

## Child Protection Policy

**RATIONALE** To provide written guidelines for the appropriate conduct of St Philomena's staff and students that accord with legislation applying in NSW about the care and protection of children.

### **DEFINITIONS**

A *child* is a person under 16 years of age.

A *student* is any person regardless of age who is enrolled at the school.

An *employee* is any person:

- employed by the school whether or not they work directly with the children;
- engaged to provide services to the children such as volunteers and maintenance workers.

*Harm* is any significantly detrimental effect on the student's physical, psychological or emotional well being (see Appendix 1 for specific Indicators of Harm.) A student is at risk of harm if:

- Their basic physical or psychological needs are not being met or are at risk of not being met; or
- They have been, or are at risk of being, physically or sexually abused or ill-treated; or
- The parents/care givers have not arranged and are unable or unwilling to arrange for the student to receive necessary medical care; or
- The student is living in a household where there have been incidents of domestic violence and as a consequence the student is at risk of serious physical or psychological harm; or
- The parent/caregiver has behaved in such a way towards the student that the student has suffered or is at risk of suffering serious psychological harm.

### **AIMS**

- To provide an environment where the welfare and best interests of the student is always a primary consideration;
- To ensure that all employees' behaviour towards and relationship with students reflects proper standards of care;
- To recognise that students who are subjected to abuse are harmed by it;
- To respond diligently to a report of suspected or actual harm or risk of harm to a student;
- To maintain the confidentiality of all parties, who are directly or indirectly involved.

## **IMPLEMENTATION**

### **PART A: INITIAL PROCEDURES**

To ensure the aims of this policy are met the following procedures will be followed.

- All teachers, teachers' aides, ancillary staff and any persons employed by the school on a regular basis who are in direct contact with students are to be screened by completing the *Working with Children Check - Employment Screening Consent form*(Appendix 2).
- All parents and volunteer workers in direct contact with students are to be screened by completing the *Prohibited Employment Declaration* form (PED) (Appendix 3). All new parents are screened as part of the enrolment process.
- All maintenance workers and other adults who enter the school grounds and who come into direct contact with students on a casual basis are to complete the *PED* form.
- All visitors to the school will be signed in and out via the school office. Each visitor will be given an official Visitor's Badge.
- Students who need to leave/return to the school grounds, during school hours, must sign the Leave Book at the front office. Students must be accompanied by a parent/guardian.
- Students who arrive late must sign in at the office and receive a late slip.
- The Principal must ensure that staff are updated with facts pertaining to the Child Protection Act so that they have an ongoing understanding of their legal obligations. All staff will sign a register acknowledging they have received this training.

## **PART B: DEFINITIONS FOR DEALING WITH ALLEGATIONS OF HARM**

*Reportable* conduct means:

- Any sexual offence, or sexual misconduct committed against, with or in the presence of a student;
- Any assault, ill-treatment or neglect of a child;
- Any behaviour that causes psychological harm to a student with or without the student's prior consent.

*Non-reportable* conduct means:

- Conduct that is reasonable for purposes of discipline, management or care of students;
- Use of physical force that is trivial or negligible;
- Conduct exempted by the Ombudsman.

*Psychological abuse* means:

A. Inappropriate behaviour by an employee:

- Humiliation, excessive criticism, persistent and targeted verbal abuse, labelling;
- Making excessive, unreasonable or inconsistent demands;
- Placing a child in an environment that inhibits child development (e.g. no stimulation, isolation);
- Failure to respond appropriately to threats of self harm.

B. Evidence that the employee's behaviour has harmed a student:

- Physical evidence – developmental delays;
- Behavioural evidence – sleep disturbances, anxiety, bed wetting, extreme attention seeking, bullying;
- Pattern of 'out of character' behaviour.

*Reportable allegations* have three components:

- Identification of a person who is a current school employee;
- An alleged offence or description of behaviour which amounts to reportable conduct;
- A person who was a student at the time of the alleged offence or behaviour.

## **DEALING WITH ALLEGATIONS OF HARM**

The following actions should be taken in any cases relating to harm or suspected harm against a child:

1. Record details of the possible allegation/allegations (teacher's anecdotal records etc).
2. Decide whether the possible allegation/allegation is reportable conduct. Where an employee has concerns or is unsure whether or not observations should be cause for concern, it is mandatory that they report their concerns to the Principal.
3. Report details of the possible allegation/allegation to the Principal. The Principal will undertake necessary action in accordance with the Children's and Young Person's Act (1998), the Guidelines of the Catholic Education Commission, the Armidale Catholic Schools Office. It is the teacher's responsibility to ensure the Principal has reported the incident to the relevant authority.
4. The Principal will notify the Department of Community Services and the Ombudsman, where applicable. The Ombudsman must be notified of any reportable allegations or convictions as soon as practicable and within 30 days of becoming aware of a reportable allegation or conviction.
5. The Principal must instigate and properly document an investigation (Appendix 4).
6. Management of the allegation/concern requires sensitivity, dignity and respect to achieve outcomes that are in the best interest of the student and ensure justice and pastoral care are provided for all involved.
7. Allegations made against a Principal are to be made to the Catholic Schools Office in Armidale.
8. Allegations made against a Priest are to be made to the Catholic Chancery in Armidale.
9. An offer or opportunity to access counseling will be provided.

**School staff, including school counsellors, MUST NOT undertake any investigation of cases of suspected sexual assault beyond satisfying themselves that they have reasonable grounds to suspect that sexual assault has occurred.**

See also Notification Process (Appendix 6)

## **EVALUATION**

To aid the management of this policy, the school Child Protection Committee should review and update policy procedures pertaining to the Children and Young Person's Act annually. This committee will act as an advisory body and should comprise both teaching and non-teaching staff.

## **REFERENCES**

Children and Young Person's Act 1998  
Catholic Commission for Employment Relations (CCER) manual  
for Catholic Employees  
Armidale Catholic Schools Office – Child Protection web page:  
[www.arm.catholic.edu.au/intranet/?chapter=child\\_protection](http://www.arm.catholic.edu.au/intranet/?chapter=child_protection)  
Emil Ford & Co Lawyers, PowerPoint Presentation, October 2005

## **LIST OF APPENDICES**

<b>Appendix 1</b>	Indicators of Harm
<b>Appendix 2</b>	CSO Working With Children Check - Employment Screening Consent Form
<b>Appendix 3</b>	CSO Prohibited Employment Declaration
<b>Appendix 4</b>	CSO Initial Child Protection Details Ombudsman Act 1974
<b>Appendix 5</b>	CSO Child Protection (Prohibited Employment) Act – 1998
<b>Appendix 6</b>	Notification Process

## **Appendix 1. Indicators of Harm**

### **Physical abuse and excessive punishment**

- student presents with bruises, burns or fractures at a frequency which is inconsistent with normal activity;
- student offers explanations for an injury which appear inconsistent with that injury;
- student or another person advises that he/she has been subjected to or threatened with physical harm;
- reluctance/refusal to participate in swimming or other activities where getting changed or wearing more revealing clothes may show signs of harm;
- excessive absenteeism.

### **Emotional abuse**

- poor peer relationships/withdrawn;
- inclined to seek adult company and/or students who are older or younger;
- avoiding going home on a regular basis;
- learning difficulties, including poor concentration;
- attention seeking behaviour such as stealing, lying, running away, disrupting classes repeatedly.

### **Physical neglect and/or inadequate supervision or care**

- students appears underweight for age and body type;
- inadequate clothing;
- asking other students for food or money or not bringing food to school;
- excessive absences from school and/or high frequency of illness/infection;
- student often arrives at school early and/or leaves late.

### **Sexual abuse**

- bruises, bite marks or other injuries to breasts, buttocks, arms, lower abdomen or thighs;
- bruises, scratches or other injuries not consistent with accidental injury;
- difficulty walking or sitting;
- persistent headaches or recurrent abdominal pain;
- unexplained pain in genital area;
- torn, stained or bloodied underwear;
- itching, soreness, discharge or unexplained bleeding;
- painful and recurrent urination;
- recurrent urinary tract infections;
- signs of sexually transmitted diseases;
- pregnancy in adolescents where the identity of the father is vague or secret.

**N.B.** Where an employee has concerns or is unsure whether or not observations should be cause for concern, it is mandatory that they report their concerns to the Principal.

**Last review Oct 08 Next review Oct 09**