



# Perth Waldorf School

Child Protection Policy  
V7.01

CHILD PROTECTION POLICY	
Date first approved:	9 December 2016
Date of effect/ approved by Council	9 December 2016
Date last amended:	
Date of next review:	Annual evaluation and review before induction 9 December 2022 (or when required by legislation)
Compliance interactions:	Department of Education requirement for Child Protection Policy
Area	ALL
Delegated Policy Owner (Custodian)	School Administrator
Priority	1
Procedures and forms:	Flowcharts at appendix 1 and appendix 2 Department of Communities Mandatory Reporting Service Forms Complaint and Grievance Handling
Supporting documents:	PWS Code of Conduct PWS Teacher's Handbook Mandatory reporting flowchart Training materials Induction materials for new staff
PWS Website:	No
Links:	Child Safe Organisation Self-Assessment Tool Childsafe online training <a href="https://childsafe.kineoport.com.au/">https://childsafe.kineoport.com.au/</a> AISWA policy website Australian <a href="https://aifs.gov.au/cfca/publications/what-child-abuse-and-neglect">Human Rights Commission Child Safe Organisation Tools and Resources</a> <a href="https://aifs.gov.au/cfca/publications/what-child-abuse-and-neglect">https://aifs.gov.au/cfca/publications/what-child-abuse-and-neglect</a> <a href="https://www.dcp.wa.gov.au/ChildProtection/.../IdentifyingAndRespondingToChildAbuse...">https://www.dcp.wa.gov.au/ChildProtection/.../IdentifyingAndRespondingToChildAbuse...</a>
Legislation:	Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008 Children and Community Services Act 2004 Working With Children (Criminal Record Checking) Act 2004 Criminal Code Act (1913) Criminal Code Amendment (Cyber Predators) Act 2006 ( changes to s204B of the Criminal Code Act Children's Online Privacy Protection Act
Circulation:	Faculty Co-ordinators Summary to Parents via newsletters and web links      AISWA 13 All staff (induction, handbook, intranet)
Feedback:	fdavidson@pws.wa.edu.au
Review/stakeholders:	Policy sub-committee

## 1. Definitions

**The Act:** Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2004 Amendment 2008

**Carer:** Any adult person, not being a parent, who is responsible for the child (The Act, Division 2, Section 16 (II))

**Child:** A person under, or apparently under, 18 years of age. The School also has duty of care for its students over 18. In these instances, police should be informed of any assault or crime against the young person.

**The Department:** The Government of Western Australia Department of Communities, Child Protection and Family Support is the government department with the statutory authority to investigate child protection concerns in Western Australia.

**Employee/worker:** contractor, volunteer or staff of the school whether employed or visiting on a permanent, temporary or casual basis.

**Grooming:** Occurs when communication or conduct is linked to the intention of facilitating the involvement of a child in sexual behaviour with an adult. It can include, but is not limited to, developing special relationships with a child; favouring or giving gifts to a child or young person; inappropriate interactions with children either in person or via forms of media and electronic devices; asking a child or young person to keep a secret of any aspect of their relationship; and testing of, or ignoring, professional boundaries or rules.

**Cyber- Predator:** Grooming is how online predators manipulate children into meeting in real life with their sole goal of having sex with them.

**Sexual abuse:** 'Sexual abuse' in relation to a child, includes sexual behaviour in circumstances where:

- (a) The child is the subject of bribery, coercion, a threat, exploitation or violence; or
- (b) The child has less power than another person involved in the behaviour; or
- (c) There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.
- (d) 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.

It is not the intention of this definition to capture consensual sexual activity between teenage couples.

**Sexual abuse indicators:** Some possible indicators might include when a child.

- displays sexualised behaviours inappropriate to age
- states knowledge of sexual behaviour inappropriate to their age.
- exhibits drawings, play or writing that describes sexual abuse.
- Presents with physical pain, bleeding or infection indicating sexual activity.

**Teacher:** A person who is registered under the Teacher Registration Act 2012; or provides instruction in a course mentioned in the School Education Act 1999 section 11B; or who instructs or supervises a student who is participating in an activity that is part of an educational programme of a school under an arrangement mentioned in the School Education Act 1999 section 24(1).

In this PWS policy, the term **Teacher** includes any person nominated at s124A of the Act - doctor, nurse, midwife, police officer, and boarding supervisor.

**Other forms of abuse/Maltreatment:** Child maltreatment refers to any non-accidental behaviour by adults or children that is outside the norms of conduct and entails a substantial risk of harm to a child or young person. The behaviours may be intentional or unintentional and include physical, emotional or psychological abuse and/or neglect. Grooming and cyber preying behaviour can constitute abuse.

**WWCC:** Working with Children Check

**MRS:** Mandatory Reporting Service **Doctor, nurse, midwife, teacher, police officer** or **boarding supervisor** can lodge a verbal mandatory report by telephone **1800 708 704**.

However, by law, a written report must also be lodged see

<http://mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>.

## 2. POLICY STATEMENT

All children have the right to be protected from harm. The Perth Waldorf School recognises and is committed to its duty of care and obligation to ensure that children under the care and supervision of the School are safe and protected from harm. The School Administrator, all teaching and non-teaching staff and volunteers and everyone employed by the Perth Waldorf School have a responsibility for the care, safety and protection of all students and for reporting information about child abuse.

## 3. SCOPE

The Child Protection Policy applies to all contractors, volunteers and employees of the school whether employed or visiting on a permanent, temporary or casual basis.

Parents of the school community will be informed of the content of the child protection policy and procedures.

This policy should be read in conjunction with the Act and instructions from the Department.

## 4. PURPOSE

The Department of Education and the WA State Government requires all Schools to have a Child Protection Policy and to support the requirements of the Act for mandatory reporting by teachers and schools of child sexual abuse. The purpose of the policy is to:

- promote a culture of child safety and prevent child abuse within the School;
- ensure that all parties are aware of their responsibilities for preventing and reporting child abuse.
- detail the timely action that should be taken when an employee suspects or has concerns regarding the possible sexual, (flowchart Appendix A) physical, psychological and emotional abuse, neglect or grooming of a child (flowchart Appendix B).

## 5. PRINCIPLES

All children have the right to protection from abuse and to feel safe and be safe at school.

The best interests of the child are paramount.

Child protection is a shared responsibility.

Students may disclose abuse to a teacher, or other employees and expect to be believed, understood and supported.

Students should not have to, or be expected to, disclose abuse to multiple parties.

The School is committed to providing :

- support for children and teachers in the mandatory reporting of child sexual abuse;
- accessible procedures for the reporting of other forms of child abuse;
- regular staff professional development and capacity building in the identification and reporting of child abuse.
- cultural safety for children from culturally and/or linguistically diverse backgrounds;
- a safe environment for students living with disability;
- procedures which address safety and other relevant issues facing children; and to
- the promotion of safety, health and wellbeing of children and young people.

## **6. STAFF, SCREENING, TRAINING AND SUPERVISION**

All school employees, and volunteers who are not parents, whose duties involve contact with children must have a WWCC as a condition of appointment and ongoing employment at the school.

Volunteers on overnight excursions must have a WWCC. Volunteers must be appropriately supervised by the staff member who is responsible for duty of care of the students.

The School Administrator will organise staff training sessions on Child Protection and teacher and staff obligations under the Act.

## **7. SCHOOL CURRICULUM**

The Administrator in collaboration with the faculty is responsible for ensuring Protective Behaviours Programs and Child Protection Professional Development sessions are part of the curriculum.

The PWS curriculum will cover a comprehensive, realistic and age-appropriate personal safety component enabling students to recognise and report abuse, understand power in relationships, and develop protective strategies, including seeking help.

Child friendly information will be made available to students through visual materials made available throughout the school and dissemination of age appropriate information.

## **8. MANDATORY REPORTING OF CHILD SEXUAL ABUSE**

The notification steps for child sexual abuse differ from the steps used to notify other forms of child abuse.

The Act makes mandatory, reporting by teachers directly to the Mandatory Reporting Service, Department of Communities, as soon as the teacher forms a belief, based on reasonable ground, that child sexual abuse has occurred or is occurring.

Mandatory reporters must use their professional judgement and objective observation to form a belief on reasonable grounds of child sexual abuse. Reasonable grounds may include disclosures, noting the presence of indicators, injuries, signs, symptoms and behaviours that heighten concerns that sexual abuse has occurred or is occurring.

In the independent school sector, Teachers are required to make the report of sexual abuse directly to the Mandatory Reporting Service, not the School Administrator despite any

reporting structures, internal organisational policies, and professional codes of conduct or confidentiality requirements which would normally apply.

While the School Administrator may be involved in the discussion, the Teacher is responsible for completing and submitting the report to the Mandatory Reporting Service.

Teachers working outside of the school grounds are also required to report when working in either a paid or unpaid capacity.

## **9. NOT MANDATED REPORTERS**

Teacher assistants, school chaplains and school psychologists are examples of people who work with children in schools that are not mandated reporters. However, all people working with children, whether mandatory reporters or not, should continue to report reasonable beliefs about all forms of abuse to the School Administrator. These people can be included in the consultative process with the teacher in the case of sexual abuse.

Everyone making a report about a child is provided with the same level of protection regardless of whether reporting is mandatory or not.

## **10. REPORTING OTHER FORMS OF CHILD ABUSE or MALTREATMENT**

The notification steps for child sexual abuse differ from the steps used to notify other forms of child abuse.

Reporting other forms of child abuse to the Department is not mandatory. However, the School Administrator has responsibility for ensuring that PWS has procedures and maintains its duty of care, child safety obligations and moral responsibility in cases of suspected child abuse.

Everyone making a report about a child is provided with the same level of protection regardless of whether the report is about sexual abuse or any other form of abuse.

All disclosures or strong concerns of abuse or neglect should be reported to the Department by the School Administrator. It is the Department's responsibility, not the school's role, to investigate child maltreatment issues, including concerns of sexual abuse.

## **11. CONFIDENTIALITY**

There may be cases where disclosing identifying information is necessary to protect a child or is unavoidable. The legislation has made allowances for these cases.

The School Administrator and other relevant staff may be involved in discussions with the teacher in relation to a specific child.

The school has an obligation to inform relevant agencies when the welfare or safety of any student is threatened and thus cannot agree to demands of confidentiality by the child.

The identity of the reporter is required to be kept confidential and can be disclosed in only limited circumstances.

The School Administrator should seek undertakings from the Department that they will be kept informed within the bounds of confidentiality.

The School Administrator should undertake ongoing support for the teacher, the student and anyone else affected.

## **12. FAMILY NOTIFICATION**

The School Administrator or teacher must seek advice from the Department or Police prior to informing the parent/carer of a concern of abuse or neglect.

All strong concerns for the welfare of children believed maltreated by parents/caregivers are discussed with the Department or the Police Child Abuse Investigation Unit before advising parents/caregivers.

If following a report, a family approaches the school, it is recommended that any interview be conducted with a minimum of 2 school members present (e.g. the Administrator and one other) to provide support.

It is important to remember that the focus of the meeting should be the welfare of the child.

## **13. RECORD KEEPING**

The teacher and the school have obligations to keep secure and confidential any notes and reports about individual students.

The Act places obligations upon the teacher personally, it is recommended that the teacher:

- (a) Keep a copy of the report and any notes the teacher provides to the Department;
- (b) Keep a record of receipt by the Department of the report (as evidence that the report was made to the Department);
- (c) Keep a copy of the report and any notes the teacher provides to the school;
- (d) Should retain copies of any notes, the report and the receipt of the report by the Department, when the teacher leaves the school.

The School Administrator should report all disclosures or strong concerns to the DCP of abuse or neglect arising from the actions or inactions of parents/caregivers and maintain a written record of this communication and subsequent actions.

## **14. ALLEGATIONS OF STAFF SEXUAL MISCONDUCT**

Physical and/or sexual abuse of a child is a crime and authorities will be notified when there are reasonable grounds for reporting abuse.

Allegations may be about alleged conduct that happened before the employee commenced work at the school.

The School is committed to acting on concerns appropriately, fairly, and in a timely manner. The PWS Grievance and Complaint Policy provides information about lodging complaints and/or allegations of misconduct against a staff member.

The School Administrator will receive complaints, or, if the complaint is about the School Administrator, the Chair of School Council. The informed person becomes the Authorised Supervisor. It is the role of the Authorised Supervisor to:

- Seek advice/information from AISWA (as an independent source) about the process for investigating allegations.

- Protect the rights and maintain the confidentiality and identity of the person who is the subject of the allegations, as far as possible, given the considerations relating to any care and protection intervention.
- Once an allegation or conviction has been made to assess any immediate care and protection issues and remove or minimise any risk to children and take all reasonable steps to prevent any foreseeable abuse.

It is not appropriate for the School to decide whether abuse has taken place or not. Allegations of child sexual abuse cannot be resolved in house. Allegations made against a teacher will not be investigated or resolved without external/independent assistance.

Where the Administrator forms the opinion that an employee's conduct or action constitutes misconduct or serious misconduct as per the relevant Award, a range of measures, including counselling, formal warnings, ongoing review, demotion, dismissal or termination, or summary dismissal may result.

## **15.PROCEDURES FOR HANDLING CONVICTIONS or CHARGES OF CHILD ABUSE AGAINST EMPLOYEES**

Any allegation of, or information regarding, a conviction for child abuse against an employee is to be made directly to the School Administrator, or in the event that the allegation involves the School Administrator to the Chair of School Council.

Any allegation of or information regarding a conviction for child abuse against the School Administrator is to be made directly to the Chair of the School Council.

An employee should advise the employer of the nature of the charge and the date of the first court appearance. On receipt of that information, the School Administrator is required to make a judgment about whether or not to suspend from duty or dismiss the employee.

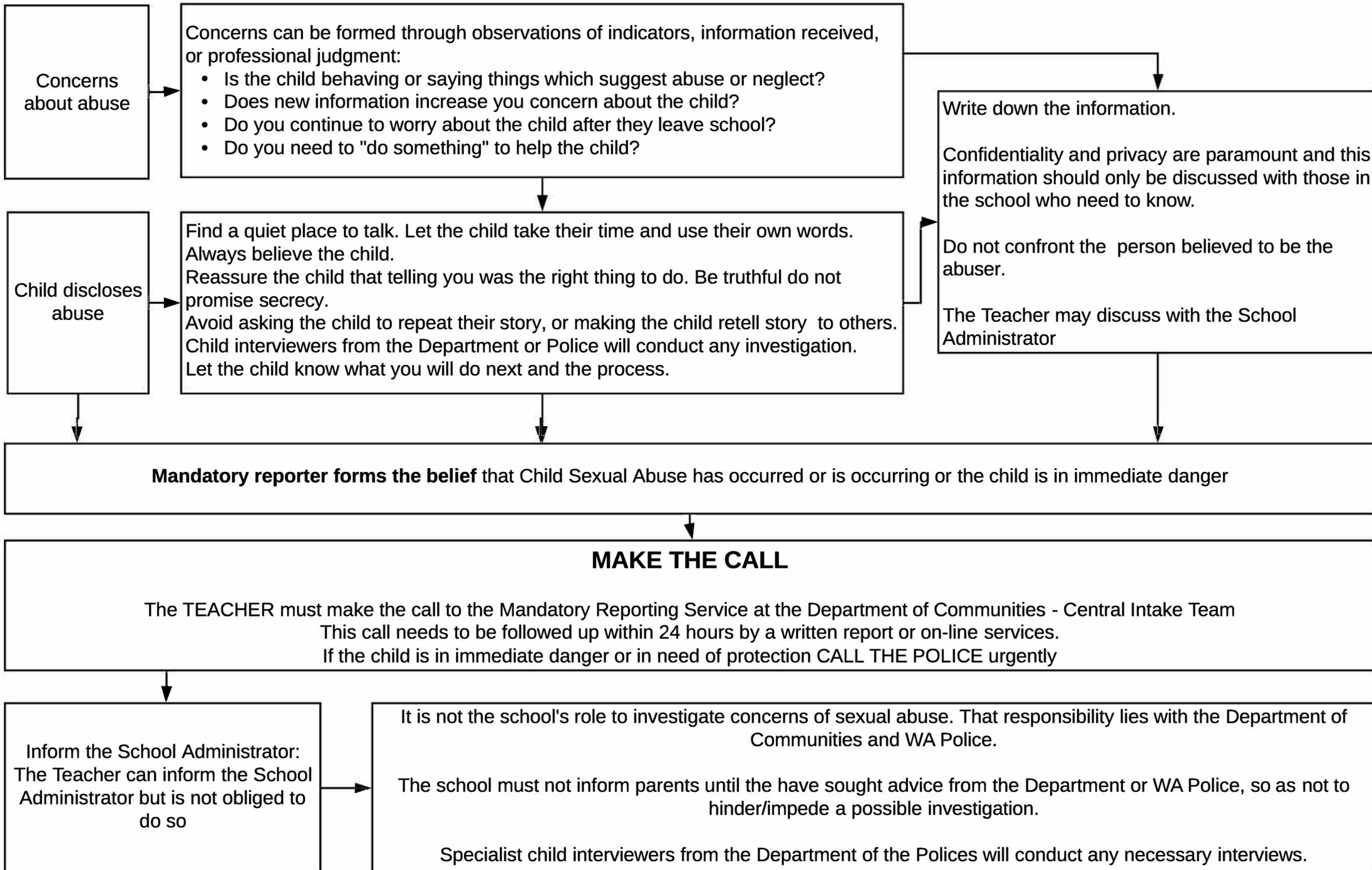
Where an employee is suspended, with or without pay, it is appropriate to undertake a periodic review of the situation to determine whether events have occurred which may lead the School Administrator to vary the original decision in relation to suspension.

In the event of an employee being acquitted by a court, responsibility lies with the employer to examine the situation thoroughly and to determine whether it is appropriate in the circumstances for the employee to resume his/her normal duties.

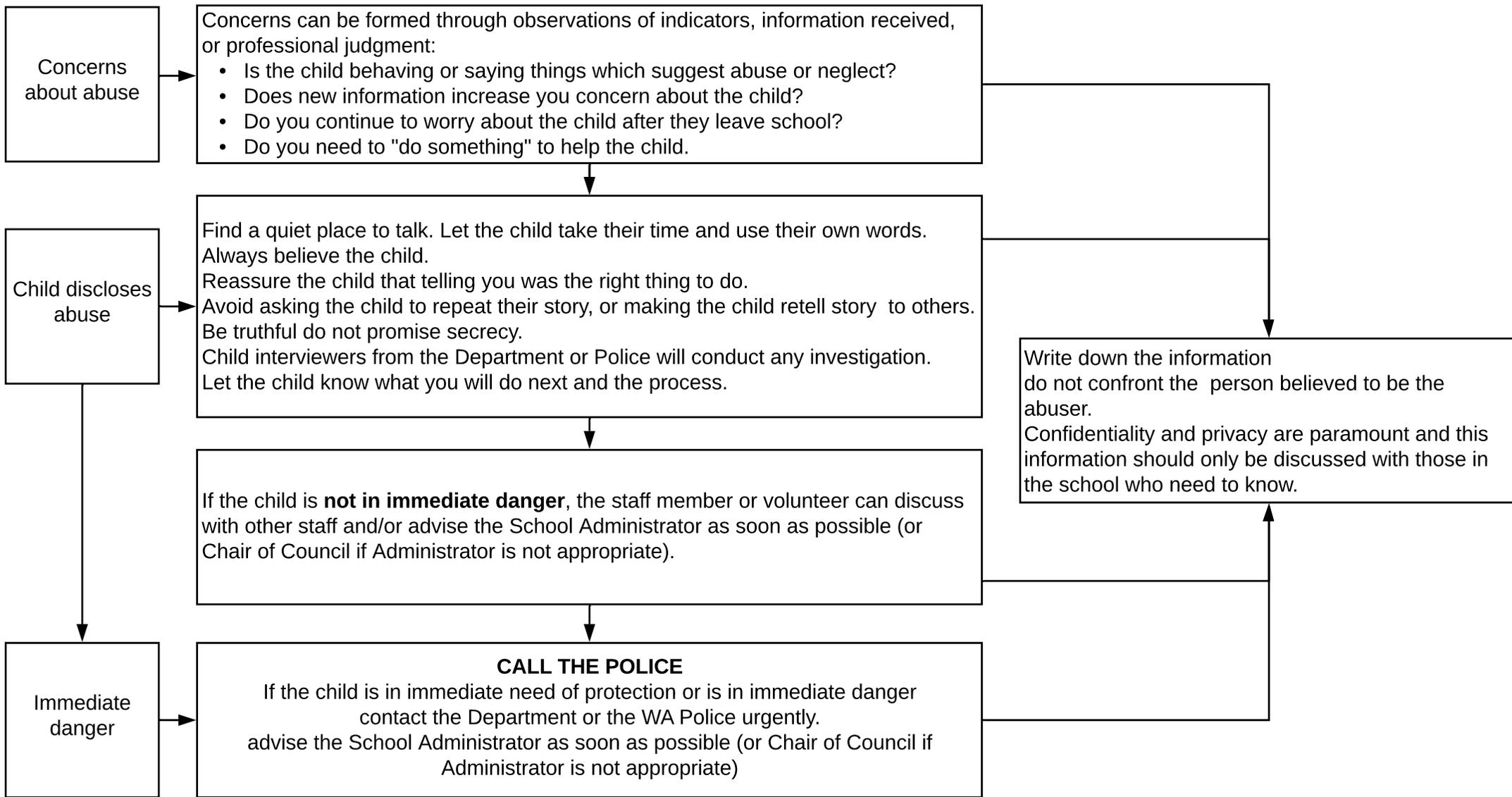
The School Administrator is entitled to conclude that an employee is a fit and proper person to perform their duties or may conclude that the employee's services should be terminated or that the employee should not be reinstated (notwithstanding his/her acquittal).

In such a situation, prior to taking action to terminate or not reinstate an employee, the School Administrator will consult with the Chair of School Council.

# Child Sexual Abuse (CSA) Mandatory Reporters



Appendix B Child Sexual Abuse Non Mandatory Reporters and Child Abuse or Maltreatment Flowchart For All Staff and Volunteers



It is not the school's role to investigate concerns of sexual abuse. That responsibility lies with the Department of Communities and WA Police. The school must not inform parents until they have sought advice from the Department or WA Police, so as not to hinder/impede a possible investigation. Specialist child interviewers from the Department of the Polices will conduct any necessary interviews.

## Helpful Information

If you are a doctor, nurse, midwife, teacher, police officer or boarding supervisor you can lodge a verbal mandatory report by calling the Department of Communities - Child Protection and Family Support's Mandatory Reporting Service on free call 1800 708 704. Available 24 hours a day, seven days a week.

However, by law, you must also lodge a written report. Please provide as much information as possible, because this will assist with the assessment of the child's safety.

You can lodge a written mandatory report here using the Department's secure Mandatory Reporting Web System

(MRWeb). [https://mrweb.dcp.wa.gov.au/psc/mrweb/EMPLOYEE/CRM/c/MRIS2.AS\\_MRIS2.GBL?Page=AS\\_MRWEBFRONT\\_PG&Action=A&](https://mrweb.dcp.wa.gov.au/psc/mrweb/EMPLOYEE/CRM/c/MRIS2.AS_MRIS2.GBL?Page=AS_MRWEBFRONT_PG&Action=A&)

Alternatively, you can complete the *Mandatory Report Form*, which is available in PDF (click here) format. <http://mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>

Print the form for completion, and send it to the Mandatory Reporting Service via fax or post.

Fax: 9223 1190

Email [mrs@dcp.wa.gov.au](mailto:mrs@dcp.wa.gov.au)

Post: PO Box 8146  
PERTH BC WA 6849

If the matter is urgent or the safety, health or welfare of a child is at risk then the emergency 000 number must be called.

Anyone who is concerned that a child is suffering any form of abuse or neglect within the Metro area should report their concerns to the Department through the Central Intake Team on 1800 273 889 or email [CPDUTY@cpfs.wa.gov.au](mailto:CPDUTY@cpfs.wa.gov.au).

Anyone who is concerned that a child is suffering any form of abuse or neglect within the Country area should report their concerns to the Department through a local District Office.

For child protection enquiries not related to mandatory reporting of child sexual abuse, please contact your local Child Protection and Family Support District Office.

If you are a child or adult who has been the victim of child abuse or paedophilia, or if you have information about someone else being abused, you should contact police on 131 444.

You can also report child abuse by calling Crime Stoppers on 1800 333 000 or to your local police station who will advise the Child Abuse Squad.