported to DOCS immediately, the Principal would ordinarily advise the parents or care givers of the student(s) concerned as soon as possible after the allegations are reported.

Counselling support will be offered to all parties in relation to a reported allegation.

a. Allegations of improper sexual conduct by a staff member against a student

A signed written statement detailing the nature of the allegation will be sought by the Principal where possible. Where the person making the allegation is unable or unwilling to sign a written statement, then the Principal is to record details of the allegation as reported using, as far as possible, the words used by the person making the allegation.

The Principal must direct the person making the allegation to maintain confidentiality.

Upon receiving the allegation, the Principal shall notify DOCS and the NSW Ombudsman promptly and report details of the allegation.

The Principal should advise the parents or care givers of the student(s) concerned as soon as possible after the allegations are reported, and the fact that the matter has been notified to DOCS and the Ombudsman.

The Principal will advise the staff member against whom the allegation has been made:

- that the staff member can have a support person (including a lawyer) during the meeting;
- that an allegation has been made and the nature of the allegation;
- that a response is not required at the time of this interview;
- that counselling support is available for the staff member;
- the contact that the staff member will have with the student involved and other students and staff within or outside school hours and/or the nature of continued presence at the school during the investigation. This may involve a direction to undertake other duties at a different location or a direction to remain at home on pay.

b. Student Interviews in cases reported to DOCS

In relation to reportable cases of abuse where DOCS has been notified, officers of Joint Investigation and Response Team may wish to carry out student interviews, sometimes jointly, at school.

No student will be interviewed at the School against the wishes of the student and it is the Principal's responsibility to inform the student of this.

At the commencement of the interview, the Principal should ask the investigating officers to explain to the student, in the presence of the Principal, the purpose of the interview and their role. The Principal will inform the student of his or her right to choose a supportive adult to be present at the interview. Joint Investigation and Response Team Officers are responsible for communicating with parents about any matters related to an interview. If a person is nominated by the student, the interview must not commence until that person has arrived. What takes place in the interview becomes part of the investigation and must remain confidential.

Except in cases which involve a member of the family, it is expected that a parent of the child concerned will be present at any interview with the child.

c. Exchange of Information with DOCS

Before any phone discussions occur between officers of DOCS and the Principal, the Principal must always confirm the identity of the caller by phoning the known number of the Community Services Centre before any discussions occur.

Any information requested verbally must be confirmed in writing promptly.

Any staff that receive a call from DOCS or Joint Investigation and Response Team must refer the officers to the Principal.

Implementation

The Principal is responsible to ensure that this policy is effectively understood and implemented by staff and students.

1. Staff communication of policy

All staff will be made aware of this Policy via the Staff Handbook. Staff will be reminded of the Policy as it applies to them and their students through review at staff development meetings from time to time.

The explanation and implementation of this policy and procedures shall form part of the new staff induction program.

All staff will be reminded and have the policy summarised verbally to them at the beginning of year staff development sessions.

2. Student communication of policy

The Child Protection Policy will be integrated into the Personal Development, Health and Physical Education classes by the end of Term 1 each year.

Year 11 and 12 students will be reminded of this Policy through their Leadership Training period. This will be timed for the beginning of each academic year.

3. Investigation of complaints

Complaints will be investigated in a confidential manner. No staff member or student will be disadvantaged as a result of making a complaint.

During the process of investigation the following may occur:

- a direction for the student or staff member to receive counselling
- suspension of staff member or student

Where the Principal reasonably concludes after reviewing the evidence that an act of abuse has taken place, a staff member may be summarily dismissed from employment or student expelled from the school. This action may occur irrespective of whether a conviction has been determined by a court of Law.

4. Other matters

a. Removal of students by DOCS Officers

From time to time the Principal will be approached by officers from DOCS or Joint Investigation and Response Team to remove a student from school premises. This approach will be supported by a Section 60 notice. If a student is to be removed from School (Section 60) or ordered to remain at the school (Section 62A) the Principal must:

- sight the identification of the officers;
- take a copy of the Section 60 or Section 62A notice;
- record details of the actions, names of officers and, where possible, place of lodgement of the student;
- gain an assurance from officers of DOCS that they will immediately inform the parent or caregiver that the student has been removed from the school or has been ordered to remain at the school.

Appendix 1: Examples of Sexual Abuse

Sexual abuse can take many forms. Examples of sexual abuse include the following:

- vaginal or anal penetration by a finger, penis or any other object (except where carried out for proper medical purposes).
- oral sex.
- indecent assault, being defined as an assault, a touching without consent, accompanied by an indecent act.
- any indecent act, defined as one which right minded persons would consider contrary to community standards of decency.
- Fondling or touching genitals, breasts, buttocks, or thighs.
- masturbation.
- pornography.
- exhibitionism.
- suggestive behaviour.
- taking sexual advantage of the child through misuse of power.
- conversations with a lewd or improper sexual theme.

Sexual abuse also includes attempting any of the above acts, or assault with such intent.

Appendix 2: Indicators of abuse and neglect

General Indicators

In assisting staff to identify suspected cases of child abuse, indicators of abuse or neglect include, but are not limited to, the following:

- history of previous harm to the child
- abuse or neglect of a sibling
- social or geographic isolation of the child or family
- family history of violence including injury to children
- domestic violence
- physical or mental health issues for the parent or caregiver
- the parent or caregivers' abuse of alcohol or other drugs
- a developmental disability of the parent or caregiver
- parent or caregiver experiencing significant problems in managing the child's behaviour
- a history of injury which is vague, bizarre or variable
- marked delay between injury and presentation for medical assistance
- the child tells you he or she has been abused, or he or she knows someone who has been abused and may be referring to themselves
- a friend, relative etc. tells you that the child may have been abused

Specific Indicators

Indicators of sexual abuse in children include:

- direct or indirect disclosures
- describing sexual acts
- age inappropriate behaviour and/or persistent sexual behaviour
- self destructive behaviour (e.g. self mutilation, suicide attempts)
- overtly sexual themes in play, artwork or writing
- persistent running away from home
- anorexia, over eating
- unexplained accumulation of money or gifts
- adolescent pregnancy
- injuries to the breasts, buttocks, lower abdomen and thighs
- Other child stress indicators (e.g. poor concentration, nightmares and bedwetting, marked changes in behaviour, complaints of stomach aches and headaches with no physical findings)

Physical Abuse

Indicators of physical abuse include:

- bruising and other injuries to the face, head and neck
- lacerations and welts
- explanation offered by the child inconsistent with the injury
- bruising and marks which takes the shape of an object (belt buckle etc)
- bite marks and scratches
- multiple injuries or bruises
- burns and scalds

Emotional Abuse

Indicators of emotional abuse include:

- feelings of worthlessness about life and themselves
- inability to value others
- lack of trust in people and expectations
- extreme attention seeking behaviour
- behavioural disorders
- persistent hostility in parents or caregivers or constant criticism of the child

Neglect

Indicators of neglect include:

- poor standards of hygiene
- scavenging or stealing food

- extended stays at school, public places, others homes
- being focussed on basic survival
- untreated physical problems