

BS"D

Yeshiva College Cheder Chabad



Our Duty of Care at the school

Child abuse is a crime. Each child is precious – a person made in G-d's image. Teachers must be at the forefront of defending children and their dignity. Teachers must also be thoroughly realistic in recognising the possibility of child abuse and being vigilant in protection of each student. Teachers should watch for any signs of risk of harm in all children in their care.

At Yeshiva, our procedures for implementing Child Protection practices and addressing concerns or allegations about conduct regarding children (under age 16) and young people (ages 16-17) are based on the following principles:

- All adults have a responsibility to care for children and young persons and to protect them from risk of harm as well as to promote their safety, welfare and well-being;
- In monitoring protection, the best interests of the child or young person is a paramount consideration;
- All reasonable action is to be taken to protect students from all forms of violence, injury, neglect or exploitation;
- The value of the family unit is respected, but not to the detriment of the well-being of the child or young person;
- All persons involved in situations where harm to a student is suspected or disclosed, are treated with sensitivity, dignity and respect;
- The school is to provide both a safe environment for students and services which foster their health, developmental needs, spirituality, self respect and dignity.

School and classroom culture

DOs

- Have boundaries of acceptable and professional interaction
- Supervision levels that take into account age and educational needs
- Use school behavioural policies
- Respond calmly to provocative behaviour
- Report concerns about suspicions of risk of harm to any student

- Do not exclude students
- Do not leave class unattended or unsupervised
- Do not attempt to physically prevent a student from entering or leaving unless there is concern for the safety of the student or others
- Do not shout angrily or intimidate students
- Do not comment about a student based on personal characteristics

DON'Ts

Care and management of students

DOs

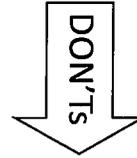
- Make records of all incidences involving physical interaction
- Actively supervise on the playground
- When confiscating items ask the student to hand them to you to avoid confrontation unless there is a risk to other students
- Respond to requests for medical attention
- Keep siblings in mind as being at risk also

- Do not throw objects to get student attention
- Do not threaten students with physical punishment
- Do not use corporal punishment or force
- Do not target students unfairly for criticism
- Do not meet students privately
- Do not make suggestive comments or jokes or behave in any way that can be considered intimate

DON'Ts



Teacher student relationships



DOs

- All social interaction must be with the consent of the student the parents and the school where appropriate
- Develop a relationship with clear professional boundaries that will not be misunderstood as a personal interest
- A pat on the back, shaking hands or holding the hand of young children for encouragement is okay as long as the student is not uncomfortable
- Make sure to respect personal space
- Cater to individual needs and sensitivities
- It is a criminal offense to have an adult relationship with a student under 18 years old

In addition, being an Orthodox Jewish school, we observe the laws of Yichud (laws detailing appropriate interactions). Therefore:

- male teachers are not to touch or be alone with female students aged 3 or older (unless saving them from a car in the road, getting them safely across the road, medical necessity, breaking up a fight or the like);
- female teachers are not to touch or be alone with or sing in the presence of male students aged 9 or older (unless saving them from a car in the road, getting them safely across the road, medical necessity, breaking up a fight or the like);
- the situation varies if it is late at night, early in the morning or at other times when there is little traffic from passersby or very secluded. In such cases, a teacher should be even more careful to avoid any and all suspicions;
- if a student is behaving in an overly familiar way or appears to be seeking a personal relationship with a teacher, the teacher should report these concerns to Administration so a plan can be developed to manage the situation effectively and sensitively;
- in current times, teachers need to be as strict with students of the same gender as they are with the halachic expectations of the opposite gender;
- the rule of thumb is to make sure exclusion with a student never occurs so that there can never be suspicion of inappropriate behaviour.

Watch out for Grooming

Grooming is overly personal or intimate conduct. All grooming behaviours and inappropriate endearment between teachers and students of either gender are totally forbidden. Grooming behaviours are actions or words which endear the student to the adult, making them feel exclusively important or attractive or special in an inappropriate way to the adult. Grooming behaviour is defined as 'a course of conduct enacted ... which would give a reasonable person cause for concern that any meeting with a child arising from the conduct would be for [inappropriate] purposes.' It is any behaviour which would lead the child to be in conflict if the adult began to make physical advances into part of the relationship. It crosses professional boundaries.

Teacher must obtain permission from the School and student parents before:

- Inviting a student to the teacher's home
- Visiting the student at home
- Attending parties or social functions of any kind with a student
- Tutoring or coaching a student at the school
- Making other social arrangements with a student

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Legislation and its application

In NSW, the safety welfare and well-being of children and young people are paramount. The child protection laws are designed to strengthen the protective framework for children and to establish fair transparent systems for responding to allegations against employees who work with children. They also stipulate that all adults who work with children are responsible to protect them from harm.

3 AGENCIES IN NSW

Ombudsman - monitors investigations against employees to insure response to allegations are affective and fair.

The ombudsman must be told when there are reportable allegations against an employee within 30 days. All allegations are kept highly confidential.

Community services - assesses reports and investigates if there is a likely risk of harm to a child (under 16 years old) or young person (16-17 years old). They also arrange support services for children or young people and their families as needed.

Community services must be told when a child or young person is likely at risk of harm.

Commission for Children and Young People (CCYP) - is responsible to screen employees for reportable conduct. The CCYP has a database of employment proceedings.

Every employee must go through pre-employment screening before being allowed to work with children. In addition employers are required to report the names of employees who have completed the screening.

Paedophilia is a Crime of Opportunity

*Our job is to make sure there is
NO opportunity for it to happen!!*

The great majority (88%) of incidents of child molestation are perpetrated by people who are known to and trusted by the family of the child. In such cases, the molester suffers from a condition called paedophilia. The other 12% of cases are perpetrated by mentally deranged people.

Paedophilia is a serious physiological condition which can be diagnosed and treated (although not cured). A person who suffers from paedophilia has fantasies about and a desire for physical interaction with children. It is a hormonal response which, when recognised, can be treated with drugs and with cognitive therapies. If it is detected and treated, the person with paedophilia may never become a molester!

When watching for paedophilia as a school, we are to monitor not just adults with students, but also fellow students with each other. Molestation is a crime of opportunity. As a school, we must make sure there are no such opportunities by assuring that there are never private one-on-one meetings between staff and student or between student and student. All one-on-one private discussions must take place in a public place or a room with an uncovered window in the door.

Paedophilia in youth can start to be apparent in the sufferer's teen years. If signs of paedophilia are noticed (such as those listed below), then even before there is a victim of molestation, the paedophile can be diagnosed and treated so that s/he will not molest in response to his/her fantasies. The tendency to have inappropriate fantasies can be extinguished through therapy techniques. The paedophile can be taught to control his/her thoughts and urges appropriately if/when they arise. And most important, during treatment, the paedophile is trained to keep away from opportunities to manifest their fantasies by staying away from children.

There are rare cases when molestation can take place by perpetrators even younger than in their teens. This is usually in the case of a young molested child who responds to his/her fears of the molestation by molesting in turn. It has been shown that in such cases, the perpetrator could be only seven years old and already have a victim of molestation! Therefore, we must watch students of all ages.

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Paedophiles appear normal and admirable in every way. The fact that the responsible, honest, kind person can also be participating in such heinous behaviour in private is due to denial. Paedophiles have very strong denial instincts to delude themselves about the nature of their desires and their heinous private activities. A major part of the therapy regimen is to break through the denial, (at which point the molester is often devastated by his/her behaviour choices).

SYMPTOMS

The most solid evidence of a tendency towards paedophilia is a factor which no one can see – that the person has fantasies of a sexual nature about interactions with children. These desires do not discriminate between male and female children; the paedophile would molest either if the opportunity arises.

Another sign of paedophilic tendencies is a child who watches young children or who wants to play with younger children. This is especially so if the play is coupled with sexual activity.

If there is a suspicion that a student has this tendency, it is appropriate to guide the child about the fact that such fantasies are not normal and need to be discussed if they exist so that they can be diagnosed and extinguished.

Risk of Harm categories in NSW

1. Basic physical or psychological needs are not being met
2. Failure to arrange for necessary medical care
3. Educational neglect
4. Physical or sexual abuse or ill treatment
5. Domestic violence in the household and, as a consequence, there is risk of serious physical or psychological harm
6. A parent or other carer has behaved in such a way that the child or young person has suffered, or is at risk of suffering, serious psychological harm
7. A person who has reasonable grounds to suspect before the birth of a child that the child may be at risk of significant harm after his or her birth may make a report to community services
8. Cumulative harm

Teacher responsibilities

- * All staff is required to submit WWCC clearance before beginning employment.
- * All staff is required to review child protection policies annually. At Yeshiva we do this online. Staff members will be given the link as well as a packet of documents related to the course.
- * Staff is required to know what a "risk of harm" is as defined by the child protection course.
- * Staff is required to be aware of the indicators of abuse and neglect as defined by the child protection course
- * Staff is required to fulfil the duty of care for each student
- * Staff should plan for a safe environment in all activities
- * Staff is required to notify administration about any concerns regarding a child or young person at risk of harm or about concerns regarding the conduct of other employees in relation to children or young people.

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Reporting Procedure

When an allegation or a concern arises over Risk of Harm to a Child or Young Person, a teacher (who is a Mandatory Reporter) must relay the allegation or concern to Administration. Staff is required to provide details as accurately as possible and in as confidential a manner as possible.

Administration is then required to determine if they need to inform Community Services or the Ombudsman about the concern / allegation.

Determining if a case is reportable is done by administration as follows:

1. Go online to the Online Mandatory Reporter Guide at:

<http://sdm.community.nsw.gov.au/mrg/screen/DoCS/en-GB/summary?user=guest>

2. Make the selections which most closely match the situation.

3. The Guide will help assess what action must be taken.

4. Print the report as evidence of the decision process and follow the advice.

5. Administration must report back to the staff member who raised the concern to tell them what the follow-up is so that the staff member knows their obligation to report has been fulfilled.

(In the case that the concern or allegation involves a member of administration or where the concern or allegation was ignored or neglected, the staff member will need to use this process to determine if it warrants a report to Community Services or the Ombudsman).

Making the report:

1. Call 133 627 the child protection helpline

2. Where possible the witnessing staff member should be available to answer questions

3. Keep a record of the decision of the helpline caseworker

4. If further information becomes available it may be necessary to call again. Keep a record of this call as well.

5. Fill out Form A, p 48 of Protecting Procedure document of NSW Education & Communities and keep in confidential file at the school.