

Submission to the Royal Commission into Institutional Responses to Child Sexual Abuse from Loreto Normanhurst

Loreto Normanhurst

Loreto Normanhurst is a Catholic, Independent boarding and day school for girls from Years 5-12 established in 1897 by the Loreto Sisters, IBVM. It is part of a worldwide network of Loreto schools and is one of seven in Australia. Loreto Normanhurst encourages the development of young women who will take their place in the world as leaders and as people of commitment, inspired by gospel values and the Loreto Values of Freedom, Justice, Sincerity, Verity and Felicity. The school fosters a liberal education, with self-motivated learning and the pursuit of personal excellence central to its teaching and learning philosophy.

“A Loreto education is one that liberates, empowers and motivates students to use their individual gifts with confidence, creativity and generosity in loving and responsible service”.
Loreto Schools Australia Mission Statement

As a Catholic and Loreto School in Australia we are pleased to be able to contribute to the submissions to the Royal Commission into Institutional Responses to Child Sexual Abuse. As a school educating women for the future and fostering their wellbeing, care and holistic growth whilst at school, we support the work of the Commission and hope to offer some insights into our work. Hopefully, any information we present may assist with discernment that takes place by the Commission to help shape any regulations, policies or procedures that may become mandated for the future. This will assist organisations like our own which have the care and growth of young people as their central purpose.

There are some reasons why we at Loreto Normanhurst feel we can make an appropriate submission. Firstly, we have the care of young people at the core of our daily work. Secondly, we are part of a group of schools Australia wide. Also, we are both a day and boarding school with over 170 boarders living on site from Country NSW, other Australian States and a small International contingent. We also have Indigenous students enrolled in our community in both day and boarding. Having this diverse community that requires 24/7 care from well trained and professionally developed adults provides us with the ability to make a submission that may be of some assistance to the Commission.

Parameters of the Submission

For the purposes of the submission we will only refer to the following topics:

Topic D: Registration of non-government schools, not-for-profit and corporate entities

Topic E: Education, training, professional support and primary prevention

Topic F: Reporting, information sharing, complaints and investigations

Topic D: Registration of non-government schools, not-for-profit and corporate entities

1. To what extent should a non-government school's registration be conditional on it having strong child safe principles, policies or procedures (for example, concerning student health and wellbeing and complaints management)? How can the adequacy of individual schools' approaches be assessed?

At Loreto Normanhurst we are of the belief that **all** schools' registration should be conditional on it having strong child safe principles that are recoded and checked. If this is only placed as a requirement of non-government schools we run the risk that students may still be at risk of harm.

Schools like our own in NSW already go through a rigorous Registration and Accreditation Inspection from BOSTES where all our policies and procedures are thoroughly checked including Boarding and Child Protection policies and procedures. This rigour should be maintained for all schools across Australia in both the Government and Non-Government sectors.

2. What role could or should insurance, organisational or directors' liability, as well as regulation by the Australian Charities and Not-for-profits Commission and Australian Securities and Investments Commission, play where a registered school or corporate body fails to prevent, identify, report or respond to child sexual abuse?

It is the duty of all those involved in schools whether they be teachers, boarding staff, the Leadership Team or the Directors of the Company to care for the student. Clearly, any breach in this area of protecting the child should have the highest consequences. In a Company situation the Directors of course are liable for any breach of law and so this should be covered off in the Directors Liability. We are not of the view that the Australian Charities and Not-for-profits Commission and Australian Securities and Investments Commission would play a role.

Topic E: Education, training, professional support and primary prevention

1. What obligations should schools have to ensure that their teaching and non-teaching staff are aware of and comply with applicable codes of conduct, professional standards or child protection policies?

All staff in a school need to be aware of applicable codes of conduct, professional standards and Child Protection policies. Schools need to professionally develop all staff in this area annually by mandatory in-service days which includes running staff through current policies and workshopping scenarios. Staff should be expected to sign off on their attendance on these days.

From time to time it is also good to include professional learning in this area from peak body providers so that staff understand the importance of conduct in this area and the school's expectations are in line with legislation. All staff should formally accept and verify the policy relating to Child Protection and the related codes of conduct annually, and schools should monitor that this is the case.

Our school's current practice is that all sectors of staff have tailored professional learning in this area. After this training they are expected to submit an electronic verification on the

Child Protection Policy and Staff Code of Conduct. Those that have not verified acceptance of the policy and code of conduct are then followed up individually. This compulsory verification process refreshes and heightens awareness of the expected conduct relating to Child Protection in the school, and trains staff in the correct mandatory reporting processes to follow. As a result of this professional learning and policy verification process staff have a confidence around expected behaviours and reporting responsibilities.

2. What role does teacher education, training and professional support (including university study, pre and in-service training, and mentoring/support), play in equipping individual teachers with skills and confidence to identify behaviours indicative of, and to appropriately respond to risks or incidents of, child sexual abuse, and to children displaying problem sexual behaviour?

Teacher education in this area is paramount for the well-being of young people. The greater understanding and awareness a staff has to behaviours that demonstrate risk, the greater the possibility that this child can be helped or protected from harm.

Unfortunately, it does not seem that tertiary institutions do enough in this area. Largely professional development in this area is left to the individual schools which means practicum teachers and new scheme teachers seem ill prepared to deal with difficult situations in the area of Child Protection.

3. What should school systems do to ensure their schools consistently deliver effective sexual abuse prevention education? Do such programs address barriers to children disclosing abuse, including the specific needs of children with disability, with English as a second language or with other particular vulnerabilities?

School systems should run regular professional learning for the system on how to best meet the needs of children in this area. This professional learning should then be mandated for all schools within the system. Each school should then have an individual responsibility to maintain its accreditation in terms of Child Protection and Child Protection related areas, including prevention education with staff. Programs should include modules of prevention training that specifically addresses the areas outlined above.

School systems should require regular reporting that is mandated across the system. If schools are unable to sign off that programs have been delivered then they should receive;

- a) Support to assist with programs being delivered. (If this is the reason why they have not been delivered).
- b) Receive a warning from the school system. (With parameters as to how the programs must be met within a certain time frame).
- c) Punitive action -possibly impacting the school's funding. (If it appears that there is negligence around the lack of delivery of the programs).

All programs should raise awareness of the special support needed by children disclosing abuse and those with greater vulnerability.

Topic F: Reporting, information sharing, complaints and investigations

1. What barriers or fears might discourage or prevent individuals working in or with schools from reporting suspected child sexual abuse (whether the abuse is perpetrated by colleagues, volunteers, other students, other members of the school community or family members)? How could those barriers be addressed?

Lack of knowledge and or understanding of what to report and how and who to report to may impact reporting. Fear of any potential consequences, including fear of the enormity of the situation may prevent individuals from reporting. Also poor delivery of professional learning programs to inform staff may inhibit reporting.

If school programs are clear enough and the professional development sessions consistent enough and regular enough in their delivery, then this should minimise any fear of reporting. If the school's code of conduct is also clear then any fear of reporting should be normalised.

2. How effective are mandatory reporting and reportable conduct schemes in assisting to identify and report child sexual abuse in schools? If necessary, how might these schemes be refined to better suit school environments?

Schemes that include mandatory reporting including reportable conduct are very effective. When staff in schools understand how to report and that they must report then they will bring any possible incident forward. In the long term this promotes a positive culture of reporting.

3. What obligations should schools have to alert teachers, parents/carers, other schools (for example, where a student changes schools or progresses to secondary school) and other professionals when a child has exhibited problem sexual behaviour, or has engaged in sexually abusive behaviour?

Schools should be able to confidentially provide this information to other schools or within schools only ever for the good of the child. If schools are not fully informed of the student's background they cannot care for them appropriately. Parents too should confidentially disclose anything of a sexual nature to the school so that proper daily support can be provided for the student and the family.

Schools need to be sensitive to this highly confidential information and it should not be widely shared. The information should only be shared with those who are able to care for the student and handle this very critical and extremely confidential information sensitively. There should be clear guidelines as to how and with whom this information could be shared, including sharing information with other schools. Generally this sharing should be Principal to Principal only. Accordingly, within schools the information should be handled very confidentially from staff member to staff member only where it is in the best interests of the child as judged by the Principal.

4. How should investigations into allegations of child sexual abuse be undertaken within schools, and by whom? What measures should be taken to ensure that the sensitivities and vulnerabilities of children involved are considered?

Investigations into allegations should only be conducted by trained investigators. These trained investigators can be high level executive members of the school. All Heads of Agency and Principals should undergo Child Protection Investigation training. They should undergo this training not so that they can investigate allegations themselves but so they are cognisant of the complexity of the investigation process, are acutely aware of their role in the investigation, and so that they can support their staff throughout the process so that

ultimately procedural fairness can be maintained and justice may be served. The whole process should be highly confidential for all involved, especially the children involved in the investigation.

For some very complicated allegations outside assistance should be available in terms of investigations. This should be provided by school systems.

Small schools where investigations are particularly complicated should be outsourced and where schools are disadvantaged the school system should provide financial assistance for the investigation.

5. Are there barriers which might prevent or limit appropriate and timely sharing of information about child sexual abuse (whether perpetrated by adults or other children) in school contexts? If so, do such barriers differ depending on which individuals, bodies or jurisdictions are involved (for example: sharing within and between schools, between schools and parents/carers, between schools and government agencies, regulators and oversight bodies, or across jurisdictions)? How could such barriers be addressed?

There may be a many barriers for sharing this information in a timely way. This may be more to do with privacy around children and their family information that schools take very seriously. If the correct framework for providing information was mandated and school systems trained their staff in a consistent and ongoing way then then any time lag could be prevented.

Barriers re jurisdictions and agencies should be refined so that all barriers are minimised to support the protection of children. The more legislation and programs can be streamlined to support the care and protection of children at risk the better. This can be done with careful planning and practical programming and by a national framework approach to Child Protection.

School systems and government bodies should work collaboratively to minimise these barriers. They should join together to build robust programs for staff around Child Protection Training and wellbeing programs to support students and parents impacted by sexual abuse. They should together prepare policies and procedures that are clear, workable and mandated for use in schools that expedite proper reporting and the tracking and support of students impacted by sexual abuse.

Thank you for this opportunity to contribute to the Commission.

Submission prepared by:

Ms Barbara Watkins (Principal) and **Ms Marina Ugonotti** (Deputy Principal)
31 August 2015