



# Lumen Christi College

## Child Protection

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### References:

*Bishops of Western Australia, Mandate of the Catholic Education Commission of Western Australia: 2009-2015.*

*Framework for the Development of Pastoral Care in Catholic Schools.*

*CECWA policy statement 2-D8 The Management of Confidential Information in Schools.*

*The Child Protection Procedures for Catholic Schools in Western Australia.*

*Allegations of Misconduct and Serious Misconduct Against Staff – Processes and Procedures for Catholic Schools in Western Australia.*

*Towards Healing, Principles and Procedures in Responding to Complaints of Sexual Abuse Against Personnel of the Catholic Church in Australia.*

*What is child abuse? Fact Sheet June 2012. Compiled by, Rhys Price-Robertson, Child Family Community Australia <http://www.aifs.gov.au/cfca/pubs/factsheets/a142091/index.html>*

*Identifying and responding to child abuse and neglect: A guide for professionals, Department for Child Protection, 2006.*  
<http://www.dcp.wa.gov.au/ChildProtection/Documents/IdentifyingAndRespondingToChildAbuseAndNeglect.pdf>

## **Related Documents**

*Children and Community Services Act 2004 (as amended in 2008) (WA)*

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2014

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## **Appendices**

### **Appendix 1**

CECWA Child Abuse Notification Steps

### **Appendix 2**

CECWA Mandatory Procedures - Chart 1: Mandatory Reporting of Child Abuse

### **Appendix 3**

CECWA Reporting Procedures - Chart 2: Reporting of Child Abuse

## Introduction

### Lumen Christi College Child Protection

UNICEF uses the term 'child protection' to refer to prevention and response to violence, exploitation and abuse against children. This includes the policies, standards, preventative measures and procedures to protect children from both intentional and unintentional harm. In context it applies particularly to the duty of Catholic Education and individuals associated with Catholic Education, towards children in their care.

As a Catholic school, Lumen Christi College aims to be a caring community in which each student feels safe and where they know that his/her personal dignity is valued.

This document should be read in conjunction with the Catholic Education Commission of Western Australia's:

- Child Protections Procedures – Guidelines and Procedures for Catholic Schools in Western Australia.
- Dealing with Allegations of Misconduct and Serious Misconduct Against Staff in catholic Schools.

### Rationale:

From the moment they join a Catholic school community, students should learn of their value as human persons. Every aspect of the school's life should reflect a Christian pastoral dimension. The pastoral dimension of a Catholic school needs to include the mutual care and support staff members demonstrate both towards each other and for their students.

Some schools have full-time pastoral care staff. Others may have staff in counselling roles, contributing in a special way to the wellbeing and development of students with particular needs. While appreciating the contribution of these people, we stress that every staff member shares responsibility for the pastoral dimension of the Catholic school in accordance with the Framework for the Development of Pastoral Care in Catholic Schools. We call on all staff to develop the kinds of relationships that will help them respond proactively to their students' pastoral needs. (*Mandate, paragraph 37, page 21*)

As a Catholic school, Lumen Christi College is entrusted, in partnership with parents, who are the primary educators of their children, with the total education of the child. Therefore, the College staff have a duty of care to students during school operating hours and at other times when a staff/student relationship exists. Staff members discharge this duty by taking reasonable care to avoid acts or omissions which they can reasonably foresee would be likely to result in harm or injury to the student.

Lumen Christi College is committed to child protection strategies and procedures to ensure the care, safety and protection of all children at the College.

### Definitions:

#### What is Child Abuse and Neglect?

Child abuse and neglect is an extremely complex issue. There are no universally accepted definitions of child abuse and neglect and the difficulty in developing exclusive definitions is recognised internationally.

For the purposes of these Procedures, child abuse and neglect may be defined as any non-accidental behaviour by parents/guardians/caregivers, other adults or older adolescents that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a child or young person. Such behaviours may be intentional or unintentional and can include acts of omission (i.e. neglect) and commission (i.e. abuse) (Bromfield, 2005: Christoffel, et al., 1992). Child abuse can be a single incident, but usually takes place over time.

'Child Abuse' refers to the long term and/or short term maltreatment of a person under the age of 18 years of age. It is the result of action or inaction which results in harm or injury to a child. Child abuse may be categorised as follows:

- Physical abuse.
- Sexual abuse.

- Emotional abuse and/or psychological abuse.
- Neglect.

*Greater detail on the definitions of child abuse may be found in the Child Protection Procedures for Catholic Schools in Western Australia.*

'Child Protection' refers to prevention and response to abuse against children. This includes the policies, preventative measures and procedures to protect children from both intentional and unintentional harm. In context it applies particularly to the duty of Catholic Education and individuals associated with Catholic Education, towards children in their care.

'Catholic School' refers to an educational venue as defined in the Teacher Registration Act 2012 that is a part of the Catholic Education system in Western Australia. This includes schools as well as Early Learning and Care Centres.

'Historic Allegations' refers to any information alleging child abuse where the child is a former student of any Catholic school.

'Principal' refers to a principal of a Catholic school.

Where the term 'Parents' is used throughout this policy it encompasses parents, guardians or caregivers.

### **Principles:**

In the best interests of the child, the child protection strategies and procedures to be followed are based on the following principles:

- All staff members at Lumen Christi College have a responsibility to care for children and to promote their safety and well-being.
- All children have the right to a thorough and systematic education in all aspects of personal safety. This should be done in partnership with their parents.
- The dignity of the person shall be maintained and respected in all dealings regarding allegations of child abuse.
- The Principal is required to ensure that all staff are aware of and comply with legislation and policies with respect to child protection.
- The confidentiality of all concerned in relation to an allegation of child abuse will be respected subject to the disclosures required to be made in accordance with the Child Protection Procedures for Catholic Schools in Western Australia.

### **Procedures:**

The Principal will ensure that staff members receive induction, in relation to the Child Protection Procedures for Catholic Schools in Western Australia and Mandatory Reporting within the first 12 months of appointment. Principals of Catholic schools are an approved 'class of persons' in accordance with the Act and are able to take mandatory reports regarding child sexual abuse. Principals of Catholic schools have a legal obligation upon receiving mandatory reports regarding child sexual abuse to forward these, unaltered, to the approved agency (currently the Department for Child Protection - DCP) as soon as possible (usually within 24 hours). Teachers also have the option at law to report directly to DCP.

All staff members at Lumen Christi College who identify concerns regarding the sexual, physical, psychological and/or emotional abuse or neglect of a child must respond according to the Child Protection Procedures for Catholic Schools in Western Australia and should report these concerns to the Principal, or delegate, immediately.

When an allegation is directed against an employee at the College, the procedures as outlined in 'Allegations of Misconduct and Serious Misconduct against Staff – Processes and Procedures for Catholic Schools in Western Australia', is to be followed. This includes allegations against teachers, administrative staff, grounds staff or any other staff member.

Allegations directed against any clergy or members of religious institutes should be discussed with the Director of Professional Standards and follow Towards Healing: Principles and Procedures in Responding to Complaints of Abuse against personnel of the Catholic Church in Australia, as well as fulfilling other relevant requirements i.e. mandatory reporting.

The Principal will ensure the Colleges pastoral care structures reflect the Child Protection Procedures for Catholic Schools in Western Australia. Staff will act in accordance with the relevant section of Child Protection Procedures for Catholic Schools in Western Australia in regard to any historic allegations of child abuse.

### **Witnessing Family Violence**

Family and domestic violence is strongly associated with child abuse and neglect. In families where domestic violence occurs, there is an increased risk that basic childhood needs will not be met including the need for care and protection.

Witnessing violence between parents, or being involved in a violent act between adults in the home can have a serious impact on the physical and emotional wellbeing and psychological development of children and young people. It can impact on self-image, responses to other people and ability to form healthy relationships as adults. It can deny a sense of security and safety to children and young people, teach them violence is a solution to problems and may lead to symptoms of post-traumatic stress disorder.

Staff members should be aware of this increased risk of child abuse and neglect in families where domestic violence occurs.

### **Reporting Child Sexual Abuse**

*Refer to Catholic Education Commission of Western Austral [CECWA] Reporting Procedures Chart 1: Mandatory Reporting of Child Sexual Abuse (Appendix 2)*

### **Responsibilities of Teaching Staff**

Teachers now have a legal obligation to report a belief based on reasonable grounds that child sexual abuse has occurred or is occurring on or after 1 January 2009 to the Mandatory Reporting Service (MRS) of the DCP (Children and Community Services Act 2004).

Child sexual abuse that occurred prior to 1 January 2009 must still be reported but is not regarded as a mandatory report under the legislation. (Refer to CECWA Reporting Procedures Chart 1: Reporting of Child Abuse). (*Appendix 1*)

A teacher is defined in the Children and Community Services Act 2004 as: a person who, under the Teacher Registration Act 2012 holds provisional registration, full registration, limited registration or non-practising registration. Teaching staff that form a belief based on reasonable grounds that child sexual abuse has occurred or is occurring are responsible for:

- Where the allegation is made against the Principal, the Coordinator of Employment and Community Relations at CECWA must be informed immediately.
- Lodging a report with the Mandatory Reporting Service (MRS) as soon as practicable. The teacher may fulfil the statutory requirement by making the report to the Principal. A verbal report can be made but this *must* be followed by a written report, preferably within the first 24 hours. Upon consultation, the MRS may direct the teacher to give both a verbal report and a written report, or just to submit a written report. Teachers also have the option at law to report directly to DCP.
- Consulting with the Principal. The Principal may involve appropriate support staff, including but not limited to, psychologist, social worker, counsellor, and Coordinator from the Employment and Community Relations Team or the Mandatory Reporting Consultant based at the CEOWA.
- Assisting in supporting any child involved where necessary.
- Maintaining appropriate levels of confidentiality.
- Recording the MRS receipt number issued.

### ***Lodging a mandatory report with the Mandatory Reporting Service***

Teachers must either:

- Make a written report only.
- Make a verbal report which must be followed up as soon as is practicable with a written report (within one working day).

Verbal reports are required in urgent cases. If teachers are unsure as to whether the case they are reporting is urgent or not, they should telephone the MRS for consultation and follow the instructions provided.

Teachers must lodge a report with the MRS in one of the following ways:

- Complete the Mandatory Reporting Form and submit the written report electronically, by fax or post directly to the MRS.
- Complete the Mandatory Reporting Form and submit the written report to the Principal who is authorised to receive it on behalf of the MRS.
- Make a verbal report to the MRS and then follow up by submitting a written report within one working day either directly to the MRS or to the Principal.

Mandatory Reporting forms may be found on the MRS website: [www.mandatoryreporting.dcp.wa.gov.au](http://www.mandatoryreporting.dcp.wa.gov.au)

### **Responsibilities of Educators and other Staff**

Staff *must* inform the Principal of any concerns involving child sexual abuse. Staff that have a concern that child sexual abuse has occurred or is occurring are responsible for:

- Where the allegation is made against the Principal, the Coordinator of Employment and Community Relations at CECWA must be informed immediately.
- Documenting the details of the grounds for their belief as well as any observations, consultations made and actions taken.
- Notifying their principal as soon as possible (usually within one working day) of their concern and the grounds that lead to their concern.
- Assisting in supporting any child involved where necessary.
- Maintaining appropriate levels of confidentiality.

### **Responsibilities of Principals**

Principals of Catholic schools are an approved “class of persons” in accordance with the Act and are able to take reports regarding child sexual abuse. As well as informing the Principal, teachers also have the option at law to report directly to DCP. Principals are responsible for:

- In the case of a teacher, supporting the teacher to make a verbal and/or written report to the MRS as required.
- Passing on an exact copy of the report to the MRS within one working day when a teacher chooses to lodge their written mandatory report with the Principal as an approved class of person. Failure to do so can result in a \$6,000 fine for the Principal.
- In the case of *educators and other staff*, making a *notification of the concern* to the Duty Officer of the local DCP district office or supporting the staff member to make the report.
- Consulting with appropriate support staff including but not limited to the psychologist, social worker and counsellor.
- Contacting the Coordinator from the Employment and Community Relations Team or the Mandatory Reporting Consultant based at the CEOWA.
- Providing information to DCP or WA Police as required.
- Reporting child protection concerns that may involve criminal behaviour to WA Police.
- Ensuring the relevant staff members document any disclosures, observations and actions promptly.
- Coordinating support for any child involved and for relevant staff where necessary.
- Maintaining appropriate levels of confidentiality.

### **Responding to Historic Allegations of Child Abuse**

Historic allegations refer to any information alleging child abuse where the child is a former student of any Catholic school. Where the allegation is made against the Principal, the Coordinator, Employment and Community Relations must be informed immediately.

- Where an allegation of child abuse is brought to the attention of College staff, the information must be passed on to the Principal.
- The Principal must notify the Coordinator of Employment and Community Relations at CECWA immediately.
- The Principal will be directed in the actions to take by the Coordinator of Employment and Community Relations. The Coordinator, Employment and Community Relations may consult with others such as Legal Counsel and Mandatory Reporting Consultant.

### **Reporting Child Physical Abuse, Emotional/Psychological Abuse or Neglect**

Refer to CECWA Reporting Procedures Chart 1: Reporting of Child Abuse (*Appendix 1*)

### **Responsibilities of all Staff**

All child protection concerns must be reported. College staff will generally form concerns regarding a student through observation of possible indicators or through disclosure. Staff members that have concerns that child abuse or neglect may be occurring must inform the Principal and keep written, dated records of their concerns, observations and actions.

Consultation should first occur with the Principal who may also involve appropriate support staff such as psychologists, social workers, counsellors, the Mandatory Reporting Consultant within the Catholic Education Office of Western Australia, etc.

Staff that have a concern that a child is at risk of, or subject to, child abuse are responsible for:

- Where the allegation is made against the principal, the Coordinator of Employment and Community Relations at CECWA must be informed immediately.
- Documenting the details of the grounds for their concern as well as any consultations made.
- Notifying their Principal as soon as possible (usually within one working day) of their concern and the grounds that led to their concern.
- In many instances, the Principal will provide the notification to the DCP. There may be circumstances in which the Principal deems it more appropriate that the staff member speaks directly with the DCP. On these occasions the staff member must provide all relevant information to the DCP.
- Assisting in supporting any child involved where necessary.
- Maintaining appropriate levels of confidentiality.

## **Responsibilities of Principals**

The Children and Community Services Act (2004), (the Act), shall be adhered to in all Catholic schools. Principals are required to ensure that all staff are aware of and comply with legislation and policies with respect to child protection. Upon receiving notification that a staff member has a concern that child abuse has occurred, or is occurring, Principals are responsible for:

- Reporting the concern and the grounds that led to that concern to the Duty Officer of the local District office of the DCP as soon as is possible (usually within one working day).
- Consulting with appropriate support staff including but not limited to psychologist, social worker, and counsellor.
- Contacting the Coordinator from Employment and Community Relations Team or the Mandatory Reporting Consultant, Psychology Team, CECWA.
- If the allegation concerns a staff member, the Coordinator of Employment and Community Relations must be notified as soon as possible.
- Reporting child abuse concerns that may involve criminal behaviour to WA Police.
- Ensuring the relevant staff members document any disclosures, observations and actions promptly.
- Coordinate support for any child involved and for affected staff where necessary.
- Maintaining appropriate levels of confidentiality.

## **References:**

*Bishops of Western Australia, Mandate of the Catholic Education Commission of Western Australia: 2009-2015.*

*Framework for the Development of Pastoral Care in Catholic Schools.*

*CECWA policy statement 2-D8 The Management of Confidential Information in Schools.*

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*Identifying and responding to child abuse and neglect: A guide for professionals, Department for Child Protection, 2006.*

*<http://www.dcp.wa.gov.au/ChildProtection/Documents/IdentifyingAndRespondingToChildAbuseAndNeglect.pdf>*

## **Related Documents**

*Children and Community Services Act 2004 (as amended in 2008) (WA)*



## **Appendices**

### **Appendix 1**

CECWA Child Abuse Notification Steps

### **Appendix 2**

CECWA Mandatory Procedures - Chart 1: Mandatory Reporting of Child Abuse

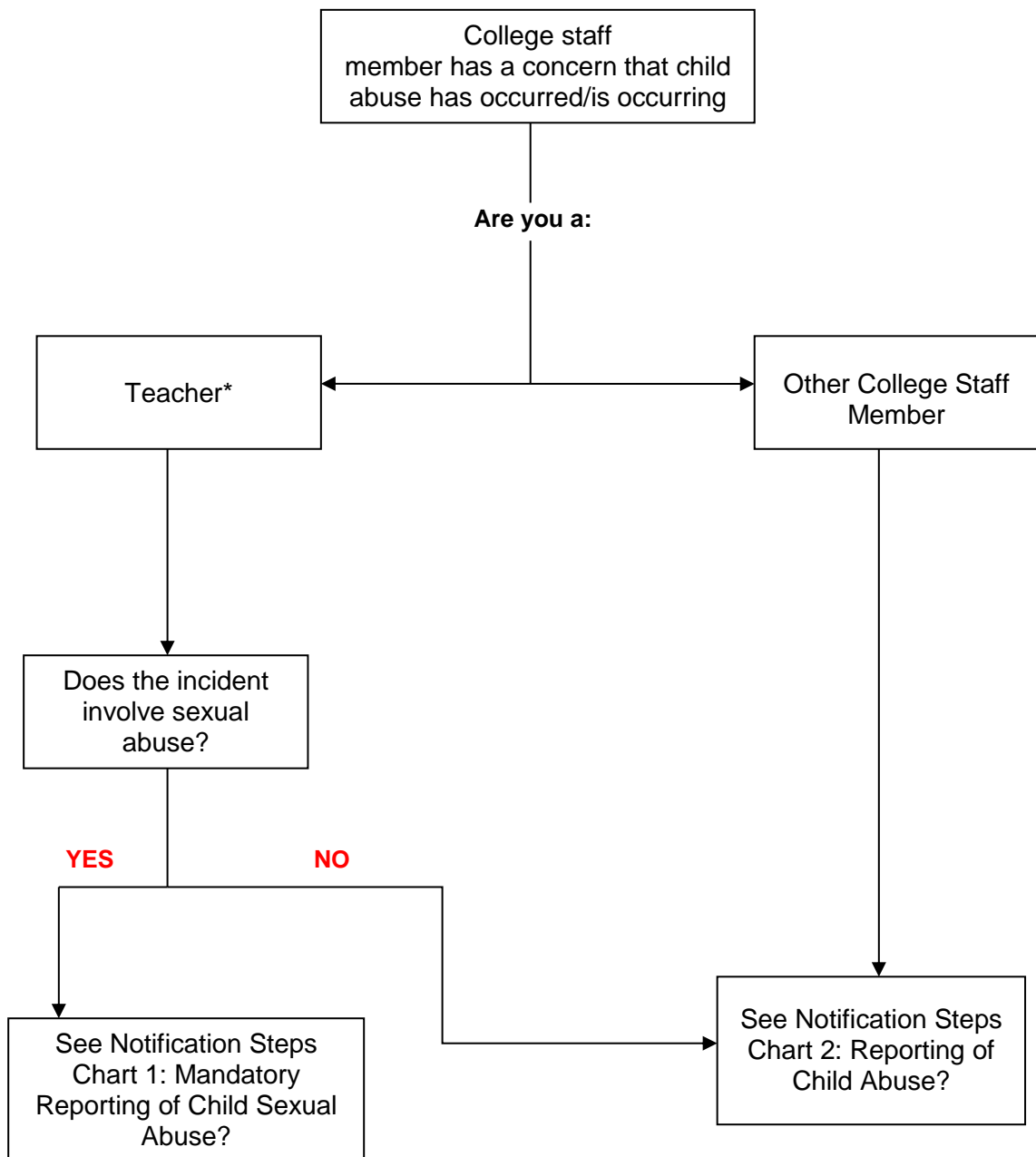
### **Appendix 3**

CECWA Reporting Procedures - Chart 2: Reporting of Child Abuse

## Appendices

### Appendix 1

#### CECWA Child Abuse Notification Steps

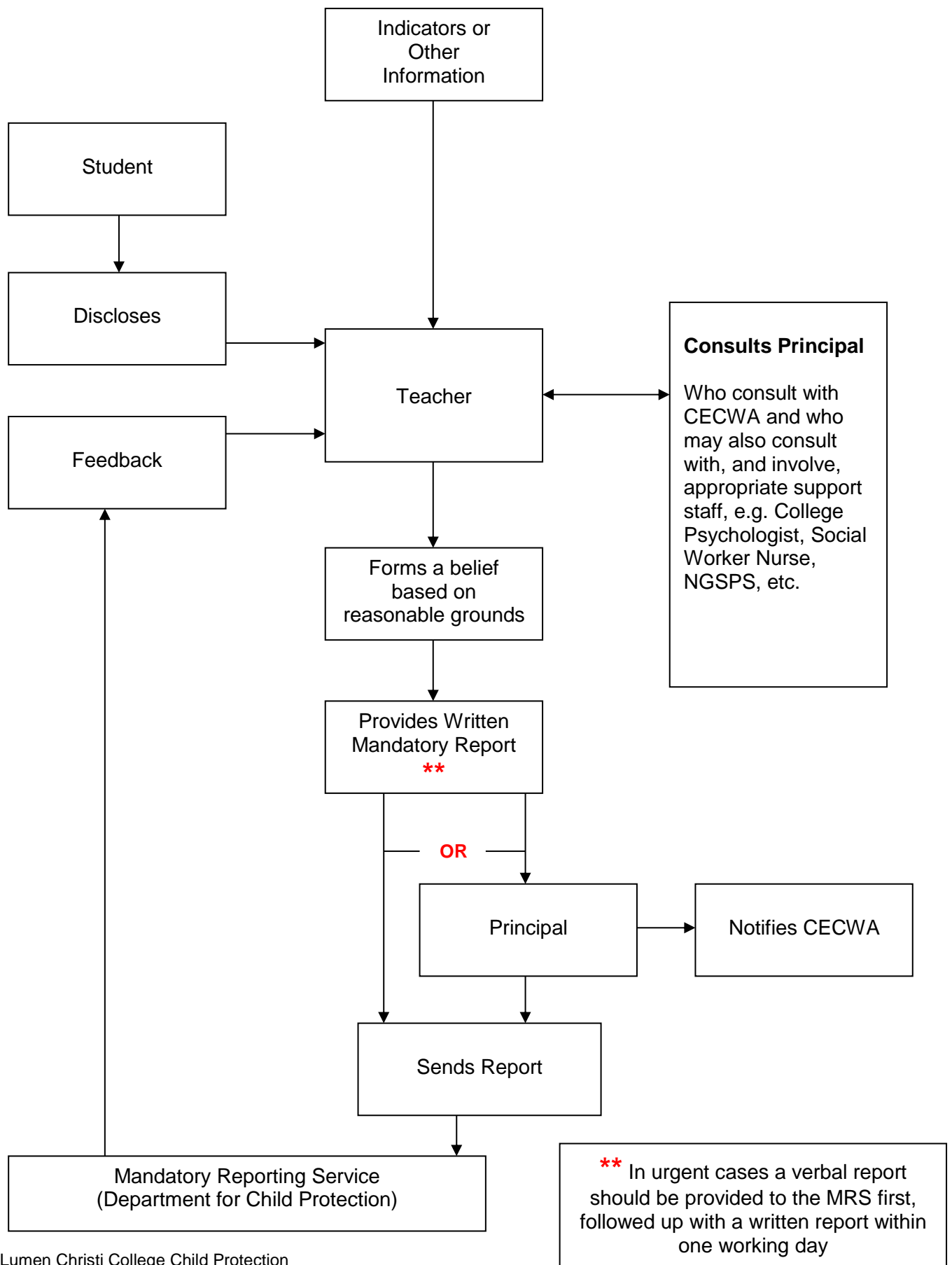


\*The WA Children and Community Services Act 2004 defines a teacher as:  
"A person who under the WA Teacher Registration Act 2012 is registered."

## Appendices

### Appendix 2

#### CECWA Mandatory Procedures - Chart 1: Mandatory Reporting of Child Abuse



## Appendices

### Appendix 3

#### CECWA Reporting Procedures - Chart 2: Reporting of Child Abuse

