CHRISTIAN BROTHERS

CHILD PROTECTION

POLICY AND GUIDELINES

and

CODE OF PROFESSIONAL CONDUCT

Guidelines for:

- Principals and Staff of Christian Brothers Schools in NSW and ACT;
- Staff and Volunteers Working in Ministries Involving Children Under 16 Years of Age;
- Responding to and Notification of Allegations of Child Abuse;
- Responding to the NSW Government Legislation:
  - Commission for Children and Young People Act 1998
  - Ombudsman Amendment (Child Protection and Community Services) Act 1998

Revised January, 2000
This Protocol is followed by

Schools and Ministries
directly under the governance of
the Trustees of the Christian Brothers.

Brothers engaged in
Schools and Ministries
conducted by
non-Christian Brother agencies
should abide by the
guidelines and procedures
specific to those agencies.
"The child shall enjoy protection and shall be given opportunities and facilities, by law and by other means, to enable him/her to develop physically, mentally, morally, spiritually and socially in a healthy, normal manner and in conditions of freedom and dignity"
FOREWORD TO THE REVISED EDITION

The Policy and Guidelines document has been revised to take into account the legislation relating to Child Protection which passed through the NSW Parliament in 1998, and further defined by the regulations made public during 1999.

The following bills passed through the Legislative Council on 19 November, 1998:

- Commission for Children and Young People Act 1998
- Ombudsman Amendment (Child Protection and Community Services) Act, 1998

Note: The Children and Young Persons (Care and Protection) Bill, 1998 will replace The Children Care and Protection Act 1987 when the former is promulgated sometime in 2000.

These bills are designed to safeguard against systemic abuse surrounding the manner in which both government and non-government institutions had dealt with reported cases of child sexual abuse in the past.

The new legislation provides protection for children in two specific areas. The Prohibited Employment Bill tightens controls and provides employers with safeguards when employing new staff. The Ombudsman Bill provides for independent oversight and review of the procedures to be followed in the event of allegations of child abuse being made against teachers and welfare workers.

The procedures for the mandatory reporting of allegations of abuse to the Department of Community Services and the Police still apply.
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NOTE

This *Policy and Guidelines* document contains the Christian Brothers’ approach to handling child abuse allegations and the Statutory Provisions for the reporting of such.

Principals and teachers are referred to the excellent Sydney CEO, *“Child Protection Guidelines”* or similar documents from other CEOs for the following important information:-

☒ Principal Checklists for

- Making a notification
- DoCS request to interview a student
- DoCS removal of a student from school

☒ Proformas for Documentation

The document:  IDENTIFYING AND NOTIFYING CHILD ABUSE
“Guidelines for Catholic School Personnel”

issued by the Catholic Education Commission, NSW, in 10 September, 1998 is also recommended as a helpful reference.

For an outline of the implementation of the regulations flowing from the Ombudsman Amendment Act, the following document issued by the Catholic Commission for Employment Relations in July 1999 is useful.

CHILD PROTECTION TRAINING PACKAGE.
Ombudsman Amendment (Child Protection and Community Services) Act 1998

Another useful guide is:

CHILD PROTECTION: Your New Responsibilities
NSW Ombudsman May 1999
PREAMBLE

The care of children in our schools is a sacred trust and all our students have a right to be treated with dignity and respect.

The prevalence of child abuse in society is a sad and distressing fact. It involves an abuse of power and trust by adults. Vulnerable children become victims to satisfy the abuser’s needs. Such abuse is indefensible.

The General Chapter of the Christian Brothers held in Rome in April 1990 reminded Christian Brothers and all those with whom they collaborated in ministry that our fundamental concern is:

...the welfare of the young people we serve. This concern springs from our ecclesial mission of evangelisation of youth, of bringing to the young the ennobling power of the Gospel. It springs from our charism which inspires in us a particular concern for the poor and oppressed. With the young people we serve, we have a special relationship of trust and responsibility.

(Child Protection General Chapter, April 1990)

The General Chapter of the Congregation held in South Africa in 1996 also addressed the issue of child abuse and

...committed the Congregation, through its educational institutions and youth centres, to the implementation of appropriate programmes designed:

- to heighten awareness of the evil of child abuse
- to promote the rights and protection of the child in our society.

It likewise committed the Christian Brothers to address the evil of child abuse by placing the healing of victims and the protection of children at the centre of their concerns.

All Christian Brothers’ Schools and Ministries which focus on the young are dedicated to the physical, emotional, intellectual and spiritual growth and development of their clients. Indeed, it has been the quality of the pastoral care traditionally offered by the Christian Brothers’ Schools that has attracted parents to seek enrolment for their children.

An integral dimension of genuine pastoral care is the active promotion and provision of an environment which will give parents the comfort of knowing that the total well-being of their children is being addressed.
The increased awareness of the incidence of child abuse within NSW and ACT has led to the formulation of legislation specifically aimed at protecting children through increasing the responsibilities and obligations on teachers and schools.

The protection of children from abuse and neglect is a shared responsibility. No single person, group or agency has all the knowledge, skills or authority to safeguard a child or to deal with an allegation of abuse.

This document sets out for staff and administrators of Christian Brothers’ Schools and Colleges the guidelines and procedures to be followed in notifying incidents of child abuse, be it physical, emotional or sexual.

These guidelines and procedures have been formulated after studying relevant State and Territory Legislation and following consultation with the Christian Brothers’ Principals Group, various Catholic Education Offices, Centacare, the Department of Community Services and numerous Counsellors and Pastoral Carers.

They will have application in all Christian Brother ministries although some legislative provisions may technically only apply to school settings.

The guidelines and procedures referred to reflect our policy and the principles should be applied across the board.

We also include a personal/professional behaviours Code of Conduct for teachers and others involved in the care of children in our ministries. The protection of children in our care is the overwhelming priority. However, also of great importance is the need to ensure that our staff are afforded justice and proper ongoing professional support and continuing education in this important area. If a complaint or allegation is made, there are very serious short term and long term consequences for all concerned.

Compliance with the Code should help to avoid occasions of compromise or danger for a staff member and provide a practical guide if a staff member is placed in a position of ethical difficulty or uncertainty.

It is my belief that this document will assist in promoting the well-being and healthy development of the young people who are the focus of Christian Brothers’ Schools and Ministries. I am likewise confident that it will provide teachers, support staff and executives with the support and confidence they need to meet the demands of legislation designed to protect the rights of the young.

R. JULIAN McDONALD, cfc
Province Leader of the Christian Brothers
September, 1997
SECTION I

RATIONALE

While Child Protection has always been an important dimension of Christian Brother Education, it has received particular emphasis and attention following allegations of physical, emotional and sexual abuse of students by some Christian Brothers and by some lay staff in our schools. At the same time there has been in the wider society a similar increased awareness of the phenomenon of child abuse.

It has become increasingly apparent that the incidence of child abuse in our society is considerably higher than was realised. Consequently, there is a corresponding need for all those entrusted with the responsibility of caring for, and educating the young to be fully informed as to what constitutes child abuse and to how best to promote the proper protection of those in their care.

Moreover, it is essential that all who have been entrusted with the care of the young know how to respond when they become aware of incidents of abuse perpetrated on the young people in their care.

Whenever school personnel have reason to believe that child abuse is occurring, they are advised to consult with those professionals whose expertise equips them for recommending appropriate lines of action. Such professionals are available at the Professional Standards Resource Group, Centacare, through School Counselling services, Catholic Education Offices and the Department of Community Services. School Principals will be familiar with the support networks provided in the local area and Pastoral Care Providers in the School will likewise have access to such support.

It is imperative for all school personnel to be aware of the responsibility incumbent on them to protect the character and reputation of others. In this context it is to be noted that an allegation is a statement of something that is as yet unproven. There is therefore a serious obligation, whenever an allegation is made, to protect all who might in any way be at risk.

In recent years there has been a sharp increase in the number of reported incidents of child abuse. This may well reflect a heightened awareness of the seriousness of child abuse; it may indicate that people have acquired a greater freedom for addressing the matter or it may mean that child abuse is on the increase. It may in fact be a combination of all three. Whatever the situation, the fact remains that child abuse is a reality in our society and that it must be addressed responsibly by those who have a duty of care for young people. State and Territory Legislation sets out the obligations to be met by school personnel who become aware of abuse perpetrated on any young person in their care.
SECTION 2

THE ROLE OF THE SCHOOL

The role of the School in child protection is to assist in the recognition and notification of suspected child abuse and neglect and, where abuse has occurred, to offer support to the student within the school environment and within the normal duties of school staff.

Also, it is the role of the school, with the assistance of professional support agencies, to provide appropriate preventive programmes which aim to protect children from abuse and which will assist them to seek help effectively and to develop skills for positive, non-coercive relationships.

KEY RESPONSIBILITIES

The key responsibilities of the school are to:

- ensure all school staff are aware of the indicators of child abuse and neglect, their obligations to notify suspected child abuse and neglect, and procedures for notification;

- work with other agencies and if appropriate the family, to plan and provide protective services for the student including ongoing assistance to the student;

- develop and implement curriculum in the area of child protection and positive, non-coercive relationships.

EXCHANGING INFORMATION

The wider community is now sensitised to the fact that child abuse does occur in our society. Consequently it has legitimate expectations that schools and other institutions effectively protect children in their care. When child abuse is known to have occurred it is imperative that it be reported and expected that professional practitioners and agencies working to protect children share and exchange relevant information, while at the same time ensuring that the demands of confidentiality are respected.
CONFIDENTIALITY AND RECORD KEEPING

Acknowledgement:  Professional Code of Practice
                  Interim Resource Guide
                  Good Samaritan Schools Draft 1997

The matters of confidentiality and record keeping are combined because of their essential importance in relation to the protection of our young persons, to alleged offenders and to the proper exercise of the law.

There are two aspects to confidentiality which are relevant to consider in relation to the protection of young persons. First, the state laws which protect young persons make provision for safeguarding the identity of a person reporting a suspected case of abuse or neglect.

The law provides that reporting shall not be held to be a breach of professional ethics nor is any liability incurred for defamation. The purpose behind the law is to encourage the community to come forward and reveal facts which relate to the abuse of the most vulnerable in our society.

Secondly, confidentiality is important in the protection of information which relates to possible criminal proceedings. Gossip and story-telling have no place in a situation where harm may be caused to innocent persons either as victim or offender. The legal process which is begun when an allegation of abuse arises may last for a long time. It may be twelve months or two years before a matter is finally determined by a court. During this time all persons connected with an allegation need to be caring in the way information which has come to them is contained by them and used solely by the proper authorities in the exercise of their responsibility.

This care of information is very relevant to the manner in which records are kept. Record keeping has a number of important aspects relevant to our professional role as educators. One aspect relates to the observations we make as to our belief that a young person may be suffering harm and another aspect relates to the method of retention of such observations. As we have indicated above, the legal process relies on the examination of facts. The more proficient we are in recording our observations the better we shall be in providing evidence to a court when the occasion demands.

As educators we are used to keeping details of examination results, attendances and a whole range of information. To extend this procedure further, it is pertinent to our professional responsibility as a protector of young persons that we continue to develop our ability to observe signs of harm and methods of recording confidentially those observations.
SECTION 3
PRINCIPLES FOR RESPONDING TO CHILD ABUSE ALLEGATIONS

The following guidelines and procedures spell out the action to be adopted by school personnel when they have disclosed to them or have serious reason to suspect an incident or allegation of child abuse within the school community.

Accordingly, the following principles are the foundation of all procedures to be adopted in dealing with allegations and known occurrences of child abuse:-

- All adults have the responsibility to care for children and to protect them from all kinds of abuse.

- In preventive and/or protective action related to child abuse, the total well-being of the child is the primary concern.

- The value of the family unit is to be respected, but not to the detriment of a child’s well-being.

- Before proceeding to take action in any matter relating to child abuse, school personnel must honestly satisfy themselves that they are acting on reasonable grounds.

- All persons involved in situations where child abuse is suspected or disclosed are to be treated with sensitivity, dignity and respect.

- As the Principal/Ministry Co-ordinator is responsible for the administration and conduct of the school/ministry and all that relates to it, he/she is to be informed of all serious matters concerning the welfare of students, including suspected and disclosed incidents of child abuse.

- School/ministry personnel who are privy to information regarding suspected or disclosed child abuse have a serious obligation to maintain confidentiality in relation to the entire matter except for disclosure to the principal and/or any other person or agency as required under these guidelines and the law.

- It is the responsibility of the Principal/Ministry Co-ordinator to ensure that the child protection procedures followed in the school/ministry are in accord with the guidelines set out in this document.

- School/ministry personnel have a serious obligation to avoid false, distorted and unjustified assertions that may harm the good name and reputation of others.

- The school Principal/Ministry Co-ordinator has a responsibility to ensure that the pastoral care structures in place in the school/ministry address the problem of child abuse and make appropriate provision for the support of students, families and staff directly involved in this issue.
SECTION 4

DEFINITIONS AND INDICATORS OF CHILD ABUSE

For the purposes of this document, child abuse includes child sexual assault, physical abuse, emotional abuse and neglect.

(i) **Child Sexual Assault** occurs when an adult or another person uses his or her power or authority over the child or takes advantage of the child’s trust and respect to involve the child in sexual activity. Child Sexual Assault not only refers to sexual intercourse, although sexual intercourse is often involved. Child Sexual Assault includes fondling genitals, masturbation, oral sex, vaginal or anal penetration by a finger, penis or any object. Child Sexual Assault may also include exhibitionism and acts of indecency committed towards a child. In all cases the offender has more power than the child and misuses that power to take advantage of the child.

(ii) **Physical Abuse** is non accidental injury to any part of the body. It includes severe beatings, shaking, burns, human bite, grab marks or strangulation which may result in unexplained bruises or welts or lacerations or abrasions or fractures or dislocations or severe head or internal injuries or death.

(iii) **Emotional Abuse** involves excessive or unreasonable demands which put expectations on a child beyond her/his capabilities. Examples of emotional abuse include constant criticism, belittling, persistent teasing. Failure to provide the psychological nurturing necessary for a child’s physical and emotional growth and development is also a form of emotional harm.

(iv) **Neglect** is the failure to provide a child with the basic necessities of life - food, clothing, shelter, emotional security, medical and dental care and adequate supervision needed for the child’s optimal growth and development.

SOME INDICATORS OF ABUSE AND NEGLECT

□ Following the passing of the “Children and Young Persons (Care and Protection) Act 1998, the Mandatory Reporting requirements for schools and their teachers, as well as those working in other child related ministries, were extended to include physical and psychological abuse and neglect. Given the commitment in Christian Brothers’ schools to providing a caring environment for their students, Principals should find little reluctance in extending the mandatory reporting of physical and psychological abuse or neglect where there is strong evidence to suggest that such abuse is occurring.
The Department of Community Services is the appropriate authority to which reporting is to be made.

☐ The Intake Officer or Child Protection Specialist at the local Community Services Centre is the appropriate person to contact if the Principal or staff member would like to discuss concerns before making a formal notification. In consulting it is important not to identify the child or family concerned.

☐ The Interagency Guidelines for Child Protection Intervention p. 44-45 identify the common behavioural indicators which may lead a member of staff to suspect that a child is the victim of some form of abuse. One indicator in isolation may not imply abuse or neglect. Any list of indicators cannot be considered exhaustive. Each indicator needs to be considered in the context of other indicators and the child's personal circumstances.
SECTION 5

RESPONSIBILITY FOR MANDATORY NOTIFICATION

(A) STATUTORY PROVISIONS - New South Wales

Section 27 of the Children and Young Persons (Care and Protection) Act 1998 provides for mandatory reporting to the Director-General of Community Services (i.e. DoCS) of situations where a child or young person is at risk of harm.

It should be noted that mandatory reporting under the 1998 Act extends the requirement for reporting to cover physical and psychological abuse. A “young person” is defined in the Act as being “aged 16 or above but who is under the age of 18” and mandatory reporting is extended to cover this age group.

Persons who are obliged to report to DoCS children or young persons who are at risk of harm include those who deliver health care, welfare, education, children’s services, residential services, or law enforcement. [Section 27]

Section 23 of this Act lists the circumstances in which a report is to be made. This section extends the obligation to report beyond sexual abuse to physical abuse and psychological harm as well.

...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 a 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.

Note: Physical or sexual abuse may include an assault and can exist despite the fact that consent has been given.

Mandatory Notification

Any allegation concerning a staff member is dealt with according to the procedures outlined in SECTION 6 of this document.

a) Aims of Mandatory Notification

*The Children and Young Persons (Care and Protection) Act 1998* gives as the object of this Act to provide:

(a) that children and young people receive such care and protection as is necessary for their safety, welfare and well-being, ...and

(b) that all institutions, services and facilities responsible for the care and protection of children and young persons provide an environment for them that is free of violence and exploitation.

Mandatory notification aims to:

- stop abuse from occurring;
- allow a process of investigation to be undertaken by the relevant Authority;
- start a process to provide long term care for the victim, the family and the offender;
- ensure all relevant workers and agencies co-operate in the best interest of the child;
- make an attempt to restore the family to a level of functioning that will permit the child to be reared in a safe environment.

b) Responsibilities

School Personnel and Ministry Workers who have reasonable grounds to suspect that a child or young person has been abused are responsible for notifying the appropriate authority.
This responsibility will be carried out as follows:-

(i) School Personnel shall report the concern to the Principal/Ministry Co-ordinator who shall then notify the Department of Community Services (DoCS.) (Refer to the agency closest to the child’s residential address);

(ii) The Principal/Ministry Co-ordinator shall immediately notify the Province Leader or a member of the Province Leadership Team, should the Province Leader be unavailable;

(iii) The Principal/Ministry Co-ordinator shall inform the person who reported the matter whether or not a notification has been made;

(iv) If the Principal/Ministry Co-ordinator fails to make notification, and the staff member suspects that reasonable grounds for notification do still exist, the staff member, in consultation with the Province Leader or a member of the Province Leadership Team, must ensure that notification is properly made to DoCS.

(v) The Principal/Ministry Co-ordinator is responsible for ensuring that the following is adequately documented:

- reports made to the Principal by school personnel about possible child abuse;

- details of the notification;

- any actions within the school resulting from notifications;

- report of a notification to the Province Leader or to a member of the Province Leadership Team.

When making a notification orally, the Principal should note the following:

- provide the name and address of the child
- the present whereabouts of the child, if known
- the age of the child and the school the child attends and whether there are other children in the household and their ages
- whether a language or sign interpreter may be required or an Aboriginal agency should be involved
- give all available information that is relevant to the safety and welfare of the child
- be prepared to discuss your concerns with a member of the Department of Community Services
- record the events, conversations and observations which led to your concerns and have them available for reference when you notify by telephone
- provide your name and contact number.
(B) STATUTORY PROVISIONS - Australian Capital Territory


The Principal and Staff of St. Edmund’s College will provide its own Policy and Guidelines for the protection of its students using the Act Legislation and these guidelines drawn up for NSW.

All notifications are in the normal course to be conducted through the Office of the Principal.

(C) STATUTORY PROVISIONS - Papua New Guinea

The PNG criminal code creates a range of potential criminal offences for inappropriate behaviour between adults and children. Also under S.5 of the PNG Arrest Act a citizen has the right to arrest a person whom he believes on reasonable grounds is committing or has committed a criminal offence for which the penalty is imprisonment.

However there are not at this time statutory mandatory reporting requirements or protections as in New South Wales and the Australian Capital Territory. However as in Australia there are potential penalties for those who being aware of the commission of serious criminal offences fail to bring matters to the attention of the Police.
SECTION 6

PROCEDURES WHERE AN ALLEGATION INVOLVES AN EMPLOYEE

The Ombudsman Amendment (Child Protection and Community Services) Act 1998 widens considerably the definition of "employee" as it applies to this Act.

These procedures refer to allegations of child abuse (sexual, physical or psychological) against an "employee". A complainant may be a parent, guardian, other adult or student.

**Employee** includes:

- any employee whether or not employed in connection with any work or activities that relate to children, and
- any individual engaged to provide services to children (including volunteers).

This definition includes persons not normally considered to be employees.

Persons who fit into this category include:

- teachers
- secretaries
- teachers’ aides
- contractors
- foster carers
- volunteers
- work experience participants
- student placements
- camp leaders
- priests
- members of religious congregations

In following these procedures the prime concern at all times needs to be the safety and care of all students in the school. It is not the intention of the guidelines to be punitive towards the staff member or to pre-judge the outcome of any legal processes.

Confidentiality must be confined to appropriate personnel and agencies to protect the identity and reputation of those involved.
AT ALL STAGES IT IS ESSENTIAL THAT:

(1) The anonymity of the student is protected
(2) The Province Leader and/or the Regional Director is kept informed.
(3) The anonymity of the notifier is maintained
(4) The rights of any suspected offender are respected

6.1 ACTION BY THE PRINCIPAL

6.1.1 When a complaint is received, the Principal/Ministry Co-ordinator shall document full details of the complaint from the complainant. If a student has initiated the complaint, the Principal/Ministry Co-ordinator shall not attempt to interview the student beyond ascertaining the precise nature of the allegation.

6.1.2 The Principal/Ministry Co-ordinator shall immediately inform the Head of Agency namely, the Catholic Commission for Employment Relations (CCER), and be guided by advice as to how to proceed. The Head of Agency or the Ombudsman would notify DoCS, if it was considered that a proper investigation of an allegation was appropriate. The Head of Agency is defined in SECTION 7, page 27 where the requirements of the Ombudsman Amendment Act are described. At the same time, the Principal/Ministry Co-ordinator shall inform the Province Leader that an allegation has been made against a staff member or other person. If the Province Leader is not immediately available, the Principal/Ministry Co-ordinator will inform another member of the Province Leadership Team. Following contact with the Head of Agency the Principal/Ministry Co-ordinator may need to verify dates, places and personnel involved. This preliminary information gathering:

6.1.2.1 shall not directly involve the person against whom the complaint is made

6.1.2.2 shall not involve in a direct manner any other persons possibly involved in the alleged behaviour or incidents

6.1.2.3 should take no longer than twenty-four (24) hours.

6.1.3 The Head of Agency will inform the Professional Standards Office of the allegation, if the complaint involves a member of the clergy or of a religious congregation.

6.1.4 The Principal/Ministry Co-ordinator will inform the staff member that the complaint has been made and that the Head of Agency and the Province Leader have been informed
6.1.4.1 A paid employee should be encouraged to contact the union if he/she is a member and/or seek legal advice if he/she so chooses.

6.1.5 In acting on a complaint the protection of young people will be the paramount consideration. In the case of an allegation in relation to an employee, the Principal/Ministry Co-ordinator in close collaboration with the relevant trade union organisation will endeavour to reach an early outcome in relation to suspension or termination. In the case of an allegation in relation to a stipended member of staff, a similar process will be required in collaboration with the Province Leader of the staff member in question.

6.1.6 The Principal/Ministry Co-ordinator will inform the complainant of the action which will be followed and the importance of confidentiality during the process.

6.1.7 The Principal/Ministry Co-ordinator will advise the parent(s)/guardian of the student, that a complaint has been made, except where special circumstances make this inappropriate.

6.1.8 The Head of Agency will advise the Principal/Ministry Co-ordinator of the further steps to be taken to determine the proper outcome of any investigation of the complaint. This advice will be in conformity with the requirements of Ombudsman Amendment Act.

NOTE: (i) If a complaint against a staff member has not been made directly to the Principal/Ministry Co-ordinator but he/she becomes aware that a notification has been made to Head of Agency/DoCS/Police, the Principal/Ministry Co-ordinator will inform the Province Leader immediately.

(ii) Any allegation that a Principal/Ministry Co-ordinator has engaged in improper conduct (involving child abuse as defined) with a student is to be reported directly to the Province Leader by the staff member to whom the allegation has been disclosed. The Province Leader shall then initiate the procedures required by the Ombudsman Amendment Act.

(iii) The information contained in the Interagency Guidelines for Child Protection published by the NSW Child Protection Council is relevant to this section. Refer to the section: “Exchanging Information” on page 34 ff.
6.2 **ACTION BY THE PROVINCE LEADER**

6.2.1 The Province Leader will confirm with the Principal/Ministry Coordinator (or other reporting person if the allegation is against the Principal/Ministry Coordinator) that the Head of Agency has been notified.

6.2.2 The Province Leader will confer with the Principal/Ministry Coordinator to determine the immediate work status of the staff member against whom the allegation has been made. Possible options include:

a) immediate suspension with pay
b) dismissal

The advice of the CCER should be sought.

6.3 **FURTHER ACTION**

Following the initiation of the above procedures, and without undue delay, further action by the Principal/Ministry Co-ordinator will be required.

6.3.1 The Principal/Ministry Co-ordinator will arrange an interview with the staff member. The Principal/Ministry Co-ordinator is to be accompanied by a witness from his School/Ministry Executive (preferably the Assistant to the Principal/Ministry Co-ordinator). The staff member will be encouraged to bring a witness of his/her choice and consider obtaining legal advice prior to interview.

6.3.2 The Principal/Ministry Co-ordinator, with the consent of the staff member, will inform the Union of the decision regarding work status and also the date and time of the proposed interview.

6.3.3 At the interview, the Principal/Ministry Co-ordinator will inform the staff member of the allegations. The staff member will be invited to respond. The staff member will be informed of the decision regarding his/her work status for the duration of investigations.

6.3.4 The Principal/Ministry Co-ordinator and the Province Leader or his delegate will together determine when and how to inform other staff (and parents if appropriate) of the staff member's change in status and/or absence from school/ministry.

6.3.5 While the investigations are in progress, the Province Leader will continue to liaise with the Head of Agency. If DoCS or the Police are involved, it would be appropriate for the Principal to liaise with these bodies, as advised by the Head of Agency.
6.3.6 The Province Leader or his delegate is to be fully briefed at all stages of these procedures.

6.3.7 The Province Leader or his delegate will likewise keep the school Principal briefed and appropriately involved.

6.3.8 On completion of investigations and following advice from the Head of Agency, the Principal will take the appropriate action. If charges are laid, there will be a decision to:

(i) suspend with pay, pending finalisation of proceedings [If charges are not upheld, the staff member may, but not necessarily will, be fully reinstated.]

OR

(ii) dismiss the staff member.

If charges are not laid, there will be a decision to

(i) reinstate

or

(ii) redeploy

or

(iv) dismiss the staff member.

Note:

(i) While criminal charges may not be laid, the investigation may reveal that the staff member’s behaviour was so inappropriate as to warrant dismissal.

(ii) If the staff member is not dismissed but some appropriate action was taken, the Principal through the Head of Agency is obliged to inform the Ombudsman what action was taken.

6.3.9 The Province Leader will confer with the Principal to determine what follow-up actions or procedures are required at school level.
SECTION 7
NEW SOUTH WALES CHILD PROTECTION LEGISLATION 1998

The following child protection legislation passed through the NSW Parliament in the latter part of 1998 and was defined and implemented by regulations made public during 1999 and 2000.

- Commission for Children and Young People Act, 1998
- Ombudsman Amendment (Child Protection and Community Services) Act, 1998
- Children and Young Persons (Care and Protection) Act, 1998

7.1 CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) ACT, 1998

This Act, which comes into force in June, 2000, replaces the Children (Care and Protection) Act 1987. The existing mandatory reporting of Child Sexual Abuse which was established under the Children (Care and Protection) Act 1987 still applies and is extended under the new legislation to include physical and psychological abuse by a new definition of "children at risk of harm".

The greater proportion of this Act deals with the protection of children in need of care and who come under the jurisdiction of DoCS and other welfare agencies.

7.2 COMMISSION FOR CHILDREN AND YOUNG PERSONS ACT, 1998

As far as schools and other ministries working with children are concerned, the Act empowers the Commission for children and Young People to enact certain measures which will ensure the care and protection of children.

These measures include:

(i) collecting and maintaining a database of relevant apprehended violence orders and relevant completed disciplinary proceedings, and provide access to the database to certain employers for employment screening.

(ii) Conducting employment screening on behalf of employers, including non-government school authorities.

Note: The detailed procedures regarding the manner of carrying out employment screening will be made known by the CCER before this Act comes into force in March, 2000.
The *Commission for Children and Young People Act, 1998* states that

"The welfare of children and, in particular protecting them from child abuse, is the paramount consideration in employment screening"  [Section 32]

As well, this Act requires mandatory employment screening of preferred applicants for certain child-related employment. It also requires that employers notify the Commission of the name and other identifying particulars of any employee against whom relevant disciplinary proceedings have been completed by the employer. The employer is also obliged to provide details of the proceedings to any other employer who seeks a referees’ report on a preferred applicant.

In respect of employment screening, the Act requires an employer to notify the Commission of the name of any person whose application for child related employment has been rejected primarily because of a risk assessment carried out as part of employment screening.

### 7.2.1 Employment Screening

Under the terms of the *Commission for Children and Young People Act 1998*, the Commissioner will require the following procedures as part of employment screening:

- a **criminal record check** of a person, with respect to an offence *involving sexual activity, acts of indecency or of child abuse*, punishable in NSW by at least 12 months’ imprisonment;

- an **apprehended violence order check**, where the order has been made against the person in question to protect the child;

- a check of completed professional or employment disciplinary proceedings against a person, *in which the proceedings involved child abuse, sexual misconduct or acts of violence by the employee*;

- a check relating to the previous employment or activities of a person;

- an assessment of the risk to children which would arise from the employer appointing the person to work in the child-related employment for which he or she is being considered;
the communication of information, obtained as a result of the above checking, to any person who decides whether the person is to be employed or will continue to be employed in child-related employment.

7.2.2 Risk Assessment

Following the obtaining of the relevant records and probity checks, and having completed the necessary referee reports, an employer conducts a Risk Assessment on the prospective employee. This entails a consideration of the nature of the particular job for which the person has applied and the opportunities such a position might present for him or her to subject children to any form of abuse. Factors such as the level of supervision of the person, their access to children and the vulnerability of children to possible abuse, are some of the matters to be considered in making a risk assessment.

7.2.3 Provision of Information to the Children’s Commission

Principals and Ministry Co-ordinators are required to provide to the Children’s Commission the following information:

- The name and other identifying particulars of any teacher or ministry worker against whom relevant disciplinary proceedings have been completed.
  

The name and other particulars of any person whose application for child-related employment has been rejected primarily because of a risk assessment carried out during employment screening.
  
  [See Appendix 3]

7.2.4 Relevant Discipline Proceedings

In these proceedings "discipline action" is the process undertaken by a Principal/Ministry Co-ordinator as a result of a breach by an employee of the school or ministry’s code of conduct or expressed standards of behaviour.

The obligation to inform the Children’s Commission is limited to circumstances where the allegation resulted in completed discipline procedures and a subsequent finding.

The type of discipline information to be provided by the school/ministry to the Children’s Commission will relate to issues of:-
• abuse of a child by a teacher or worker;
• sexual misconduct by a teacher or worker;
• acts of violence in the workplace by a teacher.

Discipline actions related to other issues will not be provided to the Children’s Commission.

Section 33 Commission for Children and Young People Act 1998

7.2.5 Retrospective Discipline Information

Principals and Ministry Co-ordinators are required to provide a summary record of completed discipline proceedings for the five year period prior to June, 2000 (or the date of commencement of the Act.)

The details regarding discipline proceedings will be provided in guidelines to be issued by the Commission for Children.

Section 39(3) Commission for Children and Young People Act 1998

7.2.6 Provision of Details of Discipline Information to an Enquiring Organisation

Principals and Ministry Co-ordinators holding the full details of any completed discipline matter lodged with the Children’s Commission are required to provide an enquiring organisation sufficient additional details of the discipline matter for that organisation to make its employment decision.

[See Appendix 3]

7.2.7 Retention of Records of Discipline Information

Section 39(5) of the Commission for Children and Young People Act 1998 requires the employer to retain records of discipline proceedings which have been supplied to the Commission.

7.2.8 Provision of Decisions “Not to Employ” to the Children’s Commission

Principals/Ministry Co-ordinators are obliged to provide to the Children’s Commission identifying information to any decision not to employ an applicant in a child related employment position if the decision not to employ is based on an assessment that the applicant poses an unacceptable risk in child-related employment.

Section 40(1) Commission for Children and Young People Act 1998

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7.2.9 Record Keeping

Section 39(5) of the Commission for Children and Young People Act 1998 requires organisations covered by this legislation to retain records of relevant, completed disciplinary proceedings and decision not to employ because of a risk assessment in employment screening.

Any decision to employ despite some adverse information gained through the screening process is also to be recorded and kept on record.

Good practice would dictate that these records be kept separately from other personnel files and under strict security.

The CCER, as the approved employment screening agency for Catholic employers, will also provide detailed advice on how records should be written and filed.

7.2.10 Data Protection Principles

Principals/Ministry Co-ordinators are advised that all personal information and records in relation to the screening process should be collected and kept with all due care. The Data Protection Principles endorsed by the NSW Privacy Committee are a good guide to the safe-keeping and protection of records.

[See Attachment 6, Premier's Department Draft Feb 1999]

7.2.11 Unauthorised Collection or Disclosure of Information

It is an offence under Section 42 of the Commission for Children and Young People Act 1998 to:

- disclose any information obtained by a person in connection with employment screening;
- dishonestly obtain confidential information relating to employment screening.

7.2.12 Advising Applicants of Adverse Information

Applicants for child-related employment must be notified of information obtained about them during employment screening that may adversely affect their application.

Section 35(3) Commission for Children and Young People Act 1998

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7.2.13 Freedom of Information

The Freedom of Information Act 1989 (FOI Act) applies to information on completed relevant disciplinary proceedings that organisations are required to hold under the Commission for Children and Young People Act 1998.

Principals/Ministry Co-ordinators are advised to familiarise themselves with the provisions of the FOI Act.

7.3 CHILD PROTECTION (PROHIBITED EMPLOYMENT) ACT, 1998

This Act is the enabling legislation which provides the legal framework for prohibiting the engagement of persons unsuitable for child-related employment.

7.3.1 Recruitment and Employment

Under the provisions of The Child Protection (Prohibited Employment) Act 1998, employers are required to ensure that persons found guilty of committing a serious sex offence (a “prohibited person”) are not employed in child related activities.

The employer is required to remove any prohibited person from child-related employment.

The provisions of this Act will apply to all school based employment and child related initiatives as well as to employment in any religious organisation. (See Section 3 of the Prohibited Employment Act).

Child Related Employment

The scope of “child related employment” is very broad. For a complete list of what is concluded in this definition see the Child Protection (Prohibited Employment) Act 1998 Part 1. Definition. [For convenience, this section is reproduced in Appendix 4].

Also, see Child Protection Training Package No. 3 issued by the Catholic Commission for Employment Relations. December 1999.

Relevant employment includes:

- performance of work under a contract of employment;
- performance of work as a self-employed person or as a sub-contractor;
- performance of work as a volunteer;
• undertaking practical training as part of an educational or vocational course;
• performance of work as a Minister of Religion or other member of a Religious Organisation.

7.3.2 Mandatory Screening and Disclosure Requirement

Section 37 of the Commission for Children and Young People Act 1998 makes it mandatory for employers to screen preferred applicants for paid primary child-related employment.

The Child Protection (Prohibited Employment) Act 1998 defines employment in child-related activities very broadly (see pages 2 and 3 of the Act).

It is the responsibility of the Principal/Ministry Co-ordinator to seek from persons engaged in child-related activities, which are conducted under the auspices of the school/ministry, to seek from such persons disclosure as to whether or not they are a “prohibited person” under the definition of this Act.

The Child Protection (Prohibited Employment) Act 1998 requires an employer to seek from all employees disclosure of any previous conviction for child abuse. Any persons with such a conviction are to be disqualified from working in child-related employment.

7.3.3 Structured Referee Checks

These are an essential part of the recruitment process.

Attachment (2) of the Premier’s Department Advice of Employment Screening Procedures provides guidance for undertaking referee checks, and Attachment 3 of the same document provides guidance for persons acting as referees.

[See Appendices 5 and 6]

7.3.4 Probity Checks

Non-government schools are required to make a probity check on the selected applicant for any position on staff. Once a selection panel has completed the selection process, the Children’s Commission will conduct the probity check.

Usually no offer of employment should be made until probity check has been completed. Circumstances may dictate that an
offer of employment be made conditional of the outcome of the formal probity check.

7.3.5 Apprehended Violence Orders

The NSW Police Service maintains a record of all Apprehended Violence Orders (AVO). The NSW Police Service will advise the Children’s Commission of all AVOs issued to protect children, and the Commission will advise prospective employers of the existence of such orders when a probity check has been requested.

7.3.6 Analysis of Information Obtained by External Checks

Risk assessment should only be conducted by appropriately selected and trained staff.

The risk assessment might look at factors such as:

- standard of proof reached in the particular case;
- nature of the allegations and their seriousness;
- degree of “confirmation” by the victim;
- degree of corroboration from other sources (witness, specialist reports/assessments, etc);
- issues of “credit” and “validity” of the allegations;
- number of allegations and time-frames;
- reasons for not proceeding further to a higher level of decision-making with a higher standard of proof.

7.3.7 Probit Interview with Applicant

If adverse information is obtained as part of the screening process, the selected applicant must be contacted and invited to an interview with a senior person in the organisation prior to the final decision. At the interview the information gathered from any of the probity checks together with the concerns the organisation has about employing the applicant in the particular position should be discussed. The applicant should be asked to:

- confirm that the information relates to them;
- advise whether it is factually correct; and
- if it is, to make comments in relation to this information and to have this placed on his/her record.

The organisation would determine at which stage of the probity checking processes this should occur. In order to minimise any distress or inconvenience to the applicant, the general principle would be that an applicant would only be interviewed once.
Individuals against whom any relevant disciplinary proceedings have been taken are entitled to apply under the Freedom of Information Act 1989 to have those records amended.

7.3.8 Summary: Legislative Responsibilities of Organisations


As an employer, you are required to:

- ascertain if any existing employee is a prohibited person – Section 7 of the Child Protection (Prohibited Employment) Act 1998 (a "prohibited person") is a person convicted of a serious sex offence as defined in Section 5 of the Child Protection (Prohibited Employment) Act 1998;
- notify the Children’s Commission of the name and other identifying particulars of any employee against whom relevant disciplinary proceedings have been completed by the employer (irrespective of the findings of those proceedings) – Section 39 of the Commission for Children and Young People Act 1998;
- notify the Children’s Commission of the name and other identifying particulars of any person whose application for child-related employment with the employer has been rejected primarily because of a risk assessment in employment screening – Section 40 of the Commission for Children and Young People Act 1998;
- conduct the full employment screening process on all preferred applicants for PAID child-related employment BEFORE employment is offered for commenced (Section 37 of the Commission for Children and Young People Act 1998);

As an employer you must not:

- employ a prohibited person in child-related employment – Section 8 of the Child Protection (Prohibited Employment Act 1998;
- commence employing a person in child-related employment without first requiring that person to disclose whether or not they are a prohibited person – Section 7 of the Child Protection (Prohibited Employment) Act 1998;
- dishonestly obtain or disclose information obtained in connection with employment unless it is for the purposes of employment screening or other purposes as defined in the

7.4 OMBUDSMAN AMENDMENT (CHILD PROTECTION AND COMMUNITY SERVICES) ACT 1998

The purpose of this Act is to keep child protection systems under scrutiny in order to prevent or minimise child abuse. The Ombudsman’s office will also become involved in handling and responding to child abuse allegations against employees in designated non-government agencies.

Employers are obliged to provide to the Ombudsman information as requested on its child protection systems, as well as any child abuse allegations and whether or not the agency proposes to take any disciplinary or other action in relation to an employee. [Section 25C Ombudsman Act]

7.4.1 Head of Agency

By agreement with the Ombudsman’s Office, the Catholic Commission for Employment Relations (CCER) will act as HEAD OF AGENCY for schools conducted by the Christian Brothers.

The detailed requirements for reporting to the Ombudsman by the Head of Agency indicate the importance of the Ombudsman’s Office in monitoring child abuse.

Section 25F(2) of the Ombudsman Amendment (child Protection and Community Services) Act 1998 states that:

The head of agency must, as soon as practicable after being satisfied that the investigation has been concluded:

(a) send to the Ombudsman a copy of any report prepared by or provided to the head of the agency as to the progress or results of the investigation and copies of all statements taken in the course of the investigation and of all other documents on which the report is based, and
(b) provide the Ombudsman with such comments on the report and statements as the head of the agency thinks fit, and
(c) inform the Ombudsman of the action that has been taken or is proposed to be taken with respect to the child abuse allegation or conviction the subject of the investigation.
All of this indicates again the importance of appropriate and accurate record keeping by Principals/Ministry Co-ordinators of any incidence of child abuse or relevant disciplinary action which may have occurred in a school or other ministry.

The Head of Agency will report to the Ombudsman the results of any investigation of child abuse allegations against an employee of the school and of any action taken.

**Employee includes:**
(a) any employee whether or not employed in connection with any work or activities that relate to children, and
(b) any individual engaged to provide services to children (including volunteers).

This definition obviously includes persons not normally considered to be employees such as:

- teachers/refuge carers
- secretaries
- teachers’ aides
- contractors
- foster carers
- volunteers
- work experience participants
- student placements
- priests
- members of religious congregations
- camp leaders

[CCER Child Protection Training Package July 1999]

The Ombudsman determines whether the child abuse allegation or conviction was properly investigated and whether appropriate action was taken as a result of the investigation [Section 25F Ombudsman Amendment Act 1998].

Although a School Principal or Ministry Leader might notify DoCS of an allegation of child abuse, it is required that the Professional Standards Office be notified of an allegation in which there are reasonable grounds that there has been improper conduct by clergy or religious working with children. This would normally be carried out by the Bishop or Province Leader concerned. The PSO was set up by the Catholic Hierarchy and Major Superiors of Religious Orders to deal with complaints against clergy and religious.
For further information, and in particular the various proformas to be used when notifying the Head of Agency of any allegations against employees, Principals/Ministry Co-ordinators should refer to:

**Child Protection Training Package**  
*Ombudsman Amendment*  
*(Child Protection and Community Services) Act 1998*  
July 1999
SECTION 8

CODE OF CONDUCT

INTRODUCTION

The charism and legacy of Edmund Rice is the care of children in our schools and ministries. This is a sacred trust and all our students have a right to be treated with dignity and respect.

The prevalence of child abuse in society is a sad and distressing fact. The trauma and damage which abuse, especially sexual abuse, causes its victims are compounded when the abuser is one who holds a position of special trust and authority such as clergy, religious and teachers in Catholic Schools. Such abuse is indefensible.

Society is now more aware that relationships involving significant differentials of power can increase the risk of personal and systemic abuse. This understanding is further reason for developing policies and practices which will protect children from risk of abuse.

Responding to the call of the Gospel to be compassionate, and strongly desirous of upholding the rights and dignity of every human person, the Christian Brothers wish to declare unequivocally that any physical, sexual or emotional abuse of a child or adult is unacceptable behaviour.

While we set about supporting victims and seeking a better understanding of the phenomenon of child abuse, we offer this Code of Conduct as one way of ensuring that our schools and other ministries to young people are places where they will always feel safe and respected as individuals.

This code has been produced in an attempt to:

(a) ensure that abuse does not occur in any Christian Brothers' school or ministry;

(b) to assist our staff in properly dealing with this complex issue and in avoiding situations that could give rise to allegations of abuse;

(c) and to offer a guide to practices that constitute good professional conduct for teachers and ministry workers in the various aspects of their work.

Note: While this Code of Conduct is written primarily from the point of view of teachers, other ministry workers are invited to apply the same principles and practices to their specific ministries.
POLICY

Because the Christian Brothers are committed to the well-being of all persons, religious and lay co-workers will maintain appropriate boundaries in their ministerial and personal relationships.

The Province will exercise responsible intervention whenever any abuse occurs. The proper procedures for receiving and reporting allegations of child abuse will be followed (See Child Protection: Policy and Guidelines, Christian Brothers 1999). While honouring and respecting the need for confidentiality, the Province will be candid and truthful in responding to allegations.

The consequences for all concerned if a complaint of misconduct is made are extremely serious and it must be recognised that, in the event of such misconduct occurring, appropriate disciplinary steps will be taken. In some situations appropriate action could lead to the removal or suspension or dismissal of a teacher.

This Code is not an exhaustive code of practice. All staff members are expected to be fully aware of:

♦ the relevant legal requirements;
♦ the requirements of all professional organisations to which they belong;
♦ the published requirements of any other agency or organisation within which the school operates.

As a consequence of accepting employment in a Christian Brothers’ Ministry, staff members accept responsibility for promoting the Mission of the Christian Brothers in general and, for furthering the mission of the particular enterprise in which they are employed.

Teachers and those working in other ministries will demonstrate the highest standard of professional behaviour and act in a courteous and sensitive manner when interacting with students, parents or care givers, colleagues and the public.

School Principals/Ministry Co-ordinators should ensure that staff are aware of their responsibilities under this code, and provide staff with the necessary professional and personal development and support to ensure implementation of the code.

Professional misconduct is behaviour which is inappropriate within a professional teacher/student relationship and which amounts to a breach of the position of trust a teacher enjoys in respect of his or her students. In the exercise of the responsibilities all staff members put the welfare of students and
clients as their first concern. They pledge themselves to recognise the human dignity of all students and clients and to treat them with reverence and respect, irrespective of race, religious belief, age, gender and sexual preference.

Accordingly, staff commit themselves to work to enhance the welfare and growth of students and clients and to avoid anything that does not promote these ends. They pledge not to harm students or clients either physically, sexually or emotionally and to refrain from all form of verbal assault, sarcasm and ridicule. They refrain from any use of physical or emotional manipulation that endangers the physical or emotional well-being of students and clients.

In fulfilment of this commitment, staff members agree always to act in accord with the prescriptions and recommendations of this Code of Conduct and with decisions regarding its implementation made from time to time.
PERSONAL AND PROFESSIONAL RELATIONSHIPS

The relationship between a teacher or anyone who ministers to another is, by its very nature, unequal. He or she is not a peer in the true sense of the word because as a minister, he or she is a person with moral authority helping one who is in need. Implicit in this relationship is the commitment of the teacher or minister to care for and to nurture the other. If that relationship is reversed, and the teacher or minister allows the other to fill the teacher/minister’s needs, exploitation and abuse can follow.

While an element of trust between children and their teachers is required, and has in the past, been taken for granted, a teacher may be devastated by an allegation which arises out of a school practice which is based on trust.

Sound educational principles, which cause a person to seek out a quiet space for after-school supervision or pastoral care interviews, is to be balanced against the need for some independent observation of that activity. Hence the need for a Code of Conduct as a guide to acceptable and unacceptable practice.

BACKGROUND

A Code of Conduct is a statement, which governs the relationships between teachers, their students and their colleagues, and which reaffirms teachers’ and ministers’ high standards of behaviour in school settings and other ministries to youth, where autonomous professional practices and local initiatives are encouraged.

The relationship with students is one of special trust; it is one which is powerful and capable of violation. Young people have limited control over their lives. They are dependent, have underdeveloped skills and therefore, they are vulnerable.

Relationships with parents, the community and colleagues can sometimes create contradictory interests which may cause professional dilemmas and therefore call for the exercise of discretion and good judgement.

One’s personal opinions and beliefs can be challenged in the application of one’s professional code of conduct. It is important to remember that a Code of Conduct is a guide to professional ethics rather than a statement of personal morality or private conscience.

As professionals, it is expected that teachers and ministry workers maintain positive and cooperative relationships with colleagues and their employers.
REDUCING THE RISK IN MINISTRY

In general, the risk of engaging in inappropriate behaviour is reduced if those engaged in ministries meet the criteria for that ministry and when practitioners are appropriately licensed or certified.

In addition, peer review in certain ministries, and professional supervision by suitably qualified professional persons will assist in maintaining a high level of professional conduct, and ensure adequate care for the individual in what is often stressful and complex situations.

PRINCIPLES

Acknowledgement is made to Code of Ethical Standards of the Archdiocese of Milwaukee, USA and to the Standards Council of the Teaching Profession, Victoria - Professional Code of Practice for material contained in this section.

The professional ethics articulated in this Code of Conduct are governed by the principles of:

- COMMITMENT TO THE SPIRIT OF THE GOSPEL, THE CHURCH AND TO THE COMMUNITY
- INTEGRITY
- COMPETENCE
- RESPECT FOR OTHERS’ RIGHTS AND DIGNITY

COMMITMENT TO THE SPIRIT OF THE GOSPEL AND TO THE CHARISM OF EDMUND RICE

Catholic teachers and those engaged in other ministries embrace the teachings of Jesus and work to promote Gospel values.

The material resources and spiritual energies of Edmund Rice were directed to raising the poor to a dignified manner of living.

The Christian Brothers call their lay co-workers to see the world through the eyes of the poor, the disadvantaged and the marginalised, and to accept that their involvement with the most disadvantaged in society is a call to faith in the person and faith-vision of Jesus.
In a Catholic school, teaching is a vocation, a call to contribute to the evangelisation of youth. Though not all staff members are engaged directly in the religious instruction in the school, teachers model Christ in the manner in which they relate to students.

The community in general holds the expectation that teachers, in their own lifestyles and in their practice of the natural virtues, should be role models for their students. If this is true of teachers in general, it is even more so for those in Catholic schools. In the areas of morality and ethical behaviour, what matters most for young people is what manner of person their teacher is.

INTEGRITY

Teachers and others who minister to children and young adults are expected to be persons of integrity. They must conduct themselves in an honest and impartial manner.

COMPETENCE

Teachers and others shall maintain a high level of professional competence in their ministries. Training, education and experience all contribute to make teachers and ministers competent and credible in their areas of expertise.

Teachers and carers shall not provide services in those areas in which they lack competence. Knowing one’s limitations is an indication of good judgement.

Teachers who are professional act in the belief that:

- education is a continuing process;
- all students should be given equal opportunity to develop to their maximum potential;
- individual differences should be responded to by providing learning opportunities consistent with developmental stages;
- students will be motivated, encouraged and challenged by the use of a variety of teaching strategies for learning tasks.

Teachers hold a position of trust. They must recognise that as influential role models they have a responsibility to:

- convey the culture and values of society;
- demonstrate values through personal integrity;
- develop exemplary relationships with students;
• respect other people's rights to hold different positions and views in our society;
• develop a commitment to the principles of tolerance, honesty, equity and respect for persons;
• display qualities of integrity, imagination, enthusiasm and dedication;
• ensure that assessment and reporting of learning experiences are fair and comprehensive.

Teachers have a responsibility to take opportunities for their own professional development by:
• reflecting critically on their own professional practices;
• seeking feedback and taking opportunities to update and improve their knowledge and skills;
• being thoroughly acquainted with their responsibilities;
• maintaining current knowledge of appropriate educational, social and environmental issues which affect their work;
• accepting the need for accountability for the exercise of their own professional practice.

RESPECT FOR OTHERS' RIGHTS AND DIGNITY

Teachers shall respect the rights, dignity and worth of each of their students. Teachers respect each of their students as a creation of God without regard for their economic status or their capacity to learn.

Teachers and other carers strive to be sensitive to the cultural differences among people and appreciate the opportunities that diversity brings to Australian society.

An honest, sensitive and constructive development of appropriate relationships between teachers and the parents, guardians and the community will be for the benefit of students.

Teachers enhance the standing of the profession by:
• being open, courteous and responsive in seeking cooperation and support from members of the school and the wider community;
• being receptive and willing to seek the active cooperation and participation of parents and guardians in the students’ welfare and educational development;

• being respectful of parents’ and guardians’ roles and right to privacy;

• being impartial in responding to students learning needs;

• avoiding all forms of discrimination;

• promoting the equality of women and men.

Working supportively and creatively with colleagues will ensure that teachers are developing professionally in their work. The role of the teacher is enhanced through:

• positive, effective and cooperative relationships with other staff;

• the sharing of good practices and materials will help maintain and improve the standard of education in schools;

• continued renewal and improvement of skills

In carrying out their professional responsibilities, teachers and ministers act within the framework of the law, lawful instructions of their employer, the limits of their authority and the resources available.

For most daily activities, teachers and ministers act with delegated authority from their employer.

It is important that teachers and ministers:

• recognise situations where personal and private interests may influence the performance of their duties or compromise their professional integrity;

• do not misuse information or school or other public resources for personal gain;

• avoid seeking or accepting gifts for personal gain;

• seek advice and approval if a conflict of interest with respect to ownership of copyright, or financial benefit from one’s own workplace;

• accept a professional responsibility to use appropriate avenues to accomplish a change in practice they believe will effect a better educational service;
are alert to their obligations to work conscientiously and to keep confidential privileged information, to which they have been privy by virtue of their employment or position.

**Workplace Harassment - Sexual Harassment**

A policy concerning sexual harassment, and harassment on the basis of homosexuality, race and disability is to be developed in Christian Brothers' schools. The principles of such a policy are to be informed by the advice of Catholic Education Commission and the Catholic Commission for Employment Relations. The wording of this policy in Staff Handbooks may vary from school to school.

Just as it is proper that teachers respect the rights, dignity and worth of their students, likewise it is proper for teachers to show respect for each of their colleagues. Staff must not discriminate against or harass their colleagues, students or members of the public on the grounds of sex, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment or sexual preference. Such harassment or discrimination may be prohibited under the Anti-discrimination Act. In addition, staff must not harass or discriminate on the grounds of political or religious conviction.

**Sexual Harassment** is any unwelcome behaviour of a sexual nature which is unwarranted, uninvited and unreciprocated. It may be repeated and persistent, but a single incident may also be deemed sexual harassment.

**Examples of Sexual Harassment**

- suggestive behaviour such as leering and gesturing;
- comments or insinuations about a person's sex life or physical appearance;
- innuendo, sexual jokes or remarks;
- implicit or explicit demands for sexual activities;
- offensive telephone calls and e-mail or computer screen savers;
- body contact of an inappropriate sexual nature - patting, pinching;
- brushing up against another person;
- display of lewd or offensive materials.
Forms of sexual harassment which are commonly thought mild or trivial can be personally offensive, especially in staff/student and employer/employee relationships where the formal nature of the relationship involves authority of one person over another.

The Federal Sex Discrimination Act makes it unlawful to sexually harass another person in many circumstances. These include:

- physical molestation or assault;
- indecent exposure;
- sexual assault;
- stalking;
- obscene communications (telephone calls, letters, e-mails, etc.).

An important way of combating sexual harassment is to raise community awareness of what constitutes harassing behaviour. Principals should ensure that steps are taken to heighten awareness of sexual harassment issues.

Acknowledgement is given to Australian Catholic University for part of content in this section of the Code. The Human Rights and Equal Opportunity Commission can supply further useful information on Sexual Harassment issues.

THE MINISTRY OF TEACHING

Classroom Practice

- Before and after school a teacher should never be alone with a student unless in full view of other staff and/or students. During school hours, a teacher who has special pastoral responsibilities for students needs to take particular precautions when the need arises to interview a student in some privacy.

- The place for student detentions is to be such as to be easily observed by other staff.

- Tutoring students, particularly after school hours or elsewhere than at the school itself, poses particular problems for the teacher. Having a third person somewhere in close proximity is a necessary protection.

- The locking of the doors from classrooms and offices when one is alone with a pupil would in all likelihood cause apprehension for a young student and would be an inappropriate action.
Physically touching students during first aid instruction or physical education classes is normal behaviour for a teacher but the touching of students at other times is to be avoided. When situations such as personal bereavement, physical injury or emotional upset call for touch as an appropriate, healthy and natural response, the necessary care should be taken that such touching is not open to misinterpretation by the recipient.

Classroom language must always be professional. Suggestive innuendos and coarse references are inappropriate. Sexual references and technical vocabulary in areas such as personal health and hygiene, morality and sex education, literature and drama, are to be used in a matter-of-fact way, and not nuanced by inappropriate gestures or expressions.

Personal correspondence with a student in respect of a staff members’ sexual feelings for the student is entirely inappropriate.

Teachers are to be watchful that their language outside the classroom does not cross the bounds of propriety when engaging children in conversation.

Teachers and carers must not give students or young people in their care alcohol or other drugs nor condone the use of alcohol or other drugs by students.

EXCURSIONS/SUPERVISION OF OUT OF SCHOOL ACTIVITIES

School excursions, particularly when they involve overnight stay, present teachers with a context in which the teacher-pupil relationship is quite different from the normal classroom environment. Younger students in particular can feel unsure of themselves and consequently are vulnerable emotionally.

Teachers are to guard against placing themselves in potentially compromising situations when children are going to bed or showering. An individual child should not be taken away from the group by a teacher.

Approved camps or excursions must have a minimum of two adult supervisors present for overnight stay. With mixed groups both male and female supervisors are necessary. Volunteer helpers, eg. parents and/or ex-students ought not to be seen as staff members with any specific duty of care.

Because the natural barriers to behaving inappropriately with children which exist in a classroom situation are often removed when a group moves out of school, teachers need to be especially sensitive to the boundaries of proper conduct.

It is inappropriate for a teacher to be alone with a pupil out of sight at some distance from the group.
Some children have a heightened sense of modesty about undressing and bathing in public areas. Teachers must respect such feelings and keep a proper distance when supervising bathrooms, toilets and change-rooms.

The possibility of a student’s parent not arriving to collect the student following a sporting or other co-curricular activity is predictable. A student is not to be left alone at the conclusion of an activity. Best practice would be to take two students together to a safe place and to notify the late parent of the child’s whereabouts.

Role of Parents and Volunteers

- Generous parents and volunteers give invaluable assistance to schools by tutoring, coaching and managing sports teams, billeting and accompanying groups on excursions. Situations where such people are likely to be alone with students should be identified and they are to be informed of the appropriate guidelines as laid down in this Code of Conduct.

- Some excellent guidelines for ensuring the protection of students are contained in a statement issued by the Department of Education and Training entitled Good Practice in Billeting [See Appendix 7]

If a school or ministry follows these or similar guidelines, there is less likelihood that duty of care will be compromised.

TRANSPORT OF STUDENTS

- It is generally inappropriate for a teacher to offer to transport one student alone in a private vehicle. An example of circumstances where transporting one student might be permissible would be where a student is undertaking an extra-curricula, late night activity and parental approval has been given.

- In the case of an accident, and where prompt transportation is not necessary, teachers potentially leave themselves open to criticism, if a pupil is driven anywhere without parental permission.

SOCIAL ACTIVITIES WITH STUDENTS

Rightly or wrongly people seem to have a higher expectation of the demeanour and standards of behaviour of teachers than they do for the community generally.

- It is unwise for a teacher to attempt to enter on equal terms into the social activities of students. The customary social distance between teacher and student should be maintained. Drinking with students and dancing with
them as social equals usually causes unease for the students and should be avoided.

♦ Drinking during school hours is unprofessional conduct on the part of teachers. In the eyes of students, teachers assume the role of carer and supervisor for the whole time of a school excursion. Therefore, the consumption of alcohol while on an excursion, is inappropriate for teachers.

INTERVIEWING STUDENTS

♦ Teachers and counsellors naturally desire to accord students and clients pastoral support together with confidentiality and anonymity. Unfortunately, in the current climate of suspicion and sensitivity over child abuse allegations, how counselling is conducted requires special care and circumspection.

♦ As far as practicable, interviewing and counselling of a student alone needs to be done in a place that is open to view or in the general vicinity of at least some other staff member.

♦ In comforting students who are obviously stressed and emotional, the ‘hands off’ dictum is wisest when a teacher and student are alone. Whereas in the case of very young children, a comforting hug might be appropriate, the same gesture is open to misinterpretation where teenagers are involved.

USE OF SCHOOL FACILITIES

Teachers would be wise to adhere to clear and precise arrangements if they have approval for the use of school facilities after school hours.

♦ The use of specific areas of the school by teachers out of hours, and the precise times of that use should be clearly laid down and known to all parties. The method of access to the school facilities needs to be clear and adhered to by teachers.

PHYSICAL AGGRESSION BY STUDENTS

♦ Students should be advised and instructed that physical aggression by students upon other students will not be tolerated in any circumstances.

♦ All teachers will be alert to the possibility of physical aggression in and outside the classroom, and on observing physical aggression shall take whatever steps are reasonable to prevent such behaviour continuing.

♦ Depending on the nature, extent and frequency of the aggression, a teacher will in all appropriate circumstances, report instances of physical aggression to the Principal.
If a teacher believes that he or she is at risk of personal injury in attempting to prevent physical aggression, then the teacher shall seek immediate assistance and in all such instances the incident shall be reported to the Principal.

ACTING OUTSIDE THE CODE

When circumstances require a teacher to act outside the limitations of conduct as set out above, details of the teacher’s behaviour and the circumstances should be reported in writing to the Principal at the earliest opportunity.
APPENDIX 1

The following documents provide important information on Child Abuse and Reporting. In referring to them, one needs to be aware that some of these are supported by statutory enactments of parliament. Both Government and non-Government schools are subject to the provisions of all the Acts of Parliament and the Regulations which govern the care and protection of children and young people. To the extent that any other part of the documents referred to below do not strictly apply to non-government schools it would be prudent to follow these guidelines in Christian Brothers’ schools.

▲ CATHOLIC EDUCATION OFFICE: SYDNEY
CHILD PROTECTION GUIDELINES, August 1997

▲ CHILD PROTECTION:
PROCEDURES FOR RECOGNISING AND NOTIFYING CHILD ABUSE AND NEGLECT
DSE 10 March, 1997

▲ CHILD PROTECTION:
PROCEDURES TO BE FOLLOWED IN RESPONSE TO ALLEGATIONS OF IMPROPER CONDUCT OF A SEXUAL NATURE BY A STAFF MEMBER AGAINST A STUDENT.
DSE 10 March, 1997

▲ CHILD PROTECTION: Your New Responsibilities
New South Wales Ombudsman May 1999

▲ CHILD PROTECTION TRAINING PACKAGE NO. 1:
OMBUDSMAN AMENDMENT (CHILD PROTECTION & COMMUNITY SERVICES) ACT 1998
Catholic Commission for Employment Relations July 1999

▲ CHILD PROTECTION TRAINING PACKAGE NO. 2:
COMMISSION FOR CHILDREN AND YOUNG PEOPLE ACT 1998
EMPLOYMENT SCREENING
Catholic Commission for Employment Relations December 1999

▲ CHILD PROTECTION TRAINING PACKAGE NO. 3:
CHILD PROTECTION (PROHIBITED EMPLOYMENT) ACT 1998
Catholic Commission for Employment Relations December 1999

▲ EMPLOYMENT SCREENING PROCEDURES FOR CHILD PROTECTION
Premier’s Department New South Wales February 1999

▲ GUIDELINES FOR CATHOLIC SCHOOL PERSONNEL TO EFFECT THE IDENTIFICATION AND NOTIFICATION OF CHILD ABUSE.
Catholic Education Commission, NSW, 10 March 1998.
IDENTIFYING AND NOTIFYING CHILD ABUSE
Guidelines for Catholic School Personnel

(NOTE: cf. Similar documents by CEOs)

For Sexual Harassment Information and Brochures
HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION
[GPO Box 5218, Sydney, NSW, 1942]

INTEGRITY IN MINISTRY:
A DOCUMENT OF PRINCIPALS AND STANDARDS FOR CATHOLIC CLERGY AND RELIGIOUS IN AUSTRALIA
National Committee for Professional Standards, 1999

INTERAGENCY GUIDELINES:
FOR CHILD PROTECTION INTERVENTION

LEGISLATION:
■ NSW
Children and Young Persons (Care and Protection) Act +
70 */1998
Commission for Children and Young People Act 1998, No. 146
Child Protection (Prohibited Employment) Act 1998, No. 147
Ombudsman Amendment (Child Protection and Community Services) Act 1998, No. 148

■ ACT
Section 103 of the Children Services Act 1986

POLICY AND PROCEDURES FOR COMPLAINTS OF SEXUAL HARASSMENT

PROFESSIONAL CODE OF PRACTICE
Standards Council of the Teaching Profession, Victoria (undated)

TOWARDS HEALING - National Committee for Professional Standards
December 1996
APPENDIX 2

The information provided to the Children’s Commission will encompass details of the type described in the table below:

<table>
<thead>
<tr>
<th>Discipline Actions (Christian Brothers’ College, Wombat)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matter completed</td>
</tr>
<tr>
<td>• Allegation investigated – breach of discipline proven and a penalty imposed (dismissal or other penalty)</td>
</tr>
<tr>
<td>• Allegation investigated – breach of discipline not proven, no further action</td>
</tr>
<tr>
<td>• Allegation investigated – no breach of discipline found, no further action.</td>
</tr>
</tbody>
</table>

Organisations will provide only minimum identification details of the individual and the organisation involved, not full details of the matter. The identification details include:

• Full name of person who was the subject of the discipline action

• Their date of birth

• The date of the completion of the discipline action

• The name of the organisation which holds the full details of the record of disciplinary action.
This information will be provided to the Children’s Commission as soon as the discipline action is completed.

Principals/Ministry Co-ordinators will advise current employees that this discipline information will be forwarded to the Children’s Commission and may be accessed by enquiring organisations for employment screening purposes.

[Premier’s Department, New South Wales.
Employment Screening Procedures for Child Protection]
APPENDIX 3

Provision of Details of Discipline Information to an Enquiring Organisation

The information must be relevant and factual.

- Date on which the alleged breach of discipline occurred;
- nature of the disciplinary matter;
- context within which the breach of discipline occurred;
- degree of confirmation by the victim;
- degree of corroboration from other sources;
- findings of the investigation;
- Penalty imposed, if any.

Section 39(2) of the Commission for Children and Young People Act 1998
APPENDIX 4

Part 1 Preliminary

3. Definitions

child-related employment:

(a) means any employment of the following kind that primarily involves direct contact with children where that contact is not directly supervised:

(i) employment involving the provision of child protection services,
(ii) employment in pre-schools, kindergartens and child care centres (including residential child care centres),
(iii) employment in schools or other educational institutions (not being universities),
(iv) employment in detention centres (within the meaning of the Children (Detention Centres) Act 1987),
(v) employment in refuges used by children,
(vi) employment in wards of public or private hospitals in which children are patients,
(vii) employment in clubs, associations or movements (including of a cultural, recreational or sporting nature) having a significant child membership or involvement,
(viii) employment in any religious organisation,
(ix) employment in entertainment venues where the clientele is primarily children,
(x) employment as a babysitter or childminder that is arranged by a commercial agency,
(xi) employment involving fostering or other child care,
(xii) employment involving regular provision of taxi services for the transport of children with a disability,
(xiii) employment involving the private tuition of children,
(xiv) employment involving the direct provision of child health services,
(xv) employment involving the provision of counselling or other support services for children,
(xvi) employment on school buses,
(xvii) employment at overnight camps for children, and

(b) includes any other employment of a kind prescribed by the regulations, but does not include any employment of a kind excluded by the regulations.
APPENDIX 5

DRAFT DOCUMENT FROM THE PREMIER’S DEPARTMENT NSW
Employment Screening Procedures for Child Protection

Attachment 2

Structured Referee Checking

The interview process as a primary source of assessment of applicants is not sufficient. Other assessment techniques including structured referee checks should be used to supplement the interview process.

Structured referee checks conducted over the telephone are more effective in obtaining information than written references which usually only provide information of a general nature and are not normally specific to the position for which the applicant has applied.

All applicants for positions are required to provide, at the time of application, two referees who can be contacted after the interview. These referees must be able to provide information about the applicant’s work performance and good character. One referee will be the applicant’s current supervisor if currently employed and if unemployed the applicant’s most recent supervisor. If the applicant has never been employed they may provide contact details of persons who could provide a character reference.

If the applicant fails to provide the information on the required referees in the application form, the applicant will be requested to do so by the selection panel. If the applicant is unable to, or chooses not to provide the specified referees, for example, in the case where the applicant does not wish the current employer to be aware they are seeking other employment, the applicant’s previous employer may be given as a referee.

The employing organisation reserves the right to contact an applicant’s previous employer(s) or institutions(s) at which previous appointments have been held. The opportunity to access these referees is important as it is highly desirable to have a complete employment history. If a complete employment history is not provided by the applicant in the written application this should be determined at the interview. In addition, the proposed contact with these referees should be discussed with the applicant at the time of interview, prior to any contact. Contact may be desirable with an applicant’s current employer. However, no such contact with be made without prior permission of the applicant. If the applicant refuses permission, this refusal, together with the reasons, will be documented as part of the selection report.

The panel should sensitively and carefully explore the reasons why the applicant is unable or unwilling to provide the required referees to see if an appropriate compromise could be reached.

The referees will be asked specified questions to obtain information demonstrating past behaviour and performance in situations similar to those which will occur in the position for which they have applied. In the same way that more relevant information can be collected in the interview through a structured approach, so referee reports can be more effective if planned well.

Information obtained as part of the referee check is confidential and should only be available to people involved in the assessment of the application. Information gained from one referee should not be made available to another referee.
APPENDIX 6

DRAFT DOCUMENT FROM THE PREMIER’S DEPARTMENT NSW
Employment Screening Procedures for Child Protection

Attachment 3

References

It is essential that staff of organisations do not provide incomplete or inaccurate references for people which could lead to the person gaining inappropriate employment with children. Therefore it is recommended that the provision of references or referee information be limited. If an organisation does not have a policy in place on the provision of references, it is recommended that one be developed and that the following principles be included.

Suggested principles

Staff members of organisations:

- are not to provide written personal references for any current or former staff members on official letterhead;
- are not to provide written personal references for any current or former staff member using their title and position in the organisation;
- may provide a written personal reference for any current or former staff member in a private capacity;
- may provide an oral or written referee’s report if requested to do so by a selection panel or interviewer (this would usually be confined to the current supervisor, manager or colleague), for current or former staff members applying for a position within or outside the organisation.

Guidelines for the Provision of References and Referee’s Reports

References are used for the purpose of helping to assess the suitability of an applicant for employment in the particular position applied for.

These employment screening guidelines place a significant emphasis on the information gained through structured referee checks. It is therefore important that people called upon to provide referee reports to a selection panel or interviewer should be given appropriate guidelines about providing references.

When providing oral or written references about current or former employees there are certain minimum standards the referee should observe.

- You should ensure that any statement of fact in your reference or report is accurate and is relevant to an assessment of the applicant for the particular position applied for.
• Where you express any opinion about the suitability of the applicant for the particular position, you should ensure that your opinions are relevant and reasonably held on the basis of credible and accurate information.

• In order to provide only relevant statements and opinions you need to be aware of the duties of the particular position and if you are uncertain as to the duties of the position you should clarify these before providing the reference or report.

• If you are aware of information which is relevant to assessment of the suitability of the applicant for the particular position but you are unsure as to its accuracy you should qualify any statement in relation to that information to make it clear that is not a statement of fact or held as an opinion.

• It is important, however, that the resulting reference should not be capable of misleading the person to whom it is supplied as to the suitability of the applicant for employment in the particular position. If for some reason, the only reference you are prepared to give is capable of misleading the recipient as to the suitability of the applicant, you should decline to provide a reference.
APPENDIX 7

Extract from a Good Practice Statement issued by the Department of Education & Training – 9 February, 1999
[Reprinted with permission of DET]

♦ Determine whether billeting is the preferred option for the proposed activity.

♦ Commence planning as far in advance as possible.

♦ Appoint a co-ordinator at both the visiting school and the host school. Schools visiting from overseas usually use an agent to arrange visits. The agent would undertake the role of co-ordinator. Co-ordinators must establish mechanisms for collaboration and regular communication.

♦ Determine how many staff supervisors will be required for the particular activity. Other policies may also apply, such as those relating to emergency care procedures. An important requirement is that each billeted student has ready access to a supervisor.

♦ Establish a clear timeline.

♦ Billet the group of students, where possible, at one school or neighbouring schools so that they can travel together.

♦ Billet two or more students of the same sex together, where possible. This allows for increased comfort and safety of students and often requires little extra organisation for the host family.

♦ Ensure that consent forms are signed and medical information forms completed by the parents or guardians of students to be billeted.

♦ Provide the names and ages of students to be billeted to the host school as early as possible. Suggested groupings for multiple billets and individual issues such as special needs should be included. Communication between co-ordinators can enhance the effectiveness of matching students to host families. Ensure that appropriate information about students is provided to host families. In cases of visiting overseas schools this information will usually be forwarded by the agent.

♦ Provide details of billeting families and allocated students to the co-ordinator of the visiting school at least seven days before the commencement of the activity. This information is usually required at least four weeks in advance for visiting overseas schools.

♦ Ensure that an adult from each family hosting a billet has signed an acknowledgement of the billeting conditions (example provided).
❖ Ensure contact between co-ordinators to discuss any final arrangements at least seven days before the activity.

❖ Provide for alternate suitable accommodation, should there not be enough families volunteering to host the visiting students.

❖ Ensure that non-government agencies or school personnel from interstate or overseas are aware of Departmental requirements in relation to child protection.

❖ Provide a programme to all participants in the billeting activity prior to the commencement of the activity. Include:
  ❖ The agenda
  ❖ Venues
  ❖ Meeting times, places and addresses
  ❖ Group travel arrangements

❖ Ensure that requirements and expectations about transporting students to and from group meeting places are made clear to adults in billeting families. Consider establishing a meeting time each day for billeted students so that they can raise issues.

❖ Provide students to be billeted with information on things that can go wrong and strategies for keeping themselves safe.

❖ Ensure that lines of communication, including contact phone numbers, are known to all students and their families for contact with the co-ordinator.

❖ Communicate to all participants that no unplanned alterations to billeting arrangements may be made without the approval of the co-ordinator.

❖ Concerns about a student’s safety must be taken seriously and appropriate action taken to protect the student.
ACKNOWLEDGEMENT OF BILETING CONDITIONS BY BILETING FAMILIES

Dear Parent/Caregiver

The school has received an indication that you may be willing to provide accommodation for a student who is participating in the ________________ (event). This activity will involve the provision of accommodation for visiting students from ________________ (time and date) to ________________ (time and date).

The school is very grateful for your offer to billet visiting students. You would be aware that the Department of Education and Training has introduced new policies, procedures and curriculum relating to child protection. The Department, as an agency responsible for the care and welfare of students in schools, has a charter to protect the young people in its care from all forms of abuse. In order to formalise the billet, please sign and return the undertaking below. All adults residing in your home need to be aware of this undertaking.

We hope you will enjoy having the billeted student in your home and anticipate that the student will benefit from the experience of staying with you. Please retain this section for future reference.

Return the completed slip below to ________________ (name).

Yours sincerely

__________________________          ______________________
Principal                     Date

UNDERTAKING TO PROVIDE A BILLET

In light of the commitment of the Department of Education and Training to providing a safe environment for students, I __________________ (name) agree to provide appropriate accommodation for ________(number) student(s) during the ____________ (activity) being held from ______________ to ______________ (dates).

I advise that there is nothing in my history, or the history of people within this household that would preclude our hosting the student(s) during this visit.

I undertake to provide a safe and secure home environment for the student(s) and to do my utmost to ensure that the student(s) is/are not exposed to harm.

All adult members of this household have read and are aware of this undertaking.

__________________________          ______________________
Signature                     Date