



## 1. Purpose

The purpose of the Child Protection and Mandatory Reporting Policy and accompanying Procedures is to express Christ Church Grammar School's commitment to providing a child safe environment, preventing opportunities for all forms of Child Abuse and setting out the appropriate responses should abuse occur or be suspected to have occurred.

The Policy upholds the values and principles expressed in the School's *Code of Ethics and Codes of Conduct (for all Staff, Parents and Students)*, is consistent with the *National Child Safe Organisation Principles* and demonstrates the School's commitment as set out in its *Child Safety and Wellbeing Policy*, to child safety and protection.

This Policy is to be read and applied in conjunction with the School's *Child Protection and Mandatory Reporting Procedures*.

## 2. Scope

This Policy enables the School to discharge its duty of care to its students and assists in fulfilling its obligations to the Department of Education which requires all non-government schools to have a Child Protection Policy under the "Levels of Care for Students" provisions listed for renewal of registration.

This Policy and related Procedures endorses compliance with the provisions of the *Working with Children (Criminal Record Checking) Act 2004*, other legislation and school policies listed below in Section 5.

The Principal, Executive, Members of Council, all staff, students and their parents/guardians, volunteers, service providers and contractors are bound by the provisions of this Policy.

## 3. Definitions

**Boarding Supervisor** means a person who holds an office or position at a boarding facility the duties of which include the supervision of children living at the facility.

**Child** refers to a person who is less than 18 years of age. Young people aged 18 and over are adults and are not covered by this policy or the *Children and Community Services Act 2004*. Nevertheless, the school still owes a duty of care to any student at the school. Police should be informed of any assault or crime against a young person.

**Child abuse** includes any form of physical abuse, sexual abuse, emotional abuse, psychological abuse and neglect

**Child Maltreatment** refers to any non-accidental behaviour by adults or children that is outside the norms of conduct and entails a substantial risk of harm to a child or young person. It may be the result of action or inaction on the part of a person who has responsibility to care for a child resulting in harm or injury to the child. The maltreatment is normally described in the categories of physical, sexual, emotional including psychological, neglect, family and domestic violence.

**Physical abuse** occurs when a child is severely and/or persistently hurt or injured by an adult or caregiver.

**Sexual abuse** occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level, and includes sexual behaviour in circumstances where:

- the child is the subject of bribery, coercion, a threat, exploitation or violence;
- the child has less power than another person involved in the behaviour, or
- there is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

**Emotional abuse** occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. Examples of emotional abuse are humiliating and shaming a child or exposing a child to domestic violence

**Psychological abuse** is repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development, and intelligence. Examples include constantly belittling or shaming a child, constantly ignoring a child.

**Neglect** is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged or they are injured. Neglect may be acute, episodic or chronic. Some examples are leaving child alone without adequate supervision, not providing medical help to a child when it is required.

**Corporal punishment** is any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm.

**Degrading punishment**, is any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child.

**Grooming** in the context of child protection, is the subtle, gradual, and escalating process, deliberate and purposeful, of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator.

**Mandatory Reporting** is the legal requirement set out in the Children and Community Services Act 2004, for teachers, doctors, nurses, persons in religious ministry, boarding supervisors and police to make a report of child sexual abuse to the Department of Communities when a belief is formed, based on reasonable grounds, that sexual abuse has occurred or is occurring.

**Nurse** means a person registered under the Health Practitioners Regulation National Law (Western Australia) in the nursing and midwifery profession who name is entered on the Register of Nurses kept under that Law.

**Professional Boundaries** refers to the requirement for all teachers to act professionally in their relationships with students. The teacher-student relationship is not equal. Teachers are in a unique position of trust, care, authority and influence in relation to their students, which means there is always an inherent power imbalance between teachers and students.

Professional boundaries are breached when a teacher misuses their power in such a way that a student's safety or welfare is compromised. Maintaining those professional boundaries includes

- a. Emotional Boundaries – Emotional self-regulation primarily involves using appropriate levels of emotion in interactions with students and dealing with students' emotions appropriately in teaching settings

- b. *Relationship Boundaries – Relationships between teachers and students are professional relationships with recognition that teachers are not 'friends' with students, in the way students are friends with other students*
- c. *Power Boundaries – Teachers are in a position of power and authority over students and must ensure they do not abuse that position*
- d. *Communication Boundaries – These relate to what teachers say and how they say it*
- e. *Physical Boundaries – Teachers should limit physical contact with students to circumstances where, using 'time, place, circumstances' as a guiding principle, the contact is appropriate and required or necessary. Teachers must ensure they do not engage in inappropriate physical contact*

**Volunteer** is an adult or an organisation offering services in support of school activities but receiving no remuneration from the school for the services provided. This includes:

- *Members of the School's Council, Foundation, Fundraising Committee(s), Parents' Association and any other body organised to promote the welfare of the school.*
- *Individuals assisting with School camps, tours, incursions or excursions*
- *Individuals providing coaching, mentoring or any kind of educational support services.*

**Working with Children Check (WWCC)** the Working with Children (Criminal Record Checking) Act 2004 requires people who start or continue in "child-related work" to have a national criminal record check called a Working with Children Check. Work is child-related work if the usual duties of the work involve, or are likely to involve, contact with a child in connection with at least one of the 19 categories of work listed under the Act.

The WCC Check assesses the criminal records and other relevant information about persons who engage in child-related work to see if they have charges, convictions and behaviours which are inconsistent with them carrying on or being involved in child-related work. It is administered by the Working with Children Screening Unit, Department of Communities.

## 4. Policy Principles

This Policy is founded upon the following principles:

- The School's responsibility to its students extends beyond academic success and includes their physical, social and emotional development and the provision of a caring, conducive and supportive learning environment.
- Students deserve and are entitled to care and protection and they need to know and feel that every effort will be made to ensure their safety.
- All staff have a duty of care to students which is explicitly stated in the Duty of Care to Students Policy. Whilst child protection is a shared responsibility, given their close interactions with students, teaching staff, nurses, persons in religious ministry and boarding supervisors have a significant responsibility.
- All persons including staff involved in situations where harm or neglect is suspected and disclosed will be treated with fairness, sensitivity, dignity and respect and in accordance with the requirements for privacy and confidentiality
- Christ Church Grammar School has adopted a series of initiatives and strategies to prevent child abuse as well as to respond to abuse or allegations of abuse.

## 4.1 Prevention of abuse

The screening, recruitment, induction and training of staff in compliance with the *Working with Children (Criminal Record Checking) Act 2004* means all teachers are required by the Teachers Registration Board (TRB) to have a police clearance and a WWCC. Non-teaching staff, contractors, volunteers who are not parents who have regular contact with children are also required to have a WWCC prior to commencement. Individuals who do not have contact with children but have associations with the school do not require a WWCC but the school supports any individual's application for a WWCC. Volunteers who are parents are exempt from getting a WWCC unless on an overnight camp.

All new employees are required to attend an induction which includes training in child protection and mandatory reporting. Staff are required to repeat the Child Protection and Mandatory Reporting Program annually.

## 4.2 Code of Conduct

The *Code of Conduct* (for all Staff) which forms part of Christ Church Grammar School's contract with its staff, volunteers, service providers and contractors, prescribes the standards of behaviour required including specific details of how to comply. It delineates boundaries between appropriate and inappropriate interactions between students and staff.

The School explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment.

Breaches of the Code may be identified and reported in accordance with the *Disputes and Complaints Policy* and may result in disciplinary action under the provisions of the policy on *Managing Misconduct*. Further information on Mandatory Reporting of Child Sexual Abuse and Grooming Behaviour and reporting of all other forms of child abuse and neglect are outlined later in this policy and in the accompanying procedures.

## 4.3 Code of Conduct for all Students

Students are bound by the *Code of Conduct for all Students* which sets out their rights and responsibilities which include among other things, the requirement to behave with courtesy and kindness and refrain from all forms of bullying and harassment.

Breaches of the *Code of Conduct for all Students* may result in sanctions which will be applied in accordance with the *Student Behaviour Management Policy*.

## 4.4 Student Curriculum

Students are provided with age-appropriate learning opportunities as part of the Protective Behaviours Curriculum, to increase their knowledge of child sexual abuse, develop and improve their self-protective behaviours and to act responsibly to avoid or at least minimize personal harassment and maltreatment and to seek help.

## 4.5 Cyber Predators

Christ Church Grammar School takes precautions to guard students from exposure via social media, chat rooms and discussion groups to cyber predators. Information sessions are delivered to students. The School has set up online teaching platforms and it requires communication between teachers, students and their parents to be via authorised and monitored email accounts.

If any staff member believes that a child is at risk because of child sexual exploitation and/or grooming online, then they must follow the guidelines outlined by the Australian Centre to Counter Child Exploitation (<https://www.acce.gov.au/report>) and report the issue to the Australian Federal Police via an online form: [https://forms.afp.gov.au/online\\_forms/ocset\\_form](https://forms.afp.gov.au/online_forms/ocset_form)

## 4.6 Response to abuse or allegations of abuse

Every member of staff is responsible for the care and protection of students and for recognising the risk factors and indicators of child maltreatment such as neglect, physical, sexual, emotional or psychological abuse. For details of physical and behavioural indicators of neglect and abuse please refer to Appendix A

## 4.7 Child Sexual Abuse

A teacher, nurse, person in religious ministry or boarding supervisor at the school, under the mandatory reporting provisions of the *Children and Community Services Act 2004* must report a belief formed on reasonable grounds, that child sexual abuse is occurring or has occurred, directly to the Department of Communities

Alternatively, a teacher nurse, person in religious ministry or boarding supervisor who has not (or not yet) formed a belief on reasonable grounds, may report the observed indicators to the Principal, or if he is unavailable to a member of the Executive, who will make a mandatory report to the Department of Communities, if on reasonable grounds they form the belief that child sexual abuse is occurring or has occurred.

Reports by those employees who are not mandated to report (education assistants, administration and operations staff) can be made to the Principal or if he is unavailable to a member of the Executive. At any time, any staff member can contact the Department of Communities to report a concern regarding child sexual abuse. In the case where it is believed the Principal may be complicit or obstructionist, the report is to be made to the Chair of Council.

As of 1 January 2023, under the provisions of the Reportable Conduct Scheme the Principal is also required to notify the Ombudsman Western Australia of allegations of, or convictions for child abuse by their employees and advise the Ombudsman that the matter is under investigation by the Department of Communities.

## 4.8 Professional Boundary Breaches

All staff must intervene and report suspicions or evidence of professional boundary breaches (i.e. grooming) with respect to students by another staff member, to the Department of Communities the Principal or in his absence, a member of the Executive and their Line Manager

If a child is in immediate/imminent danger, or involved in an associated criminal activity, then the police should be informed. However, a report should also need to be made to the Department of Communities.

## 4.9 Responsibility for investigation

The responsibility for investigation of child maltreatment including all concerns and allegation of child sexual abuse lies with the Department of Communities and the WA Police. It is not the responsibility of the staff of the school to investigate.

## 4.10 Confidentiality, Legal Protection and Support

Under section 129 of the *Children's and Community Services Act 2004*, persons who provide information and make reports to the Department of Communities are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

To avoid interfering with any investigative process, the Principal or teacher must seek advice from the Department of Communities or WA Police prior to informing the parent/carer of a concern or abuse of neglect.

Under the provisions of Australian privacy legislation, the School and a teacher making a report have an obligation to keep secure and confidential any notes and reports that are prepared about individual students.

Staff who have access to information regarding suspected or disclosed child abuse or neglect have an obligation to observe appropriate confidentiality in relation to the entire matter and ensure the information is used appropriately and kept secure.

Ongoing support will be provided to the teacher/staff member, the student and anyone else affected in instances of identification and reporting of child abuse.

The receipt of a complaint or allegation of child abuse, including but not limited to sexual abuse, committed against a student by a staff member, or another student, or by another person on Christ Church Grammar School premises or during a school-related activity will result in the submission of a reportable incident to the Director General or Education.

## 5. Related Legislation and Policies

Children and Community Services Act 2004

Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008

Criminal Code Act (1913)

Criminal Code Amendment (Cyber Predators) Act 2006

Teachers Registration Act (2012)

Working with Children (Criminal Record Checking) Act 2004

School Education Act 1999 (WA)

Reportable Conduct Scheme

Code of Ethics

Code of Conduct for all Staff

Code of Conduct for all Students

Child Safe Policy

Disputes and Complaints Policy

Duty of Care for Students Policy

Managing Misconduct Policy

Privacy Policy

Recruitment and Selection Policy

Student Behaviour Management Guidelines

# Appendix A – Indicators of Abuse

This list is not exhaustive and some indicators may be common across multiple abuse types. Furthermore, the absence of indicators does not mean that abuse has not occurred or is not occurring.

Physical	Emotional	Educational	Interpersonal	Welfare
Bruises, burns, sprains, dislocations, bites, cuts	Fear of going home, fear of parents, running away	Developmental delays	Wariness or distrust of adults	Seasonally inappropriate clothing
Fractured bones especially in an infant where a fracture is unlikely to occur accidentally	Becoming fearful when other children cry or shout	Regression ie acting like a much younger child	Difficulty in relating to adults and peers	Sleep disturbances
Internal injuries	Excessively friendly to strangers	Experiencing problems with school work	Displaying sexual behaviour or knowledge which is unusual for the child's age	Hunger, malnutrition, stealing food
Complaining of headaches and stomach pains	Very passive and compliant	Unexplained absences, falling asleep in class, poor concentration, deterioration of grades	Unexplained gifts or money	Disclosure of neglect
Genital injuries,	Low self-esteem		Aggressive language	Abusing alcohol or drugs
Bleeding	Aggressive or demanding behaviour			Poor hygiene
Pregnancy	Highly anxious, labile or hypervigilant			Medical needs not attended to, ill more than average
Soiling or bed wetting (persistent primary or secondary)	Disclosure of family violence			
	Depression			
	Fear of conflict			
	Violent outbursts			

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