CHILD PROTECTION POLICY

INTRODUCTION

Catholic schools are entrusted, in partnership with parents who are the primary educators of their children, with the total education of the child.

The community has clear expectations in matters relating to child protection. It expects that its children, whilst attending school, will be protected from all forms of harm to children, including sexual, physical and psychological harm as well as ill-treatment and neglect. Catholic Education, Diocese of Parramatta is supportive of these expectations and strives to promote the safety and protection of children.

The Diocese also expects that its children and young people will be taught how to protect themselves and to seek help if they are concerned about their safety.

Catholic Education, Diocese of Parramatta takes on these responsibilities to ensure that the children and young people in its care are protected from all forms of harm and neglect.

Any person engaged by the Catholic school is expected to understand the significant responsibility that they have in keeping children and young people in our care safe and free from harm.

STATEMENT OF PRINCIPLES

Within the Catholic school the procedures to be followed in handling disclosures relating to child protection are based on the following principles:

- Legislative requirements.
- All children and young people have the right to safety and to be protected from any kind of harm.
- Persons involved in situations where inappropriate or reportable conduct is disclosed or suspected should be treated with sensitivity, dignity and respect.
- In any preventive and/or protective action related to child abuse, the total well-being of the child is the primary concern.
- The value of the family unit is respected but not to the detriment of the well-being of the child.
- As the Principal is responsible for the administration of the Catholic school and all that relates to it, the Principal (or designated delegate) is to be informed promptly of suspected or disclosed incidents of harm to children and young people as well as serious matters concerning their welfare. This obligation is shared by all staff involved in Catholic school including volunteers.
- Information regarding suspected or disclosed child abuse shall be made available only to those personnel who have a genuine need to be informed. Personnel who have access to such information have the obligation to observe appropriate confidentiality in relation to this information.
1. **DEFINITIONS**

1.1 **Mandatory Reporters**

Certain groups of people are required by law to report to Community Services if they suspect (using their professional judgment and training), on reasonable grounds, that a child or young person is at risk of significant harm.

Mandatory reporters are defined in NSW legislation. They are those who deliver the following services to children as part of their paid or professional work:

- health care - doctors, nurses, dentists and other health workers
- welfare - psychologists, social workers and youth workers
- education - teachers
- children's services - child care workers, family day carers and home based carers
- residential services - refuge workers, community housing providers
- law enforcement – police

Any person with direct responsibility to provide the above mentioned services must report risk of significant harm to children.

Managers, including both paid employees and volunteers, who supervise direct services are also mandated to report.

As a mandatory reporter, you can call the Child Protection Helpline on 133 627.

If waiting times exceed five minutes, or if you are prevented from using a phone, you may use the Risk of significant harm report fax form instead.

A Mandatory Reporter Guide has been developed to help both mandatory and non mandatory reporters decide whether a concern meets the statutory threshold for reporting risk of significant harm.

Mandatory reporters are encouraged to use the Mandatory Reporter Guide, to guide their decision making, such as whether or not to report to the Child Protection Helpline. The Mandatory Reporter Guide may be accessed by going to the following website:

http://www.community.nsw.gov.au/preventing_child_abuse_and_neglect/resources_for_mandatory_reporters/when_must_i_make_a_report.html#mrg

1.2 **Reportable Conduct**

*Reportable conduct is defined as:*

(a) any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence) or

(b) any assault, ill-treatment or neglect if a child, or

(c) any behaviour that causes psychological harm to a child, Whether or not in any case, with the consent of a child.

*Reportable conduct does not extend to:*

(a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other
characteristics of the children and to any relevant codes of conduct or professional standards, or

(b) the use of physical force that in all the circumstances, is trivial and negligible but only if the matter is to be investigated and the result recorded, or

Reportable conduct includes child sexual offences, sexual misconduct, grooming behaviour, child sexual assault, physical assault, ill-treatment, neglect or psychological harm of a child or young person.

1.2.1 Child Sexual offences
These offences include acts of indecency, sexual intercourse, indecent assault, filming or using a device to facilitate filming for indecent purposes

1.2.2 Sexual misconduct
Sexual misconduct is a range of behaviours or a pattern of behaviour aimed at the involvement of children and young people in sexual acts. Some of these behaviours include:
- Inappropriate conversations of a sexual nature
- Comments that express a desire to act in a sexual manner
- Sexual exhibitionism
- Inappropriate personal correspondence (including electronic communications)
- Exposure of children and young people to sexual behavior of others including exposure to pornography
- Watching children and young people undress when this is not required

1.2.3 Grooming behaviour
A form of sexual misconduct is grooming behaviour which may be described as patterns of behaviour aimed at engaging a child or young person as a precursor to inappropriate sexual activity. This activity may also involve the grooming of other family members to establish strong relationships of trust and to build up the credibility of the person

1.2.4 Child sexual assault
Child sexual assault is any sexual act or sexual threat imposed on a child or carried out in the presence of a child.

1.2.5 Physical assault
Physical abuse refers to any unwelcome hostile contact or threat of such contact including non-accidental injury or injury caused through recklessness to a child by a caregiver or any another person. It includes unwelcome contact, discipline, as well as threatened abuse, pushing, physical restraint. The child does not have to suffer injury to have experienced physical assault.

1.2.6 Ill-treatment
The inappropriate correction or chastisement of a child or young person in terms of its proportion to the wrong-doing, existing community standards or reasonableness when considered in the circumstances.
1.2.7 **Neglect**

Neglect occurs where a child is harmed by the failure to provide the basic physical and emotional necessities of life. Neglect is characterised as a continuum of omissions in caregiving.

1.2.8 **Psychological harm**

Psychological harm involves the imposition of significant emotional harm or trauma to the child or young person. It includes:

- Acts that might degrade or belittle a child or young person
- Exposing a child or young person to domestic violence
- Setting unrealistic expectations on a child or young person with consequences for failure to achieve them
- Isolating a child or young person
- Promoting or exposing a child or young person to self-destructive, antisocial or criminal behaviours such as violence or drug use
- Persistent failure to care for the child

1.2.9 **Sexual offence, sexual misconduct, act of indecency or act of violence in the presence of a child**

Any of these behaviours listed above that occur in the presence of a child or young person

1.3 **Children and young people**

Children and young people are people under the age of 18 years.

For the purposes of this policy the following definitions apply:

1.3.1 **Child** means a person under the age of 16 years

1.3.2 **Young person** means a person who aged 16 years but who is under 18 years

1.4 **Child related employment**

Child related employment is employment in work settings where the duties undertaken primarily involve children and the nature of those duties is likely to involve contact with children that is direct and unsupervised.

2. **Mandatory Requirements of the Catholic School**

2.1 **Children and Young Persons (Care and Protection) Act 1998**

Mandatory notification of children who are currently perceived to be at risk of harm is covered under the *Children (Care and Protection) Act 1998*. This Act requires mandatory reporting of cases of suspected concerns about risk of harm of a child or young person under 18 years of age.

The Catholic school requires that all employees and voluntary workers must inform the Principal of any concerns that they may have about children and young people who they believe may be currently at risk of harm.
2.2 Pt 7 Commission for Children and Young People Act (NSW) 1998

Part 7 of this Act requires that the Working With Children background check be applied to preferred applicants of child related employment.

The Principal is required to forward the identification details and consent form of the preferred applicant for paid positions to the Screening Officer so that the Working With Children background check may be undertaken.

2.3 Volunteer / Student Declaration Form

The Commission for Children and Young People Act 1998 also prohibits persons with convictions for serious sex and violence offences against children from working in child related employment where that employment involves direct unsupervised contact with children.

There is an obligation on part of the Principal to determine whether existing employees (including volunteers) are not prohibited persons. Further to this there is an obligation on the Principal to only employ persons who are not prohibited persons.

Employees are obliged by law to disclose that they are a prohibited person. A prohibited person is obliged by law not to apply for or remain in child related employment.

2.4 Contractors

Contractors who are engaged to be involved in capital or maintenance work on the school site shall be required to complete a declaration stating that they do not have any convictions (including spent convictions) for serious sex and violence offences against children.

3. RELEVANT PROCEDURES

3.1 Procedures for Notifying Concerns that a Child is at Risk of Harm

3.1.1 Managing Disclosures

A disclosure that a child or young person is currently at risk of harm may take the following forms:

(i) A child or young person tells a person engaged in Catholic school ministry that they are at risk of harm

(ii) Someone else tells a person engaged in Catholic school ministry that a child or young person is at risk of harm

(iii) A child or young person tells a staff member that they know someone who is at risk of harm

(iv) A person engaged in Catholic school ministry may make their own observations that leads her/him to suspect a child or young person is at risk of harm (some indicators of risk of harm are: marked changes in behaviour; withdrawal; depression; attention to personal appearance; pregnancy; anorexia or over-eating; self destructive behaviour such as drug dependency, suicide attempts or self-mutilation).
3.1.2 Managing notifications of children and young people who are at risk of harm

(i) Any person engaged in Catholic school who has reason to believe that a child or young person is at risk of harm is expected to report the concern to the Principal immediately.

(ii) Those involved in this report are expected to maintain confidentiality of such matters. It is therefore expected that such matters are not discussed unless for the purpose of legal compliance or seeking professional advice.

(iii) The details of the disclosure or incident should be forwarded to Department of Community Services.

(iv) Student Services and/or Staff Services should be informed immediately.

3.2 Procedures for managing allegations of reportable conduct by employees and persons engaged in Catholic school

Allegations of reportable conduct involving staff members and persons engaged by Catholic school to provide services to children must be investigated and may need to be notified to the Commission for Children and Young People.

While the primary concern of the Catholic school at all times is the safety and care of children and young people, the Catholic school will take all reasonable steps to adhere to the principles of procedural fairness and natural justice so that the privacy and dignity of all involved may be considered and maintained.

3.3 Supporting A Child or Young Person Who Has Disclosed Risk Of Harm

Children and young people generally disclose with great hesitation and often with feelings of fear and guilt. It is therefore important for the person engaged in Catholic school to remain calm and supportive in these situations. Active listening without probing is required.

The following three steps are expected:

Reassure – the child or young person that:
- the child or young person did the right thing by telling you
- the child or young person is not in trouble
- you will tell someone who can help the child or young person
- the child or young person has a right to feel safe and protected

Record
- immediately anything that you are told or that you observe
- include the date, time, parties involved
- sign the record

Report – the incident immediately or as soon as practicably possible to:
- Staff Services, CEDP
- DOCS/POLICE
4. CODE OF CONDUCT FOR THOSE APPOINTED TO CATHOLIC SCHOOLS

4.1 PREAMBLE:
To have the opportunity to work with children and young people is a wonderful privilege. As you will be representing your Catholic school community there are commitments to care for children and young people, yourself and the communities you represent. This Code of Professional Conduct is based upon a commitment to the children and young people in our care, their parents and the broader faith community.

This Code will assist to clarify the parameters of appropriate conduct who work in child related work. It is anticipated that the general principles expressed in this Code may be applied to circumstances not referred to in this document when required.

4.2 PROFESSIONAL RESPONSIBILITIES

4.2.1 In attending to compliance matters it is expected that you will:
- Comply with lawful instructions and policies presented by the Diocese, Principal or his or her delegate
- Comply with legislative and industrial requirements and any policies and procedures implemented by the Catholic school
- Demonstrate a duty of care to children and young people by being punctual, diligent and sensitive to their needs
- Take reasonable steps to protect children and young people from foreseeable risk of injury and to protect their own health and safety at all times
- Take reasonable steps to ensure that the workplace is free of all forms of harassment and unlawful discrimination
- Be aware of and apply the Privacy policies of the Catholic school and the Diocese.
- Complete your duties in accordance with the directions provided by the Catholic school
- Consider the risks of proposed activities and tasks and develop strategies to manage these risks

4.2.2 In matters relating to professional standards it is expected that you will:
- Support the core values of the Diocese
- Adhere to an appropriate standard of dress when engaged in ministry
- Use language that is appropriate and non-threatening
- Be cautious about the responsible storage of medications
- Respect the privacy and dignity of all Catholic school and Diocesan personnel
- Maintain the security of all official and confidential information
- Report to the Principal and Staff Services reportable conduct that is brought to your attention particularly:
  - Any sexual offence or sexual misconduct committed against, with or in the presence of a child (including child pornography)
  - Any physical assault, ill-treatment or neglect of a child
  - Any behaviour that causes psychological harm to a child
  - Misconduct that may involve reportable conduct as listed above
AND any circumstances where you suspect that a student is currently at risk of harm

4.3 PROFESSIONAL RELATIONSHIPS WITH CHILDREN AND YOUNG PEOPLE:

It is expected that you will:
- Be caring, respectful compassionate and take an interest in the children and young people in your care
- Avoid as far as possible being alone with a child and young person and if required discuss strategies to allow for observation beforehand
- Avoid favouring individual children and young people and treat them all equally
- Be equally available to all children and young people
- Avoid offering or receiving gifts to or from individual children and young people
- Remain removed from personal relationships with children and young people
- Avoid the transportation of children and young people in your vehicle to circumstances that are in accordance with prescribed policy
- Ensure that physical contact with children and young people is reasonable for the purpose of their management or care. Examples include:

  ➢ assessing a child or young person who is injured or ill
  ➢ comforting an upset child
  ➢ guiding a child or young person in a non-threatening manner
  ➢ protecting a child or young person from imminent danger to himself/herself or to others
  ➢ demonstrating or guiding a particular action or skill as part of drama or other activities within the lesson

Acceptable physical contact with children and young people

*Physical contact should be appropriate given the age, maturity, health or other characteristics of the child

*Physical contact should be consistent with any specific management plan for specific children

*Physical intervention (including physical restraint, removals or escorts) should be avoided and used only as a last resort to ensure safety and protection of children and others. Physical intervention may be regarded as appropriate when a child or young person is causing, or at risk of causing injury or harm to self or other

4.4 INAPPROPRIATE PRACTICES

The following practices are inconsistent with the values of the Catholic school you represent and are therefore not permitted:
- the application of corporal punishment or physical force to punish or correct a child or young person
- using an object, such as a book to gain a child’s attention in a hostile or inappropriate physical manner
- hitting, kicking, shaking pulling, shoving, grabbing, pinching, poking or pushing a child or young person
- holding or restraining a child or young person other than to prevent injury or harm to them or others
- intimidating, humiliating or swearing at a child or young person
• locking a child or young person in a confined space
• refusing biological needs or basic necessities
• using practices which instill fear or cause a to feel alienated
• Having in your possession or providing children or young people with alcohol or prohibited substances
• Providing tobacco or tobacco-based products to children and young people
• Engaging in conduct of a sexual nature that is improper including inappropriate touching, inappropriate conversations of a sexual nature, suggestive remarks or innuendo, obscene gestures, sexual exhibitionism. Personal correspondence, exposure of children or young people to sexual behaviour
• exposing a child or young person to material that contains violent, inappropriate sexual messages or adult concepts and themes that are inappropriate given the their age and level of maturity.
## 5. ENGAGING VOLUNTEERS
The following recommended interview questions are designed to assist those who are responsible for determining the suitability of people for particular areas of Catholic school:

**Interview Questions When Engaging Volunteers**

1. Do you understand the nature of the work that you are considering undertaking? (provide copy of position outline)

2. Are there any aspects of this work that you don’t understand or would like clarification about?

3. What other work have you been involved in within this Catholic school or in other Catholic schools in the Diocese?

4. What particular skills, experience or qualifications do you have that may be relevant to this role?

5. What sort of support and assistance do you think you would require in order to do the work?

6. Ongoing training is an important and mandatory aspect of this work. Are you prepared to attend training sessions on matters relating to the work that you are considering?
7. Can you provide me with some details of your employment history (both as a volunteer or a paid worker) over the last 5-10 years?

8. Can you nominate two (2) people that would be willing and able to speak to me about your suitability to this kind of work and know you in the capacity of a volunteer or paid worker?

9. Whilst this work is voluntary and we very much appreciate your generosity do you understand that by engaging you to carry out this ministry it is expected that you will follow our reasonable directions and conduct yourself in accordance with our policies and code of conduct?