



CHILD PROTECTION POLICY AND GUIDELINES

RATIONALE

In the spirit of the Gospel and in accordance with the values that Loreto schools place on the pastoral care of students, Loreto Normanhurst is committed to safeguarding the security and total wellbeing of its students. Loreto Normanhurst believes that children have the right to develop physically, mentally, spiritually and socially in a safe environment free from any form of abuse. Their welfare and interests are to be given paramount consideration.

Employees (you) and the School have a range of different obligations relating to the safety, protection and welfare of our students including:

- a) a duty of care to ensure that reasonable steps are taken to prevent harm to students;
- b) obligations under child protection legislation; and
- c) obligations under work health and safety legislation.

The purpose of this Policy is to summarise the obligations imposed by Child Protection legislation on the School and on employees, contractors and volunteers at Loreto Normanhurst and to provide guidelines as to how the School will deal with certain matters.

Child protection is the responsibility of all employees of Loreto Normanhurst.

Children and young people need the protection of the adults charged with their care. Children and young people may, at times, need protection from:

- Themselves; periods of anxiety and depression may lead to self-harm, eating and sleep disorders, risky behaviours and behaviour problems. The Pastoral Care system at Loreto Normanhurst has the structures, processes and expertise to manage this.
- Another student; the Anti-bullying Policy outlines our response to such events.
- Members of their family or other adults; Community Services and the Police are contacted
- Members of Staff at Loreto Normanhurst; the Child Protection Policy addresses the obligation and the actions of the school.

POLICY

Each member of staff has a responsibility to report risk-of-harm concerns about children and young people, within their roles, and to provide support to children and young people. This policy applies to all employees including paid, unpaid and volunteers.

Loreto Normanhurst supports the role of Community Services (CS) in the investigation of risk of harm and neglect and will report harm and risk of harm to that agency.

Loreto Normanhurst supports the Office of the Ombudsman in its role of overseeing how organisations manage and investigate allegations of reportable conduct against an employee. Loreto Normanhurst will report allegations of reportable conduct to the Ombudsman and the Office of the Children's Guardian (OCG) within 30 days and initiate appropriate action as required by legislation.

Loreto Normanhurst believes that the value of the family unit is respected but not to the detriment of the wellbeing of the child.

Loreto Normanhurst will ensure this Policy and Guidelines are readily accessible to all employees and are incorporated into the initial child protection training provided at induction and annual child protection updates for all employees.

If a member of staff misses the annual Child Protection presentation, the HR Manager will provide these names to the Director of Pastoral Care who will schedule a meeting with these people to present this update.

New staff to the Loreto Normanhurst who miss the annual Child Protection presentation, will meet with the Director of Pastoral Care to discuss the Child Protection Policy and school expectations including the Staff Code of Conduct.

Loreto Normanhurst is also committed to ensuring that employees are able to perform their duties with confidence, and that they are appropriately protected from false or injurious allegations against their conduct.

Members of the Leadership, Administration and Boarding Teams will undertake accredited Child Protection training. All investigations of alleged reportable conduct against a member of staff will be conducted by accredited Child Protection investigators.

Legislation

There are three key pieces of child protection legislation in New South Wales:

- a) the *Children and Young Persons (Care and Protection) Act 1998* (NSW) (**Care and Protection Act**);
- b) the *Child Protection (Working With Children) Act 2012* (NSW) (the **WWC Act**); and
- c) the *Ombudsman Act 1974* (NSW) (the **Ombudsman Act**).

These will be explained later in this document or follow this link: [Child Protection Legislation](#)

Your obligations to report

While we set out below circumstances in which the legislation requires reporting of particular child protection issues, the School requires you to report any concern you may have about the safety, welfare or wellbeing of a child or young person to *the Principal*. The Principal, or her delegate, will use the [Mandatory Reporter Guide](#) (MRG) to decide if a report to Community Services (CS) is needed.

If the allegation involves the *Principal*, you are required to report to the *Chair of the School Council*.

This obligation is part of the School's overall commitment to the safety, welfare and well-being of children.

All teachers are mandatory reporters. Mandatory reporting is the responsibility of all employees at Loreto Normanhurst. Any staff member who becomes aware of a student at risk of harm from another staff member must report their concerns to the Principal.

However, if there is an immediate danger to the child or young person and the Principal or next most senior member of staff is not contactable you should speak to the Police and/or the Child Protection Helpline directly on 133627 and then advise the Principal or next most senior member of staff at the School as soon as possible.

You are not required to, and must not, undertake any investigation of the matter yourself.

You are not to inform the parents or caregivers that a report to Community Services has been made. You are required to deal with the matter confidentially and only disclose it to the persons referred to above. Failure to maintain confidentiality will not only be a breach of this policy, but could expose you to potential civil proceedings for defamation.

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DEFINITIONS

Risk of Significant Harm

What is meant by 'significant' in the phrase 'to a significant extent' is that which is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or well-being.

Significance can result from a single act or omission or an accumulation of these.

Reporting risk of harm is defined as reporting to the Principal or to CS any circumstance where a child is at current or anticipated risk of harm. The focus is on the risk or possibility of harm occurring to the child as well as any harm that has actually occurred. Risk of harm may be applied to an individual child or a class of children.

Reportable Conduct

Reportable conduct means:

- Any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including child pornography), or
- Any assault, ill-treatment or neglect of a child, or
- Any behaviour that causes psychological harm to a child.

Whether or not, in any case, with the consent of the child, Reportable Conduct does not extend to:

- 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
- The use of physical force that, in all the circumstances, is trivial or negligible, but only in the matter is to be investigated and result of the investigation recorded under workplace employment procedures, or
- Conduct of a class or kind exempted from being reportable conduct by the Ombudsman (as indicated under section 25CA of the Amendment of the Ombudsman Act 1974).

Allegations

An allegation may be an allegation of reportable conduct against a person or an allegation of misconduct that may lead to reportable conduct. An allegation must fit the description in the legislation. Some exemptions, in a limited number of cases, may apply.

Employee

An employee is:

- anyone employed by Loreto Normanhurst who receives a group certificate for taxation purposes, whether or not their position requires them to work with children;
- anyone engaged by Loreto Normanhurst to provide services to children, including: contractors; sub-contractors; foster carers; volunteers; work experience participants, student placements eg: Prac students; Ministers of Religion

Head of Agency at Loreto Normanhurst is the Principal in relation to child protection.

Reasonable grounds

'Reasonable grounds' refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm, based on:

- a) first hand observations of the child, young person or family
- b) what the child, young person, parent or another person has disclosed
- c) what can reasonably be inferred based on professional training and / or experience.

'Reasonable grounds' does not mean that you are required to confirm your suspicions or have clear proof before making a report.

GUIDELINES

PREVENTION

Prevention of abuse will be assisted by:

1. working towards providing an emotionally and physically supportive and safe environment for staff and students;
2. providing child protection procedures in line with current legislation and which will be reviewed whenever this legislation changes;
3. providing appropriate preventative programs and relevant curricula which aim to inform children of their right to be protected, protect children from abuse, assist them to seek help effectively and develop skills for positive, non-coercive relationships;
4. providing guidelines that define appropriate and inappropriate behaviour for staff;
5. ensuring all school staff are aware of the indicators of abuse, and neglect, their legal obligations to report suspected risk of harm and procedures for reporting;
6. providing training and ongoing professional development for staff in the recognition and reporting of suspected risk of harm/reportable conduct and professional standards for teacher/student relationships;
7. raising teacher awareness of resources and materials in the areas of child protection and positive, non-coercive relationships which support NSW legislation and reflect Board of Studies syllabus outcomes;
8. reporting to the Ombudsman, within 30 days, of any allegations of reportable conduct made against an employee and ensuring they are investigated and appropriate action taken in relation to the finding;
9. reporting to Office of the Children's Guardian (OCG), Child Wellbeing Unit (CWU), CS and Police as appropriate;
10. providing information to families and the community on child protection strategies adopted by Loreto Normanhurst (eg: via web site);
11. raising the awareness of the general community about child protection (eg via brochures and information sent home to parents);
12. conducting appropriate employment screening including verification of the Working with Children Check
13. fostering a culture of confidentiality.

STAFF PROFESSIONAL CONDUCT

Staff should be mindful of the way in which they interact with students to ensure against the making of possible allegations by students, as child protection legislation is allegation-based and requires mandatory investigation. A student's interpretation or perception of a chance remark, or interactions in particular situations, may be very different from that of a member of staff. All members of staff are provided with a printed copy of the Child Protection Policy and the Staff Code of Conduct.

In addition to this Code of Conduct, the following recommendations are made to employees:

1. When conducting one-to-one interviews with students, staff should, whenever possible, seat themselves on the opposite side of the desk, or at a reasonable distance from the student. Interviews should be conducted with the door open, in a room with a glass panel in the door or in a public area. If the issue is a sensitive one, a person in a senior position should be present.
2. When conducting Student/Advisor or Student/Tutor Conversations, teachers should, whenever possible, seat themselves at a reasonable distance from the student. Conversations will be conducted in a designated space and will be under the general oversight of the Head of House.
3. The content of Student/Advisor or Student/Tutor Conversations is to remain confidential and should never be included in staffroom discussion. All concerns should be referred to the Head of Primary School or the student's Head of House. If the concern may be reportable conduct, then the matter should be immediately referred to the Principal.

4. Employees of Loreto Normanhurst who are also parents of students at Loreto Normanhurst should be aware that under the legislation they are regarded as employees first and parents second i.e.: these staff members should keep in mind that their parental role does not diminish their child protection responsibilities as employees.
5. Staff members must be aware of their responsibilities with regard to reporting child protection matters. Staff should not discuss an allegation with colleagues. This should only be disclosed to the Principal.
6. Under no circumstances should a staff member investigate any child abuse allegation unless they have been directed to do so by the Principal.
7. Each department should conduct a risk assessment and provide guidelines for staff when planning an excursion or extraordinary event. The relevant manager, Head of Department or Head of Primary School is responsible for conducting this risk assessment with the support and supervision of the Directors of Learning or Pastoral Care or the Deputy Principal.

ADDITIONAL GUIDELINES FOR BOARDING STAFF

Boarding staff need to be aware of child protection issues given the vulnerability of both staff and students in this particular situation. The Boarding School should conduct ongoing risk assessment and maintain a code of behaviour. The Director of Boarding must ensure that all new employees are aware of their obligations regarding child protection.

1. If a child is very distressed a 'side-on' hug is preferable to a close body hug.
2. Students are not encouraged, especially an individual student, to enter a staff sleepover room unless for a serious matter.
3. The office door should be left open if there is not a glass panel in the door.
4. Staff should always be dressed sensibly and professionally.
5. Staff should not sit on students' beds or allow them to sit on staff beds.
6. If a child becomes distressed during the night (eg: homesickness, friendship problems etc) they should be taken into a general area with lights on. If the child is crying and very upset staff should say something like "I'll sit here with you until you feel better". It is important to be appropriately clothed during such an interview.
7. When a member of staff is required to drive a boarder/boarders, they are to ensure that the appropriate people know where the staff member is and when they are expected to return. It is advisable to be contactable by mobile phone during the journey.
8. A careful record should be kept of all medication dispensed to students, as set out in the Medication Policy
9. Common sense should underpin all dealings with boarding students ie: favouritism, exclusion or a lack of objectivity in relationships could form the basis of an allegation.

REPORTING PROCEDURES

Areas of Responsibility for Responding to and Reporting Allegations of Reportable Conduct against an Employee

PSOA refers to the employee who is the 'person who is the subject of the allegation'.

The Principal will:

1. Clarify the allegation.
2. Determine if Community Services (CS) or the police will be involved. Reports to CS need to be made if it is believed that the child has been, or is, at risk of significant harm. If criminal behaviour is involved this must be reported to the police.
3. Assess the level of risk posed to a child/children; conduct continuous risk assessment and to take appropriate action.
4. Make all internal notifications
5. Call for an investigation (conducted by accredited investigators)
6. Inform the NSW Ombudsman and OCG (if appropriate) within 30 days, of the allegation, and later, the findings of the investigation and determination via a report.
7. Inform the parents of a child who has been allegedly harmed, that an allegation has been made of reportable conduct against an employee
8. Inform *PSOA* of findings and course of action. *PSOA* to be given time to respond to determination.
9. Inform parents of the child/children involved when the matter has been finalised.
10. Store all proceedings regarding reportable conduct in a secure setting separate from the personnel files.
11. Informing the OCG of relevant employment proceedings.

A member of the Leadership Team will be appointed to support the *PSOA* in the event of an investigation. This person's role will be as follows:

1. Ensuring that *PSOA* has a support person of their choice available.
2. Supporting the Principal in communicating the result of the risk assessment to the *PSOA*.
3. Advising the staff member of availability of counselling or support service.

The Director of Pastoral Care is responsible for:

1. Carrying out any duties associated with the investigation as directed by the Principal.
2. Where a report to CS is made, being available to young person/s to listen and reassure if appropriate.
3. Consulting with and supporting the Principal where appropriate in providing advice and agency referral to counselling or other services to a child or children and their families.
4. Being available for professional dialogue with staff members who may need to report a child at risk of harm to the Principal or CS.

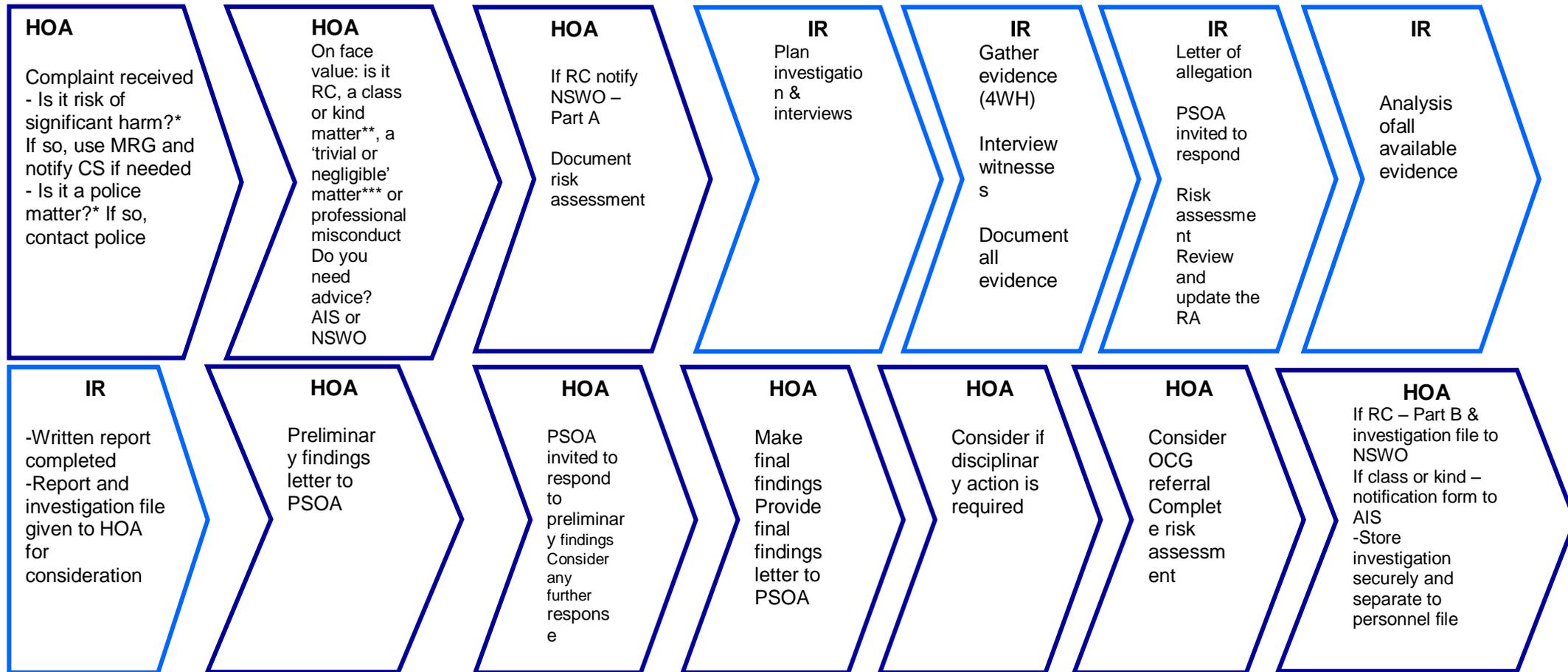
The Investigator will:

1. Plan the investigation and schedule interviews
2. Gather evidence
3. Interview witnesses
4. Document all evidence
5. Inform the Principal (HOA) of the progress of the investigation
6. Review and update the risk assessment
7. Analyse of all available evidence
8. Write report including findings
9. Provide the report and the completed investigation file to the Principal for consideration



An Overview of the Investigative Process when an allegation is made against a member of staff

This flow chart is designed to give an overview of the investigative process and should be read in conjunction with the NSW Ombudsman *Child Protection in the Workplace* guidelines and the NSW Commission for Children and *Young People Working with Children Employer* guidelines.



*If a matter is referred to either CS or police (or both) you must seek clearance from these agencies before commencing the school's investigation and liaise with the agencies.
 ** A school can only utilise the class or kind determination if the matter is investigated by an AISNSW accredited investigator and employed at the school.
 *** Allegations of trivial or negligible use of physical force are exempt from being reported to the Ombudsman. However, trivial or negligible allegations must be investigated and recorded by the agency.

HOA = Head of Agency	IR = Investigator's Role	PSOA = Person subject to Allegation	NSWO = NSW Ombudsman	CS = Community Service
RC = Reportable Conduct	OCG = Office of the Children's Guardian	AIS = Association of Independent Schools of NSW	4WH = who, what, where, when and how	

RIGHTS OF ALL PARTIES

Loreto Normanhurst seeks to support students and staff with procedural fairness and confidentiality.

Legal protection is available only for members of staff who report through their privileged communication path (as specified by the procedures outlined in this policy).

Discussion with colleagues regarding reportable conduct allegations could result in civil proceedings for defamation and is in breach of staff guidelines regarding confidentiality and disciplinary action will result.

CHILD PROTECTION LEGISLATION

INTRODUCTION TO THE LEGISLATION RELATING TO REPORTABLE CONDUCT

All people looking after children and young people have a responsibility to provide a safe environment for them. The legal context of risk of harm and neglect is set out in a number of Acts of Parliament. The law covers two main areas: the care and protection of children and the criminal law as set out in the *Crimes Act 1900*.

The legislation places emphasis on the obligations of adults working with children and young people to draw instances of possible or suspected abuse of all kinds to the attention of childcare and welfare authorities.

The legislation involved includes:

1. Children and Young Persons (Care and Protection) Act 1998 (NSW) (**Care and Protection Act**); requires the Head of Agency (Principal), by law, to report allegations of abuse made against employees of that agency;
2. the *Ombudsman Act* 1974 (NSW) (the **Ombudsman Act**) - This legislation deals with the reporting of allegations of 'reportable conduct' against employees to ensure those caring for children have in place the necessary processes to manage such allegations.
3. the *Child Protection (Working With Children) Act 2012* (NSW) (the **WWC Act**); – requires the school to undertake employment screening under the CCYP Act, part of which is the *Working with Children Check*

Further information on this [Legislation](#)

A Child or Young Person at Risk of Harm

A child or young person is at risk of harm if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence of any one or more of the following circumstances:

- (a) the child's or young person's basic physical or psychological needs are not being met or are at risk of not being met,
- (b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,
- (c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,

(d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,

(e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm;

(f) the child was the subject of a pre-natal report under section 25 and the birth mother of the child did not engage successfully with support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report.

Working with Children Check (WCC)

A Working with Children Check is a prerequisite for anyone in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. The result of a WCC is either a clearance to work with children for 5 years or a bar against working with children.

Employment screening under the CCYP Act (1998); Child Protection Legislation Amendment Act 2014 and Child Protection (Working with Children) Amendment Regulation 2014, part of which is the Working with Children Check, includes the following for all new employees:

1. a relevant national criminal record check (a criminal record of a person with respect to an offence involving sexual activity, active indecency, reportable conduct or child pornography, if the offence was committed in New South Wales and the offence was punishable by imprisonment for twelve months or more, or if it was committed elsewhere and would have been punishable by twelve months or more imprisonment if it had been committed in New South Wales);
2. a check of relevant Apprehended Violence Orders (an apprehended violence order (other than an interim order) made by a court under Part 15A *Crimes Act 1900*, or an interstate restraint order (within the meaning of Part 15A of the *Crimes Act 1900*), and made on the application of a police officer or other public official for the protection of a child (or a child and others);
3. a review of relevant completed employment proceedings the applicant may have had in previous employment (completed disciplinary proceedings against an employee by an employer or by a professional or other body that supervises the professional conduct of the employee. These proceedings include completed proceedings involving reportable conduct, sexual misconduct or acts of violence committed by the employee in the course of employment where these acts involved children, are directed at children, or, take place in the presence of children. False, vexatious or misconceived allegations are not 'relevant' for the purposes of the Act).

The Office of the Children's Guardian (OCG) also maintains a database of all completed proceedings against employees in child related employment. The school will inform the OCG of all relevant employment proceedings against staff.

APPENDIX 1 SUPPORT FOR ALL PARTIES

Support for employees is detailed under the section on reporting procedures.

Because reportable conduct is a complex problem people are often uncomfortable and confused about what to do. When reporting a matter to CS, departmental officers may conclude that a child or young person has not been abused but is at risk of being abused. The important factor is that they have been made aware of potential problems and given an opportunity to work with and help the family before abuse occurs. There are various ways of helping families experiencing stress or crisis. These may include arranging child care and counselling or putting the family in touch with a support network of local community groups and helping agencies.

Children and young people often try to disclose physical abuse or sexual assault but find it very difficult and painful. They are often ashamed and frightened and cannot find the right words. Adults can help by recognising when a child or young person is trying to talk about some difficult subject. Adults who develop the habit of listening to children and young people and helping them to talk about their worries are building the kind of trust that makes it easier for a child or young person who does have something difficult to say.

When children and young people approach something in a roundabout way it may be because they are finding the subject painful or are feeling ashamed and looking for a sign from an adult that it is alright to open up and talk. The child or young person may begin by hinting that something is wrong. A child may simply say "I don't like so and so. Do you like so and so?". Or, "I don't want to go to see so and so". Or (particularly in relation to child sexual assault), "I've got a secret". Often adults misunderstand these messages and fail to respond. When this happens children and young people become very confused. They may think the adult does not care or does not believe them. This makes it harder for them to raise the subject again or to approach another adult.

If children and young people are unable to talk to adults about abuse or make adults understand what they are trying to say, their distress comes out in other ways - usually in the way they behave. This is referred to as "acting out". Some children and young people act out by being maybe violent and aggressive, others by being passive and withdrawn.

Students generally disclose with great hesitation and often with feelings of fear and guilt. Frequently they only hint or tell a bit of the story to see how the teacher reacts before fully disclosing. For this reason it is important to remain calm and supportive, and avoid showing either verbally or non-verbally, any feelings that may make the student regret having disclosed.

It is also important to remember that the staff member's role is to listen actively to what the student may say, but not to push for details or conduct an investigation. Other agencies have the responsibility for investigating and collecting evidence.

Hearing a child's or young person's disclosure is often overwhelming and may arouse strong feelings of shock, anger, revulsion, fear, disbelief, helplessness, protectiveness or sadness in the adult to whom the disclosure is made. Such feelings are natural, and it is advisable to deal with them appropriately after the disclosure. While the student is disclosing, however, it is important to be aware of your feelings and to control them.

It is possible that a student will disclose or start to disclose to you in class or with a group of other students. If this happens it is important to use the strategy of 'protective interruption':

1. acknowledge that you have heard the student and stop her disclosing any further,
2. be supportive and gently indicate that she may want to tell you about it at a later time,

3. quietly arrange to see the student as soon as possible, such as after the lesson, away from other students.

Remember that it is not easy for students to disclose sexual assault. They may have been coerced, bribed, or threatened into secrecy and may need repeated reassurance that you believe them and that it was right to tell.

Sometimes a student will try to elicit a promise that you will not tell anyone else about the disclosure. If this happens, it is important to be honest with the student and explain that you have to report the disclosure. However, care should be taken to be supportive and to reassure the student that it is all right for certain other people to be told, as they can help stop the assault.

You can help disclosing students by:

1. listening to them
2. telling them that you believe them
3. saying that you are pleased they told you - it was the right thing to do
4. emphasising that whatever has happened was not their fault
5. telling them that you know that some adults do wrong things
6. acknowledging that it is hard to talk about such things
7. telling them that you will report it to people who will help stop it happening, and that it is all right for these people to be told
8. gently encouraging the student to speak to CS officers and telling them that to do so is in their interests

You will **not** be helping the child if you:

1. make promises you cannot keep, such as promising that you won't tell anyone
2. seek further details beyond those that the student freely wants to tell you

APPENDIX 2 EMPLOYMENT SCREENING PROCESSES

PAID EMPLOYEES

1. Every new staff member is required to complete the [Working with Children Check \(WCC\)](#).
2. All applicants for employment are required to fill in the Employment Application form which indicates that Prohibited Persons will not be employed at Loreto Normanhurst. This form also requires the applicant's WWC number be included and explains that successful candidates will be required to prove their identity.
3. The Reference Checklist (guided reference) includes a compulsory question concerning disciplinary action and charges of sexual misconduct in relation to children.
4. Every new staff member is required to sign a letter of appointment which outlines the conditions of employment, and includes clauses regarding probity and personal suitability.
5. Before commencing employment, the applicant is required to meet with the Manager of Human Resources to return all documentation and for him/her to sight academic transcripts and conduct a 100 point ID check. As part of the employment paperwork, each new paid staff member is given a copy of the school's Child Protection Policy and is required to read it and sign a tear-off sheet indicating they have done so. This sheet is returned to the Manager of Human Resources and filed in the employee's personnel file prior to the commencement of employment.
6. The Manager of Human Resources verifies the new employee's WWC number and status and records this information on the confidential database and on the personnel file. Should a report come back with a status other than clear, the staff member's employment would not progress. Applicants are able to lodge a dispute with Office of the Children's Guardian if they believe that the background check results are incorrect.

Casual and Permanent Contractors

This group of staff includes catering staff, cleaning staff, bus companies etc.

- The Director of Business Operations obtains written assurance from the contractor that all persons in his/her employ working on the Loreto Normanhurst site have undergone appropriate background checks in relation to sexual offences against children. The WCC is to be phased in in 2015.

UNPAID EMPLOYEES

Volunteers who are not current parents are required to obtain a WWC. This information is provided to the Manager of Human Resources and recorded on the confidential database and a hard copy is retained with the volunteer's personnel file. These volunteers are also provided with a hard copy of the Child Protection policy and are required to read and sign that they have read the policy prior to the commencement of volunteering in the school.

APPENDIX 3 ANNUAL STAFF GUIDELINES REFRESHER SHEET

This page is provided annually to each member of staff as a summary to be retained and referred to when needed:

Staff Guidelines for Child Protection 2015

It is expected that all employees will be caring, compassionate adults who take an interest in their students and who set appropriate boundaries within those employee/student relationships. Employees must be aware that their interactions with students are based on a trusting relationship arising from the nature of the work, and that those relationships are open to scrutiny. Employees must always treat students with respect. Within this, there is no place for sarcasm, derogatory remarks, offensive comments or any other inappropriate conduct that may result in emotional distress to a child.

The school owes a duty of care to its employees and students. It is expected that all employees contribute towards the fulfilment of this legal duty. Employees will exercise with diligence, the duty of care that they owe to the student. In addition to this, employees are expected to take all reasonable steps to protect students from risk of harm – physical, emotional and sexual.

Professional Boundaries are limits in place to ensure the trust between student and staff is not betrayed.

How employees can protect themselves? You are encouraged to ask yourself these questions:-

- How might this interaction be perceived by others?
- Am I treating this student differently to others?
- Would I say or do this if a colleague was present?
- Would I condone my conduct if I observed it in another adult?
- What guidance would my employer give me in this situation?

Language - Avoid:

- Targeted and sustained criticism, belittling, teasing, hostility, rejection or verbal abuse;
- Sharing secrets or private conversations with a student
- Obscene language and obscene language of a sexual nature;
- Suggestive remarks or actions;
- Jokes of a sexual, racist nature;
- Making personal comments about a student;
- Asking questions that probe a student's sexuality or personal relationships;
- Discussing personal details of lifestyle of self or others;
- Disclosing their personal contact details to students.

Communication – avoid:

- Making telephone calls, emailing or texting students outside professional responsibilities;
- Photography and videography for any purpose outside professional responsibilities;
- All social network connections to students;
- Possession, distribution or display of pornography;
- Electronic transmission of messages or files which are sexually explicit, offensive or contain inappropriate jokes;
- Sending sms (text) messages which are sexually explicit, offensive or contain inappropriate jokes.

Alcohol and other drugs, including tobacco

Employees must do everything within reason to eliminate the consumption of alcohol, tobacco or prohibited substances by students on the school's premises or at school functions, sporting events, camps or excursions.

Employees must not give to students, nor are they to encourage or condone the use by students of, the abovementioned substances.

Consumption of alcohol or other drugs by employees at school, or while at school functions, sporting events, camps or excursions places students and staff at risk and is not condoned by the school .

Medication

Administration of prescribed medications should be in accordance with school Medication Policy.

Physical contact with Students

Social interactions between employees and students outside of school and school related activities can be problematic and may lead to allegations against employees.

Employees must be conscious that their position places extra obligations on them and should follow the policy and procedure as set by their school. Employees are to seek guidance from the Principal, Ms Barbara Watkins, if a personal relationship exists with the student's family.

Employees must not, under any circumstances, engage in intimate and/or sexual relationships with a student or engage in any conduct of a sexual nature with a student. It is irrelevant whether the relationship is heterosexual or homosexual, consensual or non-consensual or condoned by parents or caregivers. The age of the students or employees involved is irrelevant.

Obscene gestures; unwarranted and inappropriate touching; sexual exhibitionism; undressing in front of students; personal correspondence with students in respect of the employee's sexual feelings for the student and deliberate exposure of students to sexual behaviour of others is totally unacceptable.

Visiting students at their home or inviting students to visit the employee's home is not condoned by the school. It encourages allegations of favouritism and special relationships.

Employees should, whenever possible, endeavour not to drive a student in their car unless they have specific permission. In the event of an emergency, employees should attempt to obtain parental consent and also report the matter to the Principal, where possible prior to the journey commencing.

Employees may only engage in tutoring or coaching students outside of school hours in accordance with the school policy. Employees should be aware that child protection issues may arise in these circumstances and should continue to follow their obligations under this Code.

All employees at Loreto Normanhurst who have reasonable grounds to suspect that another employee has a 'special relationship' with a student at Loreto Normanhurst or a student is at risk of harm, has been abused or neglected by another employee, are required to inform the Principal.

This report to the Principal should be made both verbally on 0419429508 and in writing – email bwatkins@loretonh.nsw.edu.au.

If the Principal is unavailable, the report should be made to the Director of Pastoral Care on 0411240138 or gstooke@loretonh.nsw.edu

APPENDIX 4 INDICATORS OF ABUSE AND NEGLECT

Risk of harm within the *Children and Young Persons (Care and Protection) Act 1998* relates to the impact of abuse and neglect on a child or young person. The following indicators have been developed from research and clinical experience over recent decades. One indicator in isolation may not imply abuse or neglect. Each indicator needs to be considered in the context of other indicators and the child's or young person's circumstances. The lists are not in hierarchical order.

The following factors in the life circumstances of the child are relevant when considering indicators of abuse and neglect:

1. history of previous harm to the child
2. social or geographic isolation of the child, young person or family, including lack of access to extended family or supports
3. abuse or neglect of a sibling
4. family history of violence including injury to children and young people
5. domestic or dating violence

Physical or mental health issues for the parent or caregiver affecting their ability to care for the child:

1. the parent or caregivers' abuse of alcohol or other drugs affecting their ability to care for the child or young person
2. a deficiency in functional parenting skills required to provide for the safety, welfare and well-being of children and young people
3. the parent or caregiver is experiencing significant problems in managing the child's behaviour
4. the parent or caregiver has unrealistic expectations of age appropriate behaviour in the child or young person
5. the parent is experiencing significant problems in relating to the young person

General indicators of abuse or neglect in children and young people:

1. where the child or young person gives some indication that the injury or event did not occur as stated
2. where the child or young person tells you she has been abused
3. when the child or young person tells you she knows someone who has been abused, she may be referring to herself
4. someone else tells you such as a relative, friend, acquaintance or sibling of the child or young person that the child may have been abused
5. poor concentration
6. sleeping problems eg nightmares, bedwetting
7. marked changes in behaviour or mood, escalation in risk-taking behaviours, tantrums, aggressiveness, withdrawal
8. child or young person complains of stomach aches and headaches with no physical findings
9. unrealistic expectations of a young person including failure to allow the young person to participate in decisions that affect them or expecting adult behaviours

General indicators of abuse or neglect in young people:

1. self-harming behaviour such as cutting or burning
2. high level of risk-taking behaviours such as climbing up cliff faces while intoxicated
3. substance abuse
4. involvement in criminal activities such as stealing and fighting
5. social isolation
6. difficulty in maintaining long-term peer relationships
7. persistently negative themes in art work and creative writing
8. homelessness

Indicators of Neglect

Indicators in children and young people:

1. poor standards of hygiene leading to social isolation
2. scavenging or stealing food
3. extended stays at school, public places, others homes
4. being focused on basic survival
5. extreme longing for adult affection
6. a flat and superficial way of relating, lacking of a sense of genuine interaction
7. anxiety about being dropped or abandoned
8. self-comforting behaviour, eg rocking, sucking
9. non-organic failure to thrive
10. delay in developmental milestones
11. loss of 'skin bloom'
12. poor hair texture
13. untreated physical problems

Indicators in young people:

1. staying at the homes of friends and acquaintances for prolonged periods, rather than at home
2. resources not provided which would allow the young person to care adequately for herself eg access to washing or food

Indicators in parents or caregivers:

1. failure to provide adequate food, shelter, clothing, medical attention, hygienic home conditions or leaving the child inappropriately without supervision
2. inability to respond emotionally to a child or young person
3. child or young person left alone for long periods
4. depriving of or withholding physical contact or stimulation for prolonged periods
5. failure to provide psychological nurturing
6. one child or young person treated differently, eg scapegoated
7. absence of social support from relatives, other adults or social networks

Indicators of Physical Abuse or Ill Treatment

Indicators in children and young people:

1. facial, head and neck bruising
2. lacerations and welts from excessive discipline or physical restraint
3. explanation offered by the child or young person is not consistent with the injury
4. other bruising and marks which may show the shape of the object that caused it eg a hand-print, buckle
5. bite marks and scratches where the bruise may show a print of teeth and experts can determine whether or not it is an adult bite
6. ingestion of poisonous substances, alcohol or other harmful drugs
7. ruptured internal organs without a history of major trauma
8. dislocations, sprains, twisting
9. fractures of bones, especially in children under 3 years
10. burns and scalds
11. head injuries where the child or young person may have indicators of drowsiness, vomiting, fits or retinal haemorrhages suggesting the possibility of the child having been shaken
12. marked delay between injury and presentation for medical assistance
13. history of injury which is inconsistent with the physical findings
14. history of injury which is vague, bizarre or variable

Indicators in young people:

1. aggressive or violent behaviour towards others, particularly younger children
2. explosive temper that is out of proportion to precipitating event
3. being constantly on guard around adults and cowering at sudden movements

Indicators in parents or caregivers:

1. domestic violence
2. direct admissions by parents or caregivers that they fear they may injure the child or young person
3. family history of violence, including previous harm to children and young people
4. history of their own maltreatment as a child or young person
5. repeated presentations of the child to health or other services with injuries, ingestions or with minor complaints

Indicators of Psychological Harm (Emotional Abuse)**Indicators in children and young people:**

1. feelings of worthlessness about life and themselves
2. inability to value others
3. lack of trust in people and expectations
4. lack of inter-personal skills necessary for adequate functioning
5. extreme attention seeking behaviour
6. other behavioural disorders eg disruptiveness, aggressiveness, bullying

Indicators in young people:

1. avoiding all adults
2. being obsessively obsequious to adults
3. difficulty in maintaining long term significant relationships
4. being highly self-critical

Indicators in parents or caregivers:

1. constant criticism, belittling, teasing of a child, or ignoring or withholding praise and affection
2. excessive or unreasonable demands
3. persistent hostility and severe verbal abuse, rejection and scapegoating
4. belief that a particular child or young person is bad or evil
5. using inappropriate physical or social isolation as punishment
6. situations where an adult's behaviour harms a child's or young person's safety, welfare and well-being
7. exposure to domestic violence

Indicators of Sexual Abuse or Ill Treatment**Indicators in children and young people:**

1. describe sexual acts eg 'Daddy hurts my wee-wee'
2. direct or indirect disclosures
3. age inappropriate behaviour and/or persistent sexual behaviour
4. self-destructive behaviour, drug dependence, suicide attempts, self-mutilation
5. persistent running away from home
6. eating disorders
7. going to bed fully clothed
8. regression in developmental achievements in younger children
9. child or young person being in contact with a known or suspected perpetrator of sexual assault

10. unexplained accumulation of money and gifts
11. bleeding from the vagina or external genitalia or anus
12. injuries such as tears or bruising to the genitalia, anus or perineal region
13. sexually transmitted diseases
14. adolescent pregnancy
15. trauma to the breasts, buttocks, lower abdomen or thighs

Indicators in young people:

1. particularly negative reactions to adults of only one sex
2. sexually provocative
3. desexualisation eg wearing baggy clothes in order to disguise gender; eating disorders may be a possible indicator in this category
4. art work or creative writing with obsessively sexual themes
5. preoccupation with causing harm to men they suspect are homosexual
6. engaging in violent sexual acts which they talk about
7. knowledge about practices and locations which are usually associated with prostitution

General indicators of child stress should be considered such as:

1. poor concentration at school
2. sleeping/bedtime problems eg nightmares, bed wetting
3. marked changes in behaviour or mood, tantrums, aggressiveness, withdrawal
4. child complains of stomach aches and headaches with no physical findings

Indicators in parents, caregivers, siblings, relatives, acquaintances or strangers:

1. exposing a child or young person to prostitution or child pornography or using a child for pornographic purposes
2. intentional exposure of child or young person to sexual behaviour in others
3. ever committed/been suspected of child sexual abuse
4. inappropriate curtailing or jealousy regarding age-appropriate development of independence from the family
5. coercing child or young person to engage in sexual behaviour with other children and young people
6. verbal threats of sexual abuse
7. denial of adolescent's pregnancy by family
8. perpetration of spouse abuse or child physical abuse

General indicators of female genital mutilation (FGM) could include:

1. having a special operation associated with celebrations
2. reluctance to be involved in sport or other physical activities when previously interested
3. difficulties with toileting or menstruation
4. anxiety about forthcoming school holidays or a trip to a country where FGM is practised
5. older siblings worried about their sister's visiting their country of origin
6. long periods of sickness

Offenders use a range of tactics including force, threats, and tricks to engage children in sexual contact and to try to silence the child. They may also try to gain the trust and friendship of parents in order to obtain access to children.

http://www.community.nsw.gov.au/kts/guidelines/documents/signs_abuse.pdf

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