

Child Protection Policy

1. Introduction

Child protection is based on the understanding that each person is created in the image of God and is precious in His sight. There is a Biblical imperative to ensure that children are treated with care and respect as modelled by Jesus Christ (Matthew 18:6; 19:14).

Seventh-day Adventist Schools (Western Australia) Ltd, trading as Adventist Christian Schools Western Australia (ACSWA) provide a values-based education which focuses on the development of the whole child and where the home and school work together harmoniously to provide this education. In this context, there is a legislative and moral imperative that there is a zero tolerance for any forms of child abuse and where the school, through its teachers, provide duty of care and take every precaution to avoid abuse happening.

All teachers, other staff members, volunteers, contractors, other service providers, School Council/School Advisory members and Adventist Christian Schools Board of Directors within Western Australia must understand and abide by the legal, professional, and moral obligations to implement child protection and child safety policies, protocols and practices.

1.1 Scope

This policy applies to all staff, contractors, volunteers, education practicum students, students and other stakeholders at schools operated by ACSWA and covers information about reporting allegations of:

- (a) inappropriate behaviour by a staff member causing harm to a child or group of children;
- (b) harm or suspected harm of a student by any other person.

1.2 Responsibility

To the Adventist Christian Schools Board of Directors.

1.3 Point of Contact

Principal or Director of Education and approved authority.

2. Definitions

- A child is defined as a person who is under the age of 18 years or, in the absence of positive evidence of age, as a person who is apparently under 18 years of age.
- Child abuse and neglect is defined as the maltreatment of a person under the age of 18.
 - It is the result of action or inaction on the part of an adult which results in harm or injury to a child. This definition refers to an act of commission or omission that endangers or impairs a child's physical or emotional well-being.
- Child abuse may be categorised as follows:
 - **Physical Abuse**

Physical abuse occurs when a child has experienced severe and/or persistent ill-treatment. It can include injuries such as bruises, cuts, burns or fractures caused by a range of acts including beating, shaking, illicit administration of alcohol and other drugs, attempted suffocation, excessive discipline or physical punishment.
 - **Sexual Abuse**

Sexual abuse is when a child under the age of 18 years is tricked, coerced, trapped, forced into, bribed or otherwise involved in a sexual act by an older person. Sexual abuse covers a wide range of sexual behaviour including observation or involvement with inappropriate touching or fondling of the child's body, making the child touch the adult's genitalia, sexual penetration and showing or making pornographic videos to, with or of the child.
 - **Emotional Abuse**

Emotional abuse is a sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement. Children who have been emotionally abused are likely to have a reduced capacity to experience a range of emotions, to express emotion appropriately and to modulate their emotional experience.
 - **Psychological Abuse**

Psychological abuse is the sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, isolating, neglecting, discrediting, misleading, disregarding, ignoring and inappropriate encouragement. This abuse damages a child's intellectual faculties and processes, including intelligence, memory, recognition, perception, attention, imagination and moral development. Children are likely to feel worthless, flawed, unloved, unwanted, endangered or only of value in meeting another's needs.
 - **Neglect**

Neglect exists when a parent or care giver consistently fails to provide a child with an acceptable minimum standard of care. This includes the basic necessities of life, shelter, healthy food, suitable clothing, medical care, emotional security and appropriate supervision.

- “Harm” means physical, sexual, emotional or psychological, abuse and neglect of children. Reference to a “child” or “children” is inclusive of children and young people up to the age of 18 years.
- “Student” means a child enrolled at an Australian Adventist school.
- “Reportable conduct” means any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material), or any assault, ill-treatment or neglect of a child, or any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child. **See Section 4.6 Mandatory Reporting Requirements.**
- “Grooming” refers to the manipulative cultivation of relationships by an adult in order to develop or maintain a sexual relationship with a child (or children) or young person (or persons). A person can focus on grooming not just the child but also other people in the community, such as parents, carers, teachers and children to engage, establish trust and gain access to a child. Grooming can involve spending considerable time establishing a relationship with a child for sexual purposes. Grooming can involve a person integrating themselves into places where they have access to children and then grooming the adults to create opportunities for the offender to abuse their victims. Some examples of grooming behaviour can include a person:
 - regularly offering to babysit a child for free or take a child on overnight outings alone
 - actively excluding a child from other adults or children
 - insisting on or encouraging physical affection such as kissing, hugging, wrestling or tickling even when the child clearly does not want it
 - being overly interested in the sexual development of a child
 - insisting on or encouraging time alone with the child with no interruption
 - enjoying taking lots of pictures of children
 - sharing alcohol or drugs with younger children or adolescents
 - exposing their genitals to a child.

Note:

Child abuse and neglect, through the Department of Child Protection, is defined as maltreatment done by a person who has responsibility to care for a child and this document concentrates specifically on that relationship. This is not confined to the home relationships of children but also school relationships. E.g: teacher/student.

3. Relevant Legislation

ACSWA is committed to:

- Implementing protective systems and practices;
- Planning safe and supportive environments and
- Responding appropriately to allegations of abuse and allegations of inappropriate behaviour toward children and young people.

Further, ACSWA has a duty of care and a legislated responsibility to promote the wellbeing, safety and protection of children and young persons, from all forms of harm. ACSWA recognises the principles of the child protection legislation below:

- Children and Community Services Act, 2014 (WA)
- Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act, 2008
- Working With Children (Criminal Record Checking) Act, 2004 (WA)
- Criminal Code Acts Amendment: Sexual Offences Act, 1992 (WA)
- Teachers Registration Board of Western Australia, Teaching and Educational Standards Act, 2013

4. Policy

4.1 Statement of Commitment and Principles

ACSWA is committed to ensuring the safety, welfare and wellbeing of children is maintained at all times during their participation in learning and other activities run by its schools. Within each school, a best practice approach to creating a safe environment includes procedures for responding to allegations and disclosures of reportable conduct of children and young people, based on the following principles:

- All children and young people have a right to safety and freedom from abuse of any kind.
- All adults working with children and young people have a responsibility to care for them, to promote their wellbeing and to protect them from any form of reportable conduct.
- When any action is taken to prevent or respond to any type of reportable conduct, the welfare and wellbeing of the child or young person are the primary concerns.
- The integrity of the family unit is respected but not to the detriment of the child or young person.
- The dignity of persons involved in situations where reportable conduct is suspected or disclosed, should be respected and they should be treated with fairness, sensitivity, dignity and respect.
- In the interests of justice, appropriate confidentiality should be maintained, with information that relates to suspected or disclosed abuse being provided only to those who have a right or a need to be informed.

4.2 Health and Safety

Each school will protect students from harm as far as it is reasonably able. The safety, wellbeing and best interests of our students are of primary importance. The school will ensure the health and safety of staff in accordance with work health and safety legislation.

4.3 Conduct of Staff, Contractors, Volunteers & Education Practicum Students

All staff, contractors, volunteers and education practicum students must ensure that their behaviour towards and relationships with students reflect proper standards of care for students in accordance with the Teacher Registration Board of Western Australia Code of Conduct, and the ACSWA Child Safety Code of Conduct – Staff and Volunteers. Staff, contractors, volunteers and education practicum students must not cause harm to students.

4.4 Inappropriate Behaviour

If a student considers the behaviour of a staff member, volunteer, contractor, education practicum student or stakeholder in the school to be inappropriate or feels uncomfortable, the student should report the behaviour to the:

- (a) Principal or
- (b) Child Safety Officer, School Counsellor, Chaplain or any other staff member.

4.5 Dealing with Information about Sexual Abuse, Harm and any other Inappropriate Behaviour

If a staff member receives a report of inappropriate behaviour about another staff member, contractor, volunteer, education practicum student or stakeholder in the school, the staff member receiving the report must immediately report it verbally and then in writing to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must provide verbal information followed by a written report to the Director of Education, ACSWA.

Reports of alleged inappropriate behaviour will be investigated in accordance with the ACSWA Procedural Fairness Policy.

4.6 Mandatory Reporting Requirements

Mandatory reporting is where specific people or professionals must, by law, report suspected cases of child abuse. Mandatory reporting legislation focuses on child sexual abuse.

The Principal should be made aware when a Mandatory Report is made, except in circumstances when the Principal is the Person Subject of Allegation, in which case the Director of Education should be informed.

See **Appendix, Mandatory Reporting of child sexual abuse in Western Australia, and Fact Sheets 1 and 2** for more details.

All forms of abuse such as physical, emotional and psychological, and neglect should still be reported by mandatory reporters. The Department of Child Protection and Family Support of Western Australia lists the following people as mandated to report:

- Doctors
- Nurses and Midwives
- Teachers
- Police Officers

- Boarding Supervisors (Reference: WA Guide to Registration of Boarding Schools, Standard 10, Australian Boarding Schools Association)

Once a mandatory reporter believes that child sexual abuse has occurred or is occurring, they *must* make a report to:

**Department for Child Protection’s Mandatory Reporting Service on
1800 708 704
or online at
www.mandatoryreporting.dcp.wa.gov.au.**

A verbal report can be made, but this **must be followed by a written report** as soon as possible, **preferably within 24 hours.**

When a disclosure of child sexual abuse is made, do not ask leading questions, do not interview, investigate or confront the person alleged to be responsible for the abuse. This is the role of trained professionals.

For details on the process of making a Mandatory Report see:

Appendix:

- Fact Sheet 4, Resources for Mandatory Reporters
- Fact Sheet 5, How do I respond to a child who discloses sexual abuse?
- Fact Sheet 7, What information should be provided in a mandatory report?
- Fact Sheet 8, Mandatory Reporting Flow Chart
- Fact Sheet 9, Sample Mandatory Reporting Form

4.6.1 Reasonable Belief

A mandatory reporter does not need to have proof to report any concerns that they have about the safety of a child under 18. Indicators that represent reasonable grounds to report a suspected offence include:

- A child or young person discloses that he or she has suffered or is suffering non-accidental physical injury or sexual abuse
- A child or young person exhibits sexually abusive or age-inappropriate behaviour(s)
- Someone else advises you that a child or young person has been sexually abused or non-accidentally injured, or
- Your own observations of the child or young person’s physical condition or behaviours lead you to reasonably suspect that the child or young person has suffered or is suffering non-accidental physical injury or sexual abuse.

See **Appendix, Fact Sheet 6 for Indicators of Child Sexual Abuse.**

4.6.2 Abuse and Neglect Types Which Should Be Reported

- Physical abuse
- Sexual abuse

- Emotional
- Psychological abuse
- Neglect

4.6.3 Failure to Disclose

Any teacher or boarding supervisor who forms a reasonable belief that a sexual offence has been committed in Western Australia by an adult against a child under 18 must lodge a Mandatory Report. Failure to report can result in prosecution within three years after failing to make a report, and a fine of up to \$6,000. Failure to lodge a written report as soon as possible after making a verbal report can result in prosecution and a fine of up to \$3,000.

See **Appendix, Fact Sheet 1** for details on how to make a Mandatory Report.

4.6.4 Failure to Protect

Any school staff member in a position of authority who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer, sport coach or visitor) poses a risk of sexual abuse to a child **under 18** who is in the care or supervision of the organisation, must take all reasonable steps to reduce or remove that risk.

In a school context, this will include the principal and the business manager and may also extend to school counsellors, heads of departments and heads of schools.

4.6.5 Confidentiality

Reporters are protected, when making a report in good faith, from breaching any duty of confidentiality, professional ethics, standards or principles of conduct which would normally apply, as well as protected civil or criminal liability when making a report in good faith.

See **Appendix, Fact Sheet 3** for further details.

4.7 Accessibility of Policy

This policy is accessible on the ACSWA and associated schools' websites, and will be available on request from the ACSWA and school administration offices. Each new staff member, contractor, volunteer, education practicum student and other school stakeholder will be made aware of the policy as part of their induction. Comprehensive training will be provided to all staff on an annual basis.

4.8 Awareness of Policy

Staff, contractors, volunteers, education practicum students, students and parents will be made aware of the policy by its display on the school website and in the Staff Handbook.

Acknowledgements

1. Government of Western Australia Department for Child Protection
2. Child Safe Standards (Victoria)
3. Adventist Schools Victoria Child Safe Protection Policy

To be reviewed as part of Adventist Christian Schools' 3 year review cycle.

Approved by Adventist Christian Schools Board of Directors on 29th June, 2017.

Date:

Signature Chairperson:

Policy Review Due: 2020 or earlier as required.

Appendix

Contents:

- Mandatory Reporting of Child Sexual Abuse in Western Australia
- Fact Sheet 1, General Information
- Fact Sheet 2, Background Information – Child Abuse and Neglect
- Fact Sheet 3, Confidentiality Issues and Mandatory Reporting
- Fact Sheet 4: Resources for Mandatory Reporters
- Fact Sheet 5: How do I respond to a child who discloses sexual abuse?
- Fact Sheet 6: Indicators of Child Sexual Abuse
- Fact Sheet 7: What information should be provided in a Mandatory Report?
- Fact Sheet 8: Mandatory Reporting Flow Chart
- Fact Sheet 9: Sample Mandatory Reporting Form

Source:

Government of Western Australia Department of Child Protection