

SCOTCH COLLEGE



CHILD PROTECTION

EFFECTIVE

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1 POLICY

Everyone working in a school is responsible for the care and protection of the children and reporting information about child maltreatment concerns such as neglect or physical, sexual and emotional maltreatment.

1.1 PRINCIPLES

This policy is based on sound principles that:

- in all actions concerning children, the best interests of the child shall be a primary consideration (United Nations Convention on the Rights of the Child, Article 3, 1990); and
- in all Western Australian schools, safe and secure learning environments are to be provided for all children.

1.2 DEFINITIONS

1.2.1 CHILD PROTECTION CONCERN

A child protection concern may arise from any action or inaction which is inconsistent with the care and protection of a child. This may include physical, emotional or sexual abuse or neglect of a child. It may involve repeated or persistent maltreatment, or it may arise from a single incident. It may be observed evidence of risk or indicators, reports of maltreatment by a person without parental responsibility for the child and/or a disclosure of information provided directly by a child or parent/carer that describes or alleges maltreatment.

1.2.2 MALTREATMENT

Maltreatment refers to when a child or young person has been subjected to physical, sexual, emotional or psychological abuse and/or neglect, the severity and/or persistence of which has resulted in or is likely to result in significant harm. (Statutory Child Protection, Department for Community Development, 2004, p 3).

It is possible for a child to be maltreated by a parent/carer, another adult person or another child who may or may not be older.

1.2.3 STAFF

Staff are defined as persons employed by Scotch College.

Other persons who are authorised by the school to work with children in schools must conform to Scotch College policy.

2 RELEVANT LEGISLATION OR AUTHORITY

2.1 RELEVANT GOVERNMENT LEGISLATION

This policy, procedures and guidelines are consistent with relevant sections of the following legislation:

Child Welfare Act 1947
Children and Community Services Act 2004
Community Services Act 1972
Corruption and Crime Commission Act 2003
Criminal Code Act 1913
Disability Discrimination Act 1992
Equal Opportunity Act 1984
Public Sector Management Act 1994
School Education Act 1999

3 PROCEDURES

3.1 REPORTING CHILD MALTREATMENT

Everyone working in a school needs to be able to recognise the risk factors and indicators of child maltreatment (refer to Appendix A) to identify children who may be at risk and communicate these to the Headmaster, either verbally or in writing. The Headmaster must report the concerns as appropriate to the Department for Community Development (DCD) or the Western Australian Police Service (police).

If the concern relates to the conduct of a person other than a school employee, the Headmaster must report the concern to DCD. In addition if the concern relates to possible criminal conduct, the matter must be reported to the police.

If the concern relates to the conduct of a school employee the Headmaster must report the matter to DCD and CMU.

If the concern relates to the conduct of the Headmaster, it must be reported to the Chairman of the School Council who assumes the actions and responsibilities of the Headmaster as described in these procedures.

Student disclosures must be responded to appropriately by staff and the child supported. If a disclosure from a student is ignored or dismissed the student continues to be placed at risk.

Written records of all concerns of maltreatment and disclosures that form the basis of a maltreatment report must be securely stored by the Headmaster. This information must be provided to DCD and the police upon request.

The role of school staff is not investigative in matters of child maltreatment. Staff must report concerns to the Headmaster. Staff may seek advice from professional colleagues to clarify concerns and determine ongoing support for a child. Such consultation must be documented. Following consultation the staff member is obligated to make a formal report to DCD, in the case of suspected sexual abuse.

3.2 CONFIDENTIALITY

While staff should be conscious of the requirements for confidentiality they should not provide undertakings which are inconsistent with their reporting obligations under this policy. Staff must communicate concerns of child maltreatment to the Headmaster. To the extent possible children should be informed of the obligations of reporting in this policy. Whenever possible the most likely responses to these actions should also be described.

Where there is suspected or alleged maltreatment or misconduct, staff may not disclose or make use of the information in a manner that breaches confidentiality under Section 242 of the School Education Act 1999.

3.3 RECORD KEEPING

Staff must document concerns about child maltreatment and provide these to the Headmaster for safekeeping. The record should be factual about observable events and not an opinion, and should include the dates and times of observations or disclosures with exact or as close to exact wording of statements made by a child.

The Headmaster must maintain written records of all communication with DCD or the police and subsequent actions.

4 RESPONSIBILITIES

Everyone working at Scotch must ensure that they:

- have the appropriate professional knowledge and understandings of child maltreatment through completion of the Department's Child Protection Professional Learning Program;
- understand their responsibilities according to the Department's Child Protection policy and procedures;
- understand their obligations according to the School Education Act 1999 and all other relevant legislation relating to the care and protection of children during all school activities; and
- provide the necessary documentation to show that they are fit and proper persons to work with children.

4.1 HEADMASTER

The Headmaster must:

- ensure that everyone working in the school provides the necessary documentation required by the Department to show that they are fit and proper persons to work with children (e.g. Police Records, National Check of Employment);
- implement the Department's Child Protection policy and procedures appropriately;
- liaise with DCD and/or the police to ensure the best outcome for a child who has been maltreated and plan for the child's continuing needs in the school environment;
- maintain written records of all communication with DCD and/or the police and the subsequent actions. This record may be required at a later time if the matter is actioned by DCD or the police.

APPENDIX A INDICATORS OF CHILD MALTREATMENT

TYPES OF MALTREATMENT

Children who are in need of care and protection may show indicators of harm and maltreatment in their school environment. There are generally considered to be four types of harm and maltreatment. The following descriptions may assist staff who are concerned about a child in their care:

- Emotional maltreatment is defined as psychologically or emotionally abusive behaviour which profoundly damages a child's confidence and self esteem resulting in sustained emotional harm, emotional deprivation or trauma, disturbed behaviour or the impairment of development.
- Neglect is defined as the failure to provide the basic physical and emotional conditions that are essential for healthy development. It includes a child not receiving food, shelter, medical attention or supervision to such an extent that development is likely to be significantly impaired or injury may occur.
- Physical maltreatment is defined as persistent and/or severe assault, non-accidental injury or physical harm of a child and includes the deliberate deprivation of a child's basic needs.
- Sexual maltreatment is defined as exposing or subjecting a child to sexual activity, behaviour or threat that is inappropriate to the developmental level or age of the child and/or is an illegal activity.

VULNERABILITY

Psychological stress and mental illness, substance abuse, cruelty, disability and domestic violence within families are strongly associated with child maltreatment. Children in these situations may be more vulnerable to maltreatment due to:

- significant family stress or violence;
- limited communication skills;
- different family or cultural values from mainstream societal values;
- physically and/or emotionally less able to protect themselves;
- unable to understand inappropriate sexual behaviour or maltreatment risk actors;
- maybe greater dependence on parents/carers for basic self-help needs; or
- maybe more compliant or adult centred.

INDICATORS

Any of these indicators may suggest that a child is in need of care and protection or being maltreated. The following list of indicators is not exhaustive, nor are the examples listed necessarily exclusive to a single type of maltreatment. Indicators should be considered in the context of the child's age, capabilities, medical and developmental history.

	INDICATORS	
EMOTIONAL MALTREATMENT	depression eating disorders (anorexia or bulimia) lethargy or fatigue symptoms of stress evidence of drug abuse or dependence wetting, soiling, smearing psychosomatic complaints aggressive or delinquent behaviour	attempted suicide excessively compliant or passive behaviour excessive shyness or withdrawal 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
NEGLECT	abandonment poor hygiene lack of adequate or suitable clothing inadequate nutrition lack of medical or dental care constant fatigue development delays untreated sore, boils or lice lack of adequate supervision engages in sexual misconduct uses drugs or alcohol	falling asleep in school poor school attendance or alternatively always attends school, even when sick poor academic performance steals or begs for food or eats food from bins dull, apathetic appearance engages in vandalism early arrival at school or reluctant to leave disclosure directly to an adult or indirectly to a friend or adult
PHYSICAL MALTREATMENT	bruises burns hair missing in tufts lacerations and abrasions (especially to the eyes, lips, gums and mouth)	missing or loosened teeth self-mutilation welts disclosure of abuse directly to an adult or indirectly to a friend or an adult disclosure directly to an adult or indirectly to a friend or adult
SEXUAL MALTREATMENT	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 genital area urinary tract infections 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	inappropriate interest in sexual matters inappropriate sexual behaviour such as public disrobing or public masturbation regression to infantile behaviour excessive attention getting, aggression or clingy behaviour recurrent physical complaints or self- mutilation depression, withdrawal into fantasy, excessive masturbation or suicidal pre- occupation disclosure directly to an adult or indirectly to a friend or adult

Table 1: Indicators

APPENDIX B HOW DO I RESPOND TO A CHILD WHO DISCLOSES SEXUAL ABUSE?

The most important and immediate things you can do are:

- Always believe the child.
- Reassure the child that telling you was the right thing to do.
- Maintain a calm appearance.
- Find a quiet place to talk.

BE TRUTHFUL

Children and young people sometimes fear repercussions for themselves or siblings, or consequences for parents or other family members. Because of this, a child might ask an adult to promise secrecy before disclosing. Such a promise should not be made. The mandatory reporter can reassure the child and encourage them to speak out about the abuse.

LET THE CHILD OR YOUNG PERSON TAKE THEIR TIME

It is important the child or young person does not feel rushed or panicked and that you have plenty of time to calm and reassure them. Be a supportive listener, however, remember, it is not a counselling session.

LET THE CHILD OR YOUNG PERSON USE THEIR OWN WORDS

Children and young people have their own way of describing their experiences. It is important not to ask questions that suggest the 'right' words to a child or young person, or in a way that can be seen as putting words in the child's mouth. The investigation of the disclosure should only be done by professional child protection workers or the Western Australia Police.

LET THE CHILD OR YOUNG PERSON KNOW WHAT YOU WILL DO NEXT

Child abuse often leaves children feeling disempowered and lacking control in their own life. Making sure the child or young person is fully aware of each step can make the process less intimidating and can help return a sense of power and safety.

DO NOT CONFRONT THE PERSON BELIEVED TO BE AN ABUSER

Do not confront the person believed to be abusing the child or young person. Confrontation has the potential to place the child, the mandatory reporter or others at risk. Professional child protection workers or the Western Australia Police will take any necessary action.

MAKE THE CALL

Due to the seriousness of child sexual abuse, a verbal report is the preferred method of reporting in the first instance. A written report must follow a verbal report as soon as practicable, preferably within 24 hours.