

CHILD PROTECTION POLICY

Adopted By: Principal

Review Date: 20/02/2020

Scheduled Review Date: 01/02/2020

POLICY CONTROL HISTORY

Date	Reviewed by	Amendments/Development
01/10/19	Principal	New policy adopted to include: <ul style="list-style-type: none"> • Child Safe Organisation Framework • Indicators of Child Abuse • Procedures for: <ul style="list-style-type: none"> • Child Protection concerns (non-sexual abuse) • Responding to a disclosure of child abuse • Reporting a child protection concern • Investigating a child protection concern • Record keeping and documentation required for child protection concerns • Managing students in possession of child exploitation material • Managing students implicated in the distribution of intimate images
20/02/2020	Principal	Updated the Child Safe Organisation Framework to include amendments made Nov 2019

POLICY

Quinns Baptist College promotes a safe, caring and positive culture in which all students are welcomed and cared for. The College maintains that all students have a right to be protected from harm on school property and demonstrates this commitment through the implementation of a comprehensive Child Protection Program designed to keep children safe.

It is the responsibility of staff to care for students and this responsibility may extend to responses regarding the identification of possible sexual, physical, psychological and emotional and neglect. (Department of Education: *Child Protection Policy* Updated 2012).

CHILD SAFE ORGANISATION FRAMEWORK

The College's commitment to child safety is based on the National Principles for Child Safe Organisations as identified in the Child Safe Organisations WA Guidelines (November 2019) which guides the development and regular review of our strategies, policies and procedures, systems and processes to protect children from abuse.



Leadership, Governance and Culture

The College Principal annually reviews the College's Child Safe practices and policies using the Child Safe Organisations WA Self-Assessment Tool. The Assessment is submitted to the Governing Body annually. Policies relating to Child Protection are endorsed and adhered to by the Governing Body. All staff have a strong commitment to upholding Child Safety, which includes following policies relating to Child Protection, Occupational Health and Safety and ongoing training in these areas.

Empowering Children

Students are aware of their rights by provision of policies on raising a concern, student management and the student code of conduct. Students are invited to participate in the student council to contribute ideas about the development of the College, its practices and culture development. Students not involved in the student council can provide suggestions freely to improve the school using a Suggestions Box located in the Student Office.

Informing and involving Family and Community

Students, Caregivers and Visitors to the College are asked to follow a Code of Conduct that supports a Child Safe Organisation. Caregivers are provided information on an annual basis about the **Protective Behaviours Curriculum** that each student completes for their respective years. Families are provided policies upon enrolment regarding the Student Code of Conduct, Student Management and Complaints procedures.

Equity

Students and staff (including volunteers) must follow a code of conduct that prohibits the exclusion of those with diverse needs or vulnerabilities, whether it relates to a disability (physical or cognitive), health or physical condition (illness or pregnancy), gender identity, cultural background or religious beliefs. All children have the right to an education in a safe and caring environment.

Managing staff and volunteers

When employing staff, all staff are required to provide a copy of their current WWC card. A register is maintained that records the expiry dates for each staff member. Each staff member is alerted to when their card is expiring by Administration. All volunteers within the College are required to provide a copy of a current WWC before commencing volunteer work at the College.

Child friendly complaint process and reporting

Students are provided simple steps within their Student Diary of how to raise a concern or complaint. This is also provided on the website. Information is also posted within the classrooms of how to raise a concern.

Ongoing education and training

Staff must annually participate in professional development that supports their understanding of the Staff Code of Conduct, identifying and responding to grooming behaviour, and bi-annually, mandatory reporting requirements.

Safe environments, physical and online

Students and staff must adhere to the respective **Code of Conduct** and **Occupational Health and Safety Policy** that promotes a safe physical environment. Students must adhere to the **Computer**

and Internet Usage Policy. Staff must adhere to the **IT Policy**. Both promote responsible and safe online behaviour.

Education and development

All students complete the Keeping Safe: Child Protection Curriculum to provide students the necessary protective skills and strategies that promote protective behaviours. Each year, essential staff are provided further professional development to enhance their teaching and delivery of this program. Year 7 form teachers, Chaplains and the Year 7 Coordinator deliver the Aussie Optimism Program to year 7 students which supports a culture where students feel safe to explore their emotions and strategies to deal with them.

Child safe and friendly policies

Using student feedback through the Student Council, student policies are reviewed annually to refine and improve the understanding and access to the policies.

Continuous Improvement

This framework and related policies are reviewed and assessed annually.

DEFINITIONS

Child

According to the Children and Community Services Act 2004, a child is a person who has not reached the age of 18 years of age and, in the absence of positive evidence as to age, means a person who is apparently under 18 years of age.

Young people aged 18 and over are considered to be adults and are not covered by this legislation. However, schools still owe a duty of care to any students at the school. In these instances, police should be informed of any assault or crime against the young person.

Child Protection Concern

A concern about the wellbeing of a child based on the observation of indicators or information that may lead to a concern for:

- the care of the child;
- the physical, emotional, psychological and educational health and/or sexual development of the child; and
- the safety of the child.

Child Abuse

Occurs when a child has been subjected to physical, sexual, or emotional, psychological abuse and/or neglect which has resulted or is likely to result in harm to the child's wellbeing. It may involve ongoing, repeated or persistent abuse, or arise from a single incident.

Five forms of child abuse are covered in this policy:

Physical abuse: being severely hurt or injured, excessive physical punishment, beating, shaking babies, giving alcohol and drugs, strangling, scalding/burning, punching, leaving a child alone in a car.

Sexual abuse: being touched or involved in sexual activities not appropriate to the child's age and development, sexual penetration, inappropriate touching, seeing sexual acts or pornographic materials.

Emotional abuse: being repeatedly treated in ways that damages a child's ability to feel and express a range of emotions, verbal abuse, and rejection, threatening, bullying and teasing.

Psychological abuse: being repeatedly treated in ways that damages the child's self-esteem, personal and moral development and intelligence, belittling, causing the child to feel worthless, unloved, dumb and having no self-value.

Neglect: not providing enough care or supervision so that the child is injured or their development is damaged, lack of food, shelter or affection, no one providing supervision, untreated medical problems, abandonment.

(Source: <https://www.dcp.wa.gov.au/ChildProtection/Documents/WhatToDo.pdf>)

Reasonable belief

A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. A 'reasonable belief' is not the same as having proof.

INDICATORS OF CHILD ABUSE

Guidelines

Most cases of child abuse are not identified based on a single event or indicator. Indicators usually occur in clusters but the absence of indicators does not exclude the possibility that abuse is occurring.

The following indicators may lead to a concern that a child is being subjected to abuse. Indicators should be considered in the context of the child's age, capabilities, medical and developmental history.

Physical Abuse

Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver. It may also be the result of putting a child at risk of being injured.

Some examples are: hitting, shaking, punching; burning and scolding; excessive physical punishment or discipline; attempted suffocation; giving harmful substances.

It does not include accidental injury.

Possible physical indicators:

- Bite marks
- Bruises
- Burns
- Broken bones
- Hair missing in tufts
- Arms and legs covered by clothing in warm weather
- Lacerations and abrasions (especially to the eyes, lips, gums and mouth)
- Missing or loosened teeth
- Welts
- Lack of treatment and care of an injury

Possible behavioural indicators:

- No or little emotion when hurt
- Regression
- Overly compliant, shy, withdrawn, passive
- Uncommunicative
- Non-suicidal self-injury, suicidal ideation, suicide attempts
- Disclosure
- Fear of a parent/guardian or relative
- Avoidance of physical contact
- School attendance issues
- Unexplained or unlikely explanation of injury
- Drug or alcohol abuse

Emotional Abuse

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.

Emotional abuse includes psychological abuse and exposure to family violence.

Some examples are: constantly criticising, shaming or threatening a child or showing little or no love, support or guidance.

Possible physical indicators:

- Depression
- Eating disorders (anorexia or bulimia)
- Lethargy or fatigue
- Symptoms of stress
- Evidence of drug abuse or dependence
- Wetting, soiling, smearing
- Psychosomatic complaints
- Violent drawings or writing

- Rocking
- Sucking thumb
- Self-harming behaviour

Possible behavioural indicators:

- Attempted suicide
- Overly compliant or passive behaviour
- Overly shy or withdrawn
- Low self-esteem
- Fire setting
- Truancy or school avoidance
- Deliberate harming of animals
- Poor peer relationships
- Disclosure directly to an adult or indirectly to a friend or adult
- Adult-like behaviour e.g. parents other children
- Aggressive or delinquent behaviour
- Excessive neatness or cleanliness
- Fearfulness when approached by a person known to them
- Discloses having witnessed domestic violence
- Expresses feelings of worthlessness
- Low tolerance to frustration
- School attendance issues

Sexual Abuse

Sexual abuse, in relation to a child, includes sexual behaviour in circumstances where the child is the subject of bribery, coercion, a threat, exploitation or violence; or 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.

Some examples are: inappropriate or unwanted touching, exposure to sexual acts or pornographic materials, and sexual assault.

Possible physical indicators:

- Bruises or bleeding from external genitalia, vagina or anal regions
- Blood stained underwear
- Pregnancy or fear of pregnancy
- Signs of pain, itching or discomfort in the anal or genital area
- Urinary tract infections
- Wetting, soiling, smearing

Possible behavioural indicators:

- Inappropriate interest in sexual matters
- Knowledge of sexual behaviour inappropriate to age
- Regression to infantile behaviour
- Sudden unexplained fears
- Enuresis and/or encopresis (wetting and soiling)
- Excessive attention getting, aggression or clingy behaviour
- Recurrent physical complaints
- Depression, withdrawal into fantasy, suicidal pre-occupation
- Disclosure directly or indirectly through drawings, play or writing
- Sexualised behaviours inappropriate to age (including sexually touching other children or themselves), public masturbation or disrobing
- Disclosure of involvement in sexual activity directly to an adult, indirectly to a friend or in a disguised way (e.g. "I know a person who... ")
- Inappropriate expressions of affection
- Promiscuity
- Criminal sexual behaviour
- Decline in academic performance
- Running away from home
- Anxiety
- Sadness
- Resistance to having contact with or fear of a parent/carer/relative
- Eating disorder
- Volatile substance use
- Anger and defiance
- Deliberate cruelty to animals
- Helplessness
- Aggression
- Social withdrawal or isolation

Neglect

Omission of care

Neglect is when a child is not provided with adequate food or shelter, effective medical, therapeutic or remedial treatment, and/or care, nurturance or supervision to a severe and/or persistent extent where the health or development of the child is significantly impaired or placed at serious risk.

Cumulative harm

The term 'cumulative harm' refers to the effects of patterns of circumstances and events in a child's life. The unremitting daily impact of these experiences on the child can be profound and exponential, and diminish a child's sense of safety, stability and wellbeing. Cumulative harm may be caused by an accumulation of a single recurring adverse circumstance or event, or by multiple circumstances or events.

Possible physical indicators:

- Poor personal hygiene (dirty and unwashed)
- Lack of adequate or suitable clothing
- Constantly hungry
- Inadequate nutrition
- Lack of medical or dental care
- Development delays
- Untreated physical or medical problems e.g. sores, boils and lice
- Drug and/or alcohol abuse in the home
- Lack of adequate supervision

Possible behavioural indicators:

- Poor school attendance
- Always attends school, even when sick
- Frequent lateness, early arrival or reluctance to leave school
- Falling asleep in school, constant fatigue
- Poor academic performance Steals, hoards or begs for food
- Engages in vandalism
- Disclosure directly to an adult or indirectly to a friend that no one is home to provide care

Family and Domestic Violence

Family violence is a reference to violence, or a threat of violence, by a person towards a family member of the person or any other behaviour by the person that coerces or controls the family member or causes the member to be fearful.

A child is exposed to family, domestic or personal violence if the child sees or hears the violence or otherwise experiences the effects of the violence.

Examples of exposure to family, domestic or personal violence include: overhearing threats of death or personal injury to a person; or seeing or hearing an assault of a person; or comforting or providing assistance to a person who has been assaulted; or cleaning up a site after property damage; or being present when police or ambulance officers attend an incident involving the violence.

Possible physical indicators:

- Injuries which are excused as 'accidents'
- Easily startled
- Lethargy
- Wetting, soiling, smearing

Possible behavioural indicators:

- Constant and abrupt absences from school
- Receiving recurrent, troublesome phone calls from the parent(s)
- A fear of the parent
- Changes in personal behaviours (e.g. an outgoing student becomes withdrawn)
- An extreme fear of conflict
- The need for assertiveness
- Tendencies towards isolation and avoidance of friends and family
- Insufficient means to live (money, food, clothing)
- Depression, crying, low self-esteem
- An extreme fear of conflict
- Sudden anger or violent outbursts
- Hyper-vigilance

Useful Resources

'How do I recognise when a child is at risk of abuse or neglect?'

<https://www.dcp.wa.gov.au/ChildProtection/Documents/HowDoIRecogniseWhenAChildIsAtRiskOfAbuseOrNeglect.pdf>

PROCEDURES FOR CHILD PROTECTION CONCERNS (NON-SEXUAL ABUSE)

For all concerns relating to sexual abuse, refer to the ***Mandatory Reporting Policy***.

The following procedures apply to child protection concerns involving physical abuse, emotional abuse, psychological abuse, family and domestic violence and neglect. It is vital to remember confidentiality is paramount and that disclosure of this information should only be discussed with those in the College who are required to know.

Prompt and full responses to any concerns or allegations need to be undertaken promptly, with well documented recorded retained securely and confidentially. Refer to 'Record keeping and Documentation' for further information.

Teaching staff

Teachers who have a child protection concern that non-sexual abuse is occurring based on observations, student disclosure, indicators of abuse or other information, should document and refer their concerns to the Principal, in the first instance, or the Board Chair, if it is not appropriate to discuss it with the Principal.

It is not the role of the teacher to investigate the child abuse. The teacher must report the concerns only to the Principal.

The Principal may wish to consult with AISWA's child protection consultant and/or contact psychologist.

Once the teacher has formed a reasonable belief that child abuse is, or has been occurring, the teacher must report this to the Principal.

If a student makes a direct disclosure, the teacher is required to report this to the Principal.

Teachers must not:

- Inform parents/guardians that a referral has been made
- Interview the child or children involved
- Investigate the concern
- Collect photographic evidence.

Non-teaching staff

All non-teaching staff who have concerns or receive a disclosure regarding possible non-sexual child abuse should notify the Principal directly.

If a student makes a direct disclosure, the staff member is required to report this to the Principal.

Principal

Upon receiving a report of suspected child abuse from a staff member the Principal will

1. Refer all child protection concerns received which relate the physical abuse, emotional abuse, family and domestic violence or neglect to CPFS.
2. Refer child protection concerns where there is a concern for the immediate safety of the child to WA Police on 13 14 44 prior to making a CPFS referral.
3. Conduct all consultations in a confidential manner and document concerns in a confidential file separate from the student's school records.
4. Submit a Critical Incident Form (as per the Critical Incident Policy) to the Director General of the Department of Education once a referral to CPFS is made.

Refer to Reporting a Child Protection Concern for more information.

To avoid interfering with any investigative process initiated by CPFS or the Police, the Principal must seek advice from CPFS or the Police prior to informing the parent/guardian of a concern of child abuse.

If following a report, the family approaches the College to receive support for their child, an interview will be conducted by the Principal. At least two College staff members will be present. The focus of the meeting will be the welfare and support of the child.

The Principal will ensure ongoing support is provided to the student, the staff member and anyone else who is affected.

Concerns for a student enrolled at another school

Should a teacher or Principal have a child protection concern about a student enrolled at another school, the teacher may report this concern directly to CPFS as a concerned citizen. It does not have to be reported to the Principal of that school or the school, the teacher currently works in.

Specialist Pastoral Care Staff (i.e: Counsellor/Chaplain/Psychologist)

Where the College employs specialist pastoral care staff, they will:

- Operate within and not exceed the scope of their professional training, scope of practice, and parameters outlined by applicable professional bodies (e.g: codes of practice etc).
- To the extent possible, subject to the above, support students affected by child abuse, including students who are alleged to have perpetrated abuse
- Adhere to industry recognised, evidence informed practices
- Assist in referring students and families to appropriate external specialist services where appropriate.

Specialist pastoral care staff in consultation with the Principal, determine what actions and adjustments and supports are in the best interests of the student.

Counselling must not impact on the reliability of the student's disclosure and/or contaminate evidence where a Police investigation into child abuse is occurring.

Professional judgement is used when the College Psychologist decides to discuss observations with or seek clarification from parent/guardians. Questions and responses are documented verbatim. The Police may use this information in their investigations.

The College Psychologist will, when providing direct psychological services to a student, consider the impact of possible trauma stemming from abuse and apply evidence based support interventions.

The College Psychologist documents all information relating to a child protection matter. All records are confidential and stored securely and must comply with the record management procedures of the Australian Psychological Society Code of Ethics.

Staff Training

Staff will engage in annual training for:

- Staff Code of Conduct
- Formal training detecting and reporting grooming behaviour
- Child protection requirements as per the Child Protection Policy and Mandatory Reporting Policy

Staff will undertake formalised Mandatory Reporting training every second year.

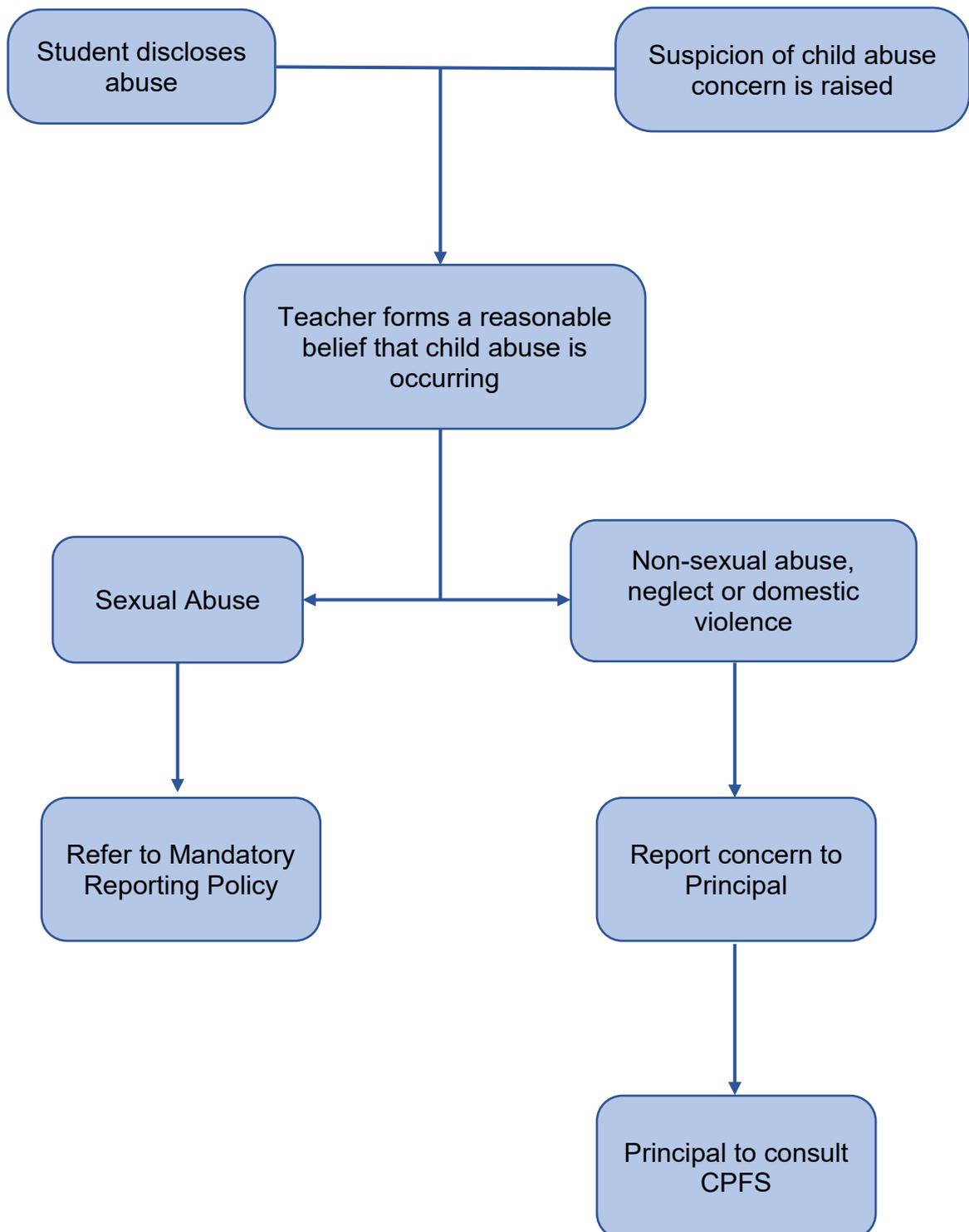
This will assist staff to:

- Be fully informed of their obligations and responsibilities to proactively protect children from child abuse
- Be committed to their obligations and responsibilities to proactively protect children from abuse
- Be trained in child protection related matters
- Be trained in the identification of possible sexual abuse, including the recognition of grooming

Students over 18 and child protection obligations

Students aged over 18 are legally considered adults and as such CPFS does not have a child protection mandate for them. The Principal will contact the Police should they become aware of any assault or crime against a young adult. The Youth Legal Service is available for consultation.

PROCEDURES FOR NOTIFYING A CHILD PROTECTION CONCERN



RESPONDING TO A DISCLOSURE OF CHILD ABUSE

Overview

Students are most likely to disclose abuse to an adult they trust. The disclosure is motivated by the need for safety, protection, support or information. Your response can have a great impact on the student's ability to seek further help and recover from possible trauma.

Students will take cues from your response and this will influence whether or not they continue to disclose. You may have to accept that they might only tell part of their story.

All staff have a responsibility to listen supportively, believing the disclosure. Staff must be aware of their immediate needs and respond accordingly.

A disclosure can arouse personal feelings of shock, anger and helplessness. It is vital that staff conceal these emotions at the time of a disclosure. The needs of the student are paramount during this time. Staff can be issued counselling after a disclosure to process their own emotions.

Types of disclosures

Full disclosure	States what has happened, when it happened and possibly by who in detail May include details of the person alleged responsible May include a history of abuse Allow the student to get to the end of their disclosure without interrupting them (where protective interrupting is not required)
Direct disclosure	Describes their experience of being abused, briefly and succinctly, establishing what happened and by whom without giving many other details.
Partial disclosure	The student hints that they may have been abused. The student may begin a disclosure and stop part way through. If you believe a student is attempting to disclose abuse, it is appropriate that the teacher may follow up with the conversation by reassuring gently that they could share something concerning them.
Indirect disclosure	Uses other methods of communicating like: drawings, exhibiting sexualised behaviours (that are not age appropriate), risk-taking behaviours (such as self-harm). Record anything concerning witnessed. It would be appropriate to gently approach the student ask 'Would you like to tell me about your drawing', or 'Would you like to talk about something that is worrying you?'
Slow disclosure	Makes small disclosures over a prolonged period of time, providing small pieces of information. This may be dependent on their developmental age/stage as well as their relationship with the abuser.

How should I respond if a student discloses abuse?

1. Use protective interrupting if their disclosure is in a public situation (i.e. in the classroom or in front of others).
2. Find a quiet place to talk.
3. Give your full attention.
4. Record the disclosure verbatim and what led to the disclosure.
5. Maintain a calm appearance, listen and provide support.
6. Allow the student to continue talking without interrupting them or prompting them to stop even if you believe you have enough information to form a belief of abuse.
7. Do not probe for more information from the student by asking direct questions of when, what, how, why. If you feel you require more information to form a belief, you can ask the student 'to tell you a little bit more about this'.
8. Believe the student's disclosure. The student may have had to overcome threats from the abuser, fear of the consequences of disclosing or fear of not being believed.
9. Allow the student to tell their story in their own words, allowing them to express their feelings.
10. Accept that the student will disclose in their own way and time.
11. Do not ask the student to repeat their story a number of times. It can be traumatic for the student to go over this numerous times and it may create the impression you are doubting the disclosure. It may also cause inconsistencies in the disclosure.
12. Reassure the student that they are not to blame and telling you was the right thing to do.
13. Inform the student what will happen next. You may need to talk with someone more about this (Principal) in order to help them.
14. Never promise that you will 'keep it a secret' as the student's safety is in question.
15. Assess the student's immediate safety. If they are in immediate danger, call 000 and report it to the Police, then report it to the Principal.
16. Report the abuse as soon as possible to the Principal.

If the student reports sexual abuse then refer to the ***Mandatory Reporting Policy***.

If the disclosure relates to non-sexual abuse, then refer to the guidelines 'Reporting a Child Protection Concern'.

Protective Interrupting

Protective interrupting is a strategy to prevent a child disclosing in front of other students and providing them with the opportunity to disclose in a safe and confidential manner.

Protective interrupting involves the following steps:

1. Gently interrupt the child by acknowledging them and preventing further disclosure e.g. "Thank you, it sounds as though you have something important to talk about. However, right now, I'd like you to focus on completing this piece of writing. Why don't we have a chat at recess?"
2. As soon as possible, gain the attention of the child and gently indicate that the child can talk with you in a quieter area so that you can listen to them properly.
3. If the child is willing to talk with you, follow the steps in '**How should I respond if a student discloses abuse?**'
4. If the child is not willing to talk with you, respect their wish and let them know that you are willing to talk with them another time. You may also ask them to think about someone else they would feel safe or comfortable talking with if they don't want to talk with you or if you're not available.

Questioning

It is important that you allow the student to do the talking in their own time. Questioning the student to find more details may impact any official investigations with the Police or CPFS.

Do not ask leading questions where you direct the student to a response. For example the student discloses 'The man touched me' and the teacher responds 'Did the man touch your private parts?' It would be appropriate if you were trying to clarify information to ask 'will you tell me more about this' or 'could you tell me where he touched you?'

Once you suspect or have formed a belief that a student may have been abused, do not question them further. Trained and qualified staff of CPFS or the Police will question the students further if required.

Staff are to avoid the following responses:

- Ignore or dismiss the disclosure.
- Push for more details. Allow the student to tell you what they want to.
- Conducting an investigation. Trained CPFS or WAPOL staff will do this.
- Make the student tell a third party.
- Confront the person alleged to be the abuser.
- Engage in general staffroom discussion about the disclosure. Only tell those who need to know and do so in a confidential setting.

REPORTING A CHILD PROTECTION CONCERN

A Child Protection concern may be raised by a staff member, a student or a member of the College community. Concerns may be initiated by identifying one or more indicators of abuse, by witnessing or by a disclosure from a student in relation to physical abuse, emotional abuse, sexual abuse, family and domestic violence, or neglect.

All concerns relating to Child Protection should be referred to the Principal and in the absence of the Principal, the Deputy Principal. Where a belief has been formed that a child has been sexually abused, the **Mandatory Reporting Policy** must be followed. When a disclosure has been made by a student, then staff should follow the guidelines in 'Responding to a Disclosure'.

Upon the receipt of a concern, the Principal will contact the Department of Communities, Child Protection and Family Support to discuss the concern and seek guidance on how to proceed further.

Concerns for a child's safety should be referred to CPFS Central Intake Team on: 1800 273 889 or Crisis Care (After Hours) (08) 9223 1111. Alternatively complete the referral form (Appendix A) and forward via email to: cpduty@cpfs.wa.gov.au or fax: (08) 9223 1197.

If you believe a child is in immediate danger or in a life-threatening situation, contact the Western Australia Police immediately by dialling **000**.

The Principal – Reporting requirements

- Will conduct all consultations in a confidential manner
- Document concerns in a confidential file separate from the student's school records
- Request acknowledgement from CPFS the referral has been received
- Where a mandatory report has been made, submit a Critical Incident Report to DES and the Governing Body Chair.

INVESTIGATING A CHILD PROTECTION CONCERN

It is not the school's role to investigate child protection concerns including concerns of sexual abuse. It is the responsibility of the Department for Child Protection and Family Support (CPFS) and the Police. All disclosures, suspicions or reasonable belief of child abuse or child protection concerns should be reported to CPFS by the Principal (or the teacher where a reasonable belief of sexual abuse has been formed). CPFS will determine how to proceed.

Where a teacher has formed a belief based on reasonable grounds that sexual abuse of a child has occurred, they must follow Mandatory Reporting guidelines as stated in the **Mandatory Reporting Policy**. While other forms of child abuse are not mandatory to report, the College and College staff have a duty of care and a moral obligation to report any concerns for a child or young person's welfare and follow the recommended procedures in cases of suspected child abuse.

Under Section 129 of the Children's and Community Services Act (2004), people who give information in good faith to CPFS 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.

Where child abuse has occurred within a family and there is the potential for criminal charges to be laid, the Police and CPFS may conduct a joint investigation to reduce the trauma of the interviewing process to the child or young person.

The role of Child Protection and Family Support (CPFS)

The Department for Communities – Child Protection and Family Support (CPFS) have the statutory authority to investigate child protection concerns in Western Australia.

When a mandatory report has been made as a result of a reasonable belief having been formed of sexual abuse against a child or young person, the teacher must submit a written report using the Mandatory Reporting Service through CPFS. An acknowledgement will be provided through the Mandatory Reporting Service notifying the person who submitted the report which local district office is managing the report. All mandatory reports are forwarded to the WA Police.

For any other forms of child abuse, the Principal should report any disclosures or child protection concerns in relation to child abuse arising from the actions or inactions of parents/guardians to CPFS. The Principal should maintain written records of this communication and subsequent actions. CPS will determine how to proceed. Any decisions to further progress the matter are the responsibility of CPFS.

CPFS is required to provide feedback to people who have made a report concerning child abuse. The Principal should seek and undertaking from CPFS that they will be kept informed within the bounds of confidentiality. The Principal's initial contact with CPFS will be with the Central Intake Team. All calls from schools regarding child protection concerns are taken very seriously. It may be appropriate if the concern is raised after hours to call the Crisis Care Unit. When making a report, note the details of the recipient of the report (name and position).

Alternatively, the Principal may contact the local District Office and speak with the Duty Officer in a consultative capacity to get direction on the next course of action based on the details of the concern.

The powers of the CPFS and Police under the Children and Community Services Act (2004) are:

Apprehension of children in need of care and protection	Without warrant
Interviewing the child/young person	CPFS has the authority to interview a child/young person at school before contact is made with the parent/guardian. Before doing so, the Principal must be notified. CPFS credentials should be sighted by the Principal.
Removal of children from the school	CPFS Officers / Police may remove a child/young person from school if they have the permission of the CEO (Protection order). The Principal must sight all officers' credentials.
Medical Examinations	CPFS may require that a medical examination occur as soon as possible so that bruising, marking and other symptoms can be recorded for future reference. This examination can only take place where permission of the parent/guardian has been obtained or when the child has been apprehended by CPFS (when parent/guardian permission is not obtained).
Parents/guardians	The Principal must seek advice from CPFS or the Police prior to informing the parent/guardian of a concern of child abuse in order to avoid interfering with any potential investigations.

The role of the Police

The Police also have a role in responding to allegations of child abuse. The Police Child Abuse Squad (CAS) intervenes in instances where it is believed that a criminal offence has occurred which may lead to criminal charges laid.

In the case of a report of child sexual abuse, CPFS will forward all reports to WA Police.

Should WAPOL request permission to interview a student on school grounds, the Principal will:

- a) Sight the Police Officers identification;
- b) Establish the purpose of the interview and;
- c) Confirm that parental consent has been obtained.

The Police can remove a student without parental permission if they have a warrant or if the student is under arrest. All other situations require a CPFS Officer to be present to accompany the student.

When parental consent has not been obtained, the Principal may grant or refuse permission to the Police to interview or remove the student from school grounds where a warrant has not been provided. The Principal will document the details of the request and the reasons for their decision.

RECORD KEEPING AND DOCUMENTATION REQUIRED FOR CHILD PROTECTION RELATED CONCERNS

Principal's responsibilities

The Principal must store all confidential child protection information securely and separately from the student's school records.

Confidential information includes:

- a) Child protection referrals to CPFS
- b) Written and electronic records of all communications with CPFS, Police or other authorities and subsequent actions;
- c) Mandatory Reporting receipt numbers
- d) Critical Incident Reports

Teacher's responsibilities

Teachers are to:

- a) Keep copies of the report and notes the teacher provides to the Principal (for any child protection concerns), CPFS and the Police (for any mandatory reports made).
- b) Keep a record of the receipt by CPFS of the mandatory report as evidence that the report was made to CPFS.
- c) Keep a copy of the report and any notes the teacher provides to the school.
- d) Retain copies of any notes, the report and the receipt of the report by CPFS, when the teacher leaves the school.

Completing documentation

When documenting child protection concerns, staff should be aware that records can be subpoenaed by the court as evidence. If in doubt, you can consult with the Principal, appropriate specialist staff at AISWA, or CPFS.

The Principal completes documentation on behalf of the staff member who reports physical, psychological, emotional abuse or neglect.

The Principal completes documentation for concerns of non-teaching staff regarding sexual abuse.

The teacher reporting child sexual abuse must complete documentation. The Principal must not do this on their behalf.

When recording information, the Mandatory Reporter should record observations and factual information about what they have seen such as:

- The identity of the source of the information;
- Statements made by the child/parent/guardian, verbatim, and in quotation (" ") marks;
- Professional judgements within teaching training and experience and;
- Information from a third party that is clearly identified as third party information.

Do not record irrelevant information such as:

- Opinions (for example: the parent/guardian used excessive discipline)
- Personal conclusions about the type of abuse suspected and;
- Unreliable reports that have not been directly witnessed.

Use simple language:

- Include clear, direct, precise, non-emotive, objective language
- Avoid jargon
- Use the first person singular, for example 'I saw...'
- Use the person's name rather than pronouns (e.g he/she)
- Avoid using possibly or probably. Use only if there is a reasonable degree of uncertainty.

Transfer of Child Protection Documents to a new school

Original documentation must remain at the College.

Copies of child protection concerns and documentation may be provided to the student's next school for the provision of educational planning or support, addressed to the Principal and marked 'Confidential'.

MANAGING STUDENTS IN POSSESSION OF CHILD EXPLOITATION MATERIAL

Child exploitation material can be described as child pornography or material that involves the depiction of a child in a sexual content, or engaging in a sexual activity that can include:

- Material involving a child in an offensive or demeaning context;
- A child being subjected to abuse such as cruelty or torture;
- A child posing without wearing clothing; or
- Exposing a child's genitals or torso.

It includes a wide range of formats such as texts, pictures, film, printed or written material.

'Sexting' is considered distribution of child exploitation material where a person under the age of 18 is involved. Refer to Intimate Images section for further information.

Online exploitation

The Criminal Code Amendment (Cyber Predators) Act 2006 is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity, or the expose the child to any indecent manner.

Material that shows or describes child sexual abuse or other offences against children is illegal under Australian laws.

It is an offence to:

- Access, possess, distribute, produce, advertise or make available child pornography or child abuse material;
- Procure, groom or engage in sexual activity with a person under the age of 16; or
- Send indecent communication to a person under 16 years of age.

The Australian Federal Police (AFP) investigates online child exploitation which occurs using a telecommunications service, such as computers or mobile devices with internet connectivity. The types of offences investigated include grooming and accessing, sending or uploading child

exploitation material. Grooming in this context is when an adult has made online contact with a child under the age of 16 with the intention of facilitating a sexual relationship.

If you suspect an adult has engaged in inappropriate activity involving a child, you should immediately report the matter to the Principal.

Upon receipt of the report, the Principal will call the Police on 000 (in an emergency) or Crimestoppers on 1800 333 000.

The Police will identify whether or not a child has been exploited and may interview the students, teachers, parents/guardians and any other parties involved.

The Office of the Children's eSafety Commissioner also takes reports of offensive and illegal online content including child sexual abuse material at: <https://www.esafety.gov.au/complaints-and-reporting/offensive-and-illegal-content-complaints>

Students in possession of child exploitation material

As soon as a staff member becomes aware that a student is in possession of sexually explicit material on an electronic device (e.g: mobile phone, tablet, computer), the staff member should immediately report the matter to the Principal.

The Principal will:

- Secure the electronic device (if circumstances permit);
- Report all concerns about issues involving child exploitation material allegations to the Police;
- Store devices securely until Police advise the required course of action;
- Request confirmation that the report has been received through the provision of the Police Incident Report number;
- Submit a Critical Incident Report (refer to the **Critical Incident Policy**);
- If a reasonable belief is formed that child abuse has occurred, a mandatory report must be made (refer to **Mandatory Reporting Policy**).
- Support the students involved
- Seek advice from the Police prior to informing parents/guardians
- Inform parents/guardians under the direction of the Police.

The Police will identify whether or not a child has been exploited and may interview the students, teachers, parents/guardians or any other parties involved.

Useful links

[Office of Children's eSafety Commissioner](#)

[Think u Know](#)

MANAGING STUDENTS IMPLICATED IN THE DISTRIBUTION OF INTIMATE IMAGES

The distribution of intimate images includes sharing, posting on social media (or through the regular mail), uploading to websites, or photocopying images and then displaying it where others can see. Distribution of intimate images can also be referred to as 'sexting' where the image is of a sexual nature. It can also be referred to as 'nudes' (by young people), yet an image doesn't need to contain nudity to be considered an intimate image. Sexually suggestive, sexualised imagery of a person or imagery of a person engaged in a private act (for example toileting, bathing or showering), would also fall under term of intimate images.

The potential risks are significant for young people engaging in creating or sharing this type of imagery. The following information aims to safeguard our students and give guidance about how to respond to incidents involving sexting.

Definitions

Intimate Imagery

Imagery can include pictures of intimate areas, hands covering these areas and/ or where underwear only is worn. Images may show partial parts of these areas identified. It also includes images of a person involved in a private act (for example toileting, bathing or showering). This could be real photos, photo-shopped pictures, videos, stories, drawings, cartoons, texts and emails, in digital, electronic or printed form. It does not include images where they would not reasonably expect to be afforded privacy (such as in their bathers at the beach or modelling on the catwalk).

Distribution of Intimate Images and the Law

Under Western Australian laws that came into effect in April 2019, anyone under the age of 16 **cannot consent** to the distribution of intimate images. Under Commonwealth law it is illegal to distribute intimate images of a person under the age of 18.

Children as young as 10 years of age can be charged with distributing intimate images if they share an image of someone who **does not consent** or **cannot consent** due to being under 16.

If a person under the age of 18 commits this offence, WA Police have the discretion to issue a caution or refer the matter to the Juvenile Justice Team instead of proceeding with criminal charges.

It is an offence under Commonwealth Law to take, keep, send or ask for an intimate image of a person who is under the age of 18, including an image of themselves.

Responding to incidents involving sexting/distribution of intimate images

All incidents involving sexting/distribution of intimate images should be responded to in line with the Child Protection and Behaviour Management Policies.

The following steps are to be undertaken when handling incidents:

- Incidents should be reported to the Deputy Principal as soon as possible
- The Principal will be informed by the Deputy Principal
- The students allegedly involved will be interviewed separately
- Parents/guardians will be informed unless there is a reasonable belief that informing the parents will put the student at significant risk of harm
- At any point during this process, if there is a child abuse concern, the Child Protection Policy must be followed.

Assessing the risk

If a student has shared an intimate image consensually, such as when in a relationship or as a joke, where there is no intended malice, it is appropriate for the College to manage the incident internally following the Student Management Policy. This would be deemed as severe misconduct.

Any incidents with aggravating factors or suspected malicious intent (for example, sharing intimate images without consent) should be referred to the Police.

When assessing the risks, the following should be considered:

1. Why was the imagery shared?
2. Was the student coerced or put under pressure to produce the imagery?
3. Has the imagery been shared beyond the intended recipient?
4. Was it shared without the consent of the student who produced the imagery?
5. Has the imagery been shared on social media/online?
6. If so, what steps have been taken to contain the spread of the imagery?
7. Are there any adults involved in the sharing of imagery?
8. Do the students involved have additional vulnerabilities?
9. How old are the students involved?
10. Did the student send the image to more than one person?
11. Does the student understand the possible implications of sharing the image?

The following provides guidance on understanding the assessment of risk:

1. Why was the imagery shared?

Students' motivations for sharing intimate images may include flirting, developing trust in a romantic relationship, seeking attention or as a joke. Though there are clearly risks when students share imagery consensually, students who have been pressured to share imagery are more likely to report negative consequences.

2. Was the student coerced or put under pressure to produce the imagery?

A referral to Police should be made to the Police if a student has been pressured or coerced into sharing an intimate image, or imagery is being shared without consent and malicious intent.

Consideration should also be given to a student's level of maturity and the impact of any special educational needs on their understanding of the situation.

In addition to being referred to the Police, the College will take disciplinary action against students who pressure or coerce others sharing sexual imagery (refer to the **Student Management Policy** and **Student Code of Conduct**).

3. Has the imagery been shared beyond the intended recipient?

The imagery may have been shared initially with consent to the intended recipient, yet then passed to others.

4. Was it shared without the consent of the student who produced the imagery?

It may have been shared further with malicious intent or the recipient may have not fully understood the potential consequences.

Consideration should also be given to a student's level of maturity and the impact of any special educational needs on their understanding of the situation.

The Police should be informed if there was a deliberate intent to cause harm by sharing imagery or if the imagery has been used to bully or blackmail a student.

5. Has the imagery been shared on social media or online?

If the imagery has been shared widely on social media or online, this could cause significant embarrassment for the student and have a long term impact on their online reputation. It could also increase the risk of them being bullied or contacted by strangers online.

6. If so, what steps have been taken to contain the spread of the imagery?

Follow website reporting procedures to attempt having the imagery taken down and where this is unsuccessful, report to the Office of the Children's eSafety Commissioner for their assistance in attempting to remove the content.

If the student is being contacted by people they do not know who have viewed the image, then the matter should be referred to the Police immediately.

7. Are there any adults involved in the sharing of imagery?

The Police should be contacted immediately as this is illegal.

8. Do the students involved have additional vulnerabilities?

Consideration should be given to whether a student's circumstances or background makes them additionally vulnerable. This could include being a child in care, having special educational needs, having a disability or having been a victim of abuse.

Where there are wider concerns about the care and welfare of a student, child protection protocols are to be followed.

9. How old are the students involved?

Children under 16 years of age are considered not to have the emotional maturity to consent to sexual activities and children 13 year or younger are considered incapable of consenting to sex. Any imagery containing sexual activity by children under the age of 16 will be referred to the Police.

Even though children aged 16 to 18 are over the age of consent, they are still considered a 'child' in terms of Mandatory reporting legislation.

Being older can give someone power in a relationship so if there is significant age differences, it may indicate the younger person was pressured to generate the image or share it.

Consideration should also be given to a student's level of maturity and the impact of any special educational needs on their understanding of the situation.

If you believe the imagery contains acts which you would not expect a young person of that age to engage in, then the incident will be referred to police.

10. Did the student send the image to more than one person?

If the student is sharing intimate imagery with multiple people, this may indicate there are other issues that the student needs support with. Consideration should be given to their motivations for sharing.

If you believe there are wider concerns for safeguarding the welfare of the student, the child protection protocols should be followed.

11. Does the student understand the possible implications of sharing the imagery?

Students may produce or share imagery without fully understanding the consequences of what they are doing. They may not, for example, understand how it may put them at risk or cause harm to another student. They may also not understand consent.

Exploring their understanding may help you plan appropriate responses, helping you assess, for example, whether they passed on an image with deliberate intent to harm.

Other questions to consider:

- What is the impact of the students involved?
- Does the student understand consent?
- Has the student taken part in this kind of activity before?

Useful resources

<https://www.getthefacts.health.wa.gov.au/keeping-safe/sexting>

<https://ww2.health.wa.gov.au/~media/Files/Corporate/general%20documents/Child%20protection/PDF/InfoSheet16-Sexting-adolescents-and-the-law.pdf>

https://department.justice.wa.gov.au/l/intimate-images-law_print.aspx

<https://www.esafety.gov.au/>

MANAGING STUDENTS ENGAGING IN RISK TAKING BEHAVIOURS

Teachers have a duty of care to the welfare of all students, under the age of 18 years. Should a teacher become aware of risk taking behaviours (for example experimenting with drugs, drinking of alcohol, self-harm etc) that the student is engaging in outside of school hours, teachers should report this to the Year Coordinator or the Deputy Principal.

The Deputy Principal should then contact the parents of the College to inform them of the concern.

If a concern is raised in consultation with a Chaplain or a pastoral care specialist, the parents should be informed of the concern.

All further communication is then is guided by the parents. Should the College need to be involved in the management of this concern (as a result of continued care for the student), then the parents, the College and other medical or pastoral care professionals (e.g: psychologists) will develop a care plan to implement the required supports for the ongoing care of the student.

OTHER POLICIES REFERRED TO IN THIS DOCUMENT

Mandatory Reporting Policy
Student Management Policy
Student Code of Conduct
Critical Incident Policy
Occupational Health and Safety Policy
Computer and Internet Conditions of Use