



## **Training Resources for Professional Development of Teachers and Support Staff**

# OVERVIEW

- **Tips for Successful Training of Teachers**
- **The Education Environment**
- **The Child Protection Environment**
- **Frequently Asked Questions in Education**

# INFORMATION

## Acknowledgements

This module is the result of a number of contributors from the education sector, including teachers and principals, welfare coordinators and pastoral care workers, school nurses and social workers, education union officers and Child Protection workers. It is through such strong collaboration that this training resource is able to represent the views and issues of teachers and support staff, so that training providers can feel confident that professional development is relevant and up to date.

Special thanks are due to the members of the working party and the Child Protection and Education Consultative Committee.

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## How to Use this Module

The material in Module 4 is intended to be used in delivering Modules 1, 2 and 3 of *Safe From Harm: the Role of Professionals in Protecting Children and Young People*.

This module contains:

- Information about the educational context.
- Additional information about the Child Protection context, including the process after a notification is accepted and a description of the court orders.
- Responses to questions frequently asked by teachers.
- Case studies that are set in a range of schools.
- Additional overheads of reporting trends in education.

The materials cover a variety of settings, including government, Catholic and independent schools — primary, secondary, rural, special education, English language schools and centres and alternative settings.

Trainers are asked to be inclusive of the multitude of cultures and subcultures that make up our broad school communities and wider society. Issues around culturally and linguistically diverse communities, Koori communities, alternative lifestyles and religious beliefs may need to be considered. However, regardless of these differences, it needs to be clear that when concerns about a child or young person's safety is raised, those people who are mandated *must* report their concerns to Child Protection Services. Sensitivity will be required in the response to the notification and how the case is managed at the school level.

It is recommended that *Protecting Children: Protocol between Child Protection, Department of Human Services and Victorian Schools, 2001* be read in conjunction with this module.

## Tips for Successful Training of Teachers

On page four of the Introduction to *Safe from Harm* you will find ‘Tips for Trainers’, followed by ‘Suggested Session Plans’. When planning sessions for teachers and education staff, there are some additional tips to be aware of to ensure that the training session is successful.

### Adult Learning Principles

Trainers need to be mindful of the following principles for adult learning, which suggest that:

- Adults are motivated to learn when their needs and interests are met.
- Adults are more likely to be self-directing.
- Adults come to a learning situation with a great volume and quality of experience.
- Adults approach a learning experience with a task-centred, problem solving, life-centred orientation to learning.
- Adults are motivated by intrinsic and extrinsic factors.

### Pre-Planning the Session

- The learners will need to be involved in the planning, decision making and in establishing their learning needs.
- The time allocation for running the session will be critical in achieving the learning outcomes. As the topic is complex and there are often many issues that arise in sessions, it is highly recommended that a minimum of two hours be allocated. The sessions could be completed in one-hour sessions over two, three or four weeks; or on a designated curriculum day as either a full or half-day program.
- If schools require assistance with running the program they can approach their regional or zone office, central organisation or association for a contact list of names to assist them.
- External trainers will need to be familiar with the individual schools’ specific settings and established protocols and processes around responding to child abuse and mandatory reporting.
- It may be appropriate for a worker from the local Child Protection office to be invited to attend part of the session. Owing to limited resources, it is more common and preferable for Child Protection workers to attend regionally based forums rather than individual schools.

- In government schools there are a number of Student Support Services officers who are trained and experienced in delivery of these programs. Student Support Services officers are often used by schools in discussions prior to notifications and in the case management of these students. They are a valued and valuable resource and should be sought out by schools.
- When trainers are planning programs, schools may need to be reminded to be inclusive of all relevant school personnel. It is suggested that other staff associated with the schools be included at some level in staff development, for instance, aides, before- and after-school coordinators, laboratory and library assistants, and any personnel the school employs to work closely with its students, such as general office personnel, secretaries, cleaners, grounds people, sports coaches, religious instruction teachers and parent helpers. At a minimum, they should be made aware of the protocols. This is important, particularly if students make disclosures to them or they have concerns about a student's safety or general wellbeing.
- Where the participants in a group include individuals with a variety of experiences and roles within the school, it is beneficial to use that expertise. They may be able to lead discussions, assist with case studies and training.
- Trainers need to be aware that some individuals may express some hostility towards Child Protection Services because of personal experiences. A small amount of time may be needed to allow some of these frustrations to be expressed before focusing on the task at hand.

### Design of Session

The benefits of professional development programs and activities for teachers and staff need to be explained clearly at the beginning of the session.

- Teachers prefer interactive sessions rather than didactic ones, and are not strong supporters of videos, as they have been overused in recent times.
- The case studies in this module can be used in a variety of ways to support the learning outcomes. They can be handed out as pre-reading material for discussion in the session, or used as the basis of role plays, with observers giving feedback. A larger group can be divided into smaller groups that present their role play to the participants. Participants could also be asked to develop their own case studies.

- Using a jigsaw model can be an efficient and effective way of covering a range of issues. Small groups research their designated issue and then present their expertise to the larger group. This model works best over a couple of sessions to allow people time to research their issues. There are several variations around this theme that can be employed.
- When establishing the group rules at the beginning of the session, it is important that teachers are encouraged to raise work related issues, but that they do not discuss personal details or breach confidentiality. At the end of the session the facilitator needs to be available to deal with any individual issues.

### After the Session

- It is highly recommended that trainers discuss issues around the cyclic review of school protocols, including refresher sessions for the more experienced staff and induction of new staff.
- At the conclusion of a training session, it may be identified that the school needs to develop or enhance their procedures, their resource directory of local health and welfare services, and their policies related to child protection issues. The trainer may be able to assist in the development of an action plan.

### Developing School-Based Protocols

- It is crucial for all schools to develop their individual protocols based on the legislative requirements, duty of care issues, employer responsibilities and the case management procedures for children and their families. This would complement the work done in government schools in relation to the *Framework for Student Support Services* and the development of programs enhancing safety, strengthening resilience and family life/parenting.
- Each individual school's policies and procedures and protocols should include:
  - Links to school based programs that enhance resilience, connectedness and personal safety.
  - Support for relevant staff involved.
  - A list of relevant community agencies.
  - Practical strategies for strengthening information and referral networks.
  - Orientation programs for new teachers and student teachers.
  - Appropriate supports for the young person at school.
  - A crisis response plan for those times when aggressive parents visit the school.

## The Education Environment

Schools have an important role to play in supporting children and their families and in protecting students. Because teachers are in close daily contact with students, they are well placed to observe when a child or young person appears to be at risk of harm. As well as being in a unique position to notice the warning signs, a teacher may also be the only adult to whom a student can turn when help is needed.

Students are better prepared for learning when they are healthy, safe and happy. All children and young people need care and support as they grow towards adulthood.

(Framework for Student Support Services in Victorian Government Schools, Teacher Resource Material, 1999:5.)

Student wellbeing is the responsibility of all staff who work within the school context. All students need to be supported along a continuum, from primary prevention through to a variety of interventions and restoring wellbeing. All students need coping skills and some will require crisis intervention.

### Primary Prevention

Primary prevention should involve practices and processes within the school that promote resilience and connectedness, and provide students with a range of coping and social skills that empower them to best handle a range of unsafe situations.

‘Unsafe situations’ would include all forms of abuse and neglect; however, in some circumstances we do not expect children to simply ‘cope’. It would be most likely that intervention strategies would need to be utilised.

Prevention programs empower young people to help provide for their own safety. For example: personal safety and protective behaviours, peer support, peer mediation, healthy relationships, buddy programs and transition programs. The main aim is to build a sense of belonging and promote wellbeing.

### Early Intervention

Early intervention programs should support students and families deemed ‘at risk’, with clear monitoring processes and carefully documented observations.



Schools need to offer support to families and help link them to outside agencies, as well as providing school-based support and counselling. Schools need to ensure there is a community of care. They should continue to monitor, evaluate and set up welfare teams and structures within schools to support students, their families and teachers. The aim is to strengthen coping mechanisms and reduce risks.

### Intervention

Intervention should provide effective treatment and support to students in crisis. In the case of child protection issues this may involve notifying Child Protection Services.

The outcomes from notifications are varied. The case may be closed soon after the phone call because the issues are not the domain of Child Protection (for example, they may be Family Court matters, or the alleged abuser is not a family member). In other cases there may be sufficient services in place or the parents may have acted in a protective manner. Alternatively, the matter may require a complex investigation, or may be substantiated and proceed to court.

Regardless of the Child Protection outcome, schools have a role to play in supporting the child or young person. Making a notification is an initial step, but is only one part of the intervention process. Teachers involved in dealing with students in crisis need to be provided with skills to be as effective as possible. The school's own protocols should address these issues.

According to the *Framework for Student Support Services in Victorian Government Schools Teacher Resource Material*, intervention is about establishing 'new partnerships... with a range of people including parents, teachers, principals, health and social service providers, and school support professionals.'

It is paramount that schools have clear protocols and procedures for responding to child abuse, and procedures to deal with mandatory reporting. These protocols need to be shared with all relevant personnel. Clear case management procedures are also important to ensure a continuity of care for these young people.

### **Restoring Wellbeing (Postvention)**

Restoring wellbeing should include an emergency response plan, the provision of counselling and support for both the students and teachers involved, monitoring of recovery, and evaluation of incident management plans.

It is important to provide the student with care and support, and to offer assistance, if required, to help them deal with the after-effects of the experience. Restoring wellbeing is about managing trauma and limiting impact.

It may be appropriate for schools to develop or negotiate with Child Protection Services regarding ongoing communication. Establishing a process that keeps schools informed if a case continues, enables schools to be as supportive as possible with the student and/or the family in these difficult situations.

A comprehensive whole-school approach to student support and wellbeing includes strategies for managing issues around child protection, assessing harms and minimising the impact on the student from the harms caused by child abuse.

## The Child Protection Environment

The following section provides additional information on Child Protection practice and law that is supplementary material to Module 3.

### Mandatory Reporting Legislation

Understanding the mandatory reporting legislation is of particular interest to many professionals and will be an essential part of any training program for teachers and education staff, however, it is important that it is seen as part of a more comprehensive response to concerns about a child's safety and wellbeing.

In summary, the legislation states that teachers **must** notify the Child Protection Service of the Department of Human Service when they form a belief, on reasonable grounds, that a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse.

### Definition of 'Teacher' and 'Principal'

The *Children and Young Persons Act 1989* defines teachers and principals as:

1(C)

(d) a person registered as a teacher under Part III of the Education Act 1958 or permitted to teach under that Part (including by virtue of section 44(4) and (5) of that Act);

(da) a person appointed to an office in the teaching service under the *Teaching Services Act 1981* or employed under Division 4 of Part II of that Act;

(db) a person employed under section 15B(1)(a)(i) of the Education Act 1958;

(e) the head teacher or principal of a state school within the meaning of the Education Act 1958 or of a school registered under Part III of that Act.

The Education Act 1958 defines teachers as:

...assistant, student teacher, teacher on special staff, student in training, and every person who forms part of the educational staff of the school. Any person employed to a teaching position is included.

Protecting Children: Protocol, 2001

Note that preschool teachers employed under the Teaching Services Act 1981 are therefore mandated to report. Preschool teachers employed under other Acts are not mandated to report, but like members of the general public, can report and are morally encouraged to do so.

## Reporting Trends in Education

Figure 5 shows the volume of notifications from the various notifier sources in 2000–2001. Listed below is an explanation of the organisations or professionals that have been grouped in the categories and those not listed are self explanatory. (This figure is also included at the end of this module as an overhead).

- **Education** includes notifications from all staff based in schools as well as regional and central education services.
- **Welfare Services** includes notifications from the church-based, family support services as well as sexual abuse services, adoption services, youth services and psychologists.
- **Family/Relatives** includes parents, relatives and defacto partners
- **Friends** includes notifications from friends, boyfriends, girlfriends and neighbours.
- **Employers** includes notifications from employment services, Centrelink, supervisors, local government and other workplaces
- **Legal** includes notifications from lawyers and the Family Court.
- **DHS** includes notifications from services under the Department of Human Services including Child Protection, disability services, mental health services and early intervention services.
- **Medical (other)** includes notifications from dentists, chiropractors, allied health professionals and hospital social workers.
- **Other** includes miscellaneous notifications from sources other than the defined categories.

**Figure 5: Source of Notifications, 2000–2001**

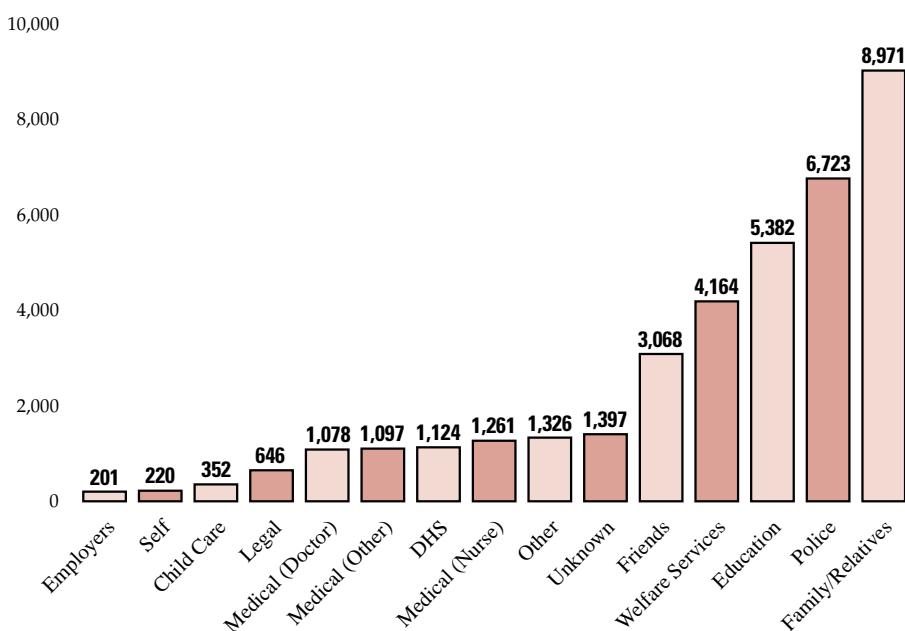


Figure 6 shows what happened to the notifications after they were made to the Child Protection Service from the education sector for 1999–2000 in Victoria. At the time of going to print, the flowthrough figures were not available for the period 2000–2001.

**Figure 6: Flowthrough of Notifications from Education Sector, 1999–2000**



**Other Relevant Documentation**

*DEET, Schools of the Future Reference Guide*, section 4.6.6, at [www.edumail.vic.gov.au](http://www.edumail.vic.gov.au), then proceed to Edulibrary, Schools, Manuals and Guide Books (a username and password is required to access this site)

CEOM Policy 2.19 (1999) Guidelines and Procedures for Mandatory Reporting of Child Physical and Sexual Abuse Catholic Education Office, Archdiocese of Melbourne, at [web.ceo.melb.catholic.edu.au](http://web.ceo.melb.catholic.edu.au)

*Protocol Between Child Protection, Department of Human Services and Victorian Schools*, Department of Human Services, 2001

Association of Independent Schools of Victoria, *Suggested Guidelines for Developing a School Policy for the Mandatory Reporting of Child Abuse* (Revised, July 2000), at [www.ais.vic.edu.au](http://www.ais.vic.edu.au)

### Information Privacy Legislation

Teachers may be concerned about the *Information Privacy Act 2000* and the impact on mandatory reporting legislation. They can be reassured that the Children and Young Persons Act takes precedence over the Information Privacy Act.

Of primary concern will be issues around gathering information and keeping records on child abuse matters. There are exemptions within the Information Privacy Act 2000, which provide protection with regard to both these issues. Protection continues to be maintained to those who make notifications to Child Protection under the Children and Young Persons Act. Schools need to continue to maintain good practice in record keeping and storage and maintain established protocols and appropriate procedures in dealing with all welfare matters.

### After a Notification Is Made

There are a number of stages in the protective intervention process that require different courses of action. A teacher or school may be involved with the Child Protection Service at any point in the protective intervention process. See Figure 7: From Notification to Court.

### Intake

Upon receipt of a notification, a Child Protection worker will first determine whether the child or young person's described circumstances fall within the legal definition of 'a child in need of protection' (section 63, Children and Young Persons Act, see page 25).

This process requires a detailed examination of the information and a realistic appraisal of the potential consequences of intervention and no intervention. Primary responsibility is to assess the risks to the child or young person and the level of urgency using the Victorian Risk Framework (see Appendix 3, page 59). If the notification is not accepted, the Child Protection worker needs to give reasons as to why this is the case and provide advice to the notifier in relation to other services available to the child and family.

## Case Conferences

At times, a case conference meeting may be held at the intake stage, to determine whether a notification requires further action, and who should be involved. The meeting usually takes place with professionals and Child Protection representatives, although the family may be invited where appropriate.

The purpose of a case conference is to:

- Clarify the seriousness of the protective concerns.
- Share information and knowledge about the child and family.
- Determine whether the protective concerns will be managed by existing community supports, or further investigation by the Child Protection Service is required.

In situations in which a protective investigation has been completed case conferences may be used to coordinate ongoing responsibilities and review case management plans.

Where a notification has been received regarding a school-aged child or young person a representative of the school will usually be invited to participate in a case conference. The school principal or nominee will be the point of contact for all such invitations. If a representative of the school is unable to attend, relevant information will be provided to the Child Protection Service prior to the case conference, and the Child Protection Service will provide feedback to the school after the case conference.

## Investigation

In relation to the investigation of significant harm, the Child Protection worker must establish contact with the family and child or young person, in order to:

- Investigate the allegations and determine if, in fact, significant harm has occurred.
- Initiate, if necessary, any immediate remedial action.
- Develop a plan that protects the child or young person and addresses the problems that culminated in the harm.

Child sexual abuse and physical abuse are criminal offences. The police have prime responsibility for investigating criminal offences by perpetrators relating to sexual or serious physical abuse of children. A criminal investigation can be activated by either a Sexual Offences and Child Abuse Unit (SOCA Unit) or the Criminal Investigation Bureau (CIB), wherever reasonable grounds exist for believing that a child has been sexually or seriously physically abused. Their response will be

undertaken in the best interest of the child and will take account of the need for medical, counselling and treatment referrals.

The police must report to the Child Protection Service all allegations and situations of physical abuse, sexual abuse, emotional abuse and neglect, where protective issues are likely to be involved.

Where possible, the Child Protection Service and the police will reduce duplication through joint investigation into child abuse allegations. The Child Protection Service will liaise with other agencies to ensure effective management of both the criminal and protective issues.

### **Substantiation**

At the completion of the Initial Investigation, the Child Protection worker, in consultation with a senior Child Protection worker, needs to determine whether the child or young person has suffered, or is likely to suffer, significant harm and the child's parents have not protected the child from such harm.

Where significant harm has been substantiated it is the responsibility of the Child Protection Service to undertake a protective planning process for the child and their family, in order to:

- Define legislative mandate
- Define protective issues
- Gather and share relevant information
- Consider possible options
- Determine a protective plan to ensure the child's safety.

### **Children's Court Action**

In a small number of cases when it is established that there is an unacceptable level of harm to the child or young person, and the parents are unwilling or unable to protect, a Protection Application will be issued that will initiate a formal process through the Children's Court.

### **Children's Court Orders**

If the Children's Court is satisfied that the child or young person is in need of protection, it may make one of the following orders:

- Interim Protection Order
- Undertaking
- Supervision Order
- Custody to Third Party Order
- Supervised Custody to Third Party
- Custody to Secretary Order
- Guardianship Order.



These are described below.

On all orders, except Guardianship, parents retain guardianship responsibility. The type of order made will be related to the severity of the protective concerns and whether or not there is a need for ongoing statutory intervention to protect the child.

### **Interim Accommodation Order**

The court may make an Interim Accommodation Order (IAO) for a maximum period of 21 days. An IAO can specify where the child is to live, for instance, with parents, suitable persons, an approved community service, or a secure welfare service. The court may attach conditions to an IAO and can extend the order by application.

### **Protection Orders**

#### *Undertaking*

The court may require the child or the child's parents, or the person with whom the child is living, to enter into an undertaking in writing to do, or refrain from doing, certain things for a period of no more than twelve months. An undertaking cannot be extended. There is no Child Protection Service involvement in relation to this order.

#### *Supervision Order*

A Supervision Order gives the Secretary responsibility for the supervision of the child and does not affect the guardianship or custody of the child. A Supervision Order may remain in force for a maximum period of two years, and the court may attach conditions to this order.

#### *Custody to Third Party*

A Custody to Third Party Order grants sole or joint custody of the child to certain persons, and does not affect the guardianship of the child. A Custody to Third Party Order cannot be made in favour of the Secretary, an approved community service or a parent. A Custody to Third Party Order may remain in force for a maximum period of twelve months, and cannot be extended. There is no Protective Services involvement in relation to this order.

#### *Supervised Custody Order*

A Supervised Custody Order is the same as a Custody to Third Party Order, except that it involves the Secretary in the supervision of the order.

### *Custody to Secretary Order*

A Custody to Secretary Order grants sole custody to the Secretary and does not affect the guardianship of the child. The Secretary is able to consent to medical treatment for a child on a Custody to Secretary Order on the advice of a legally qualified practitioner that the treatment is necessary. A Custody to Secretary Order may remain in force initially for a maximum period of twelve months, and the court may extend this order for a further period of twelve months. Subsequently, the court may extend a Custody to Secretary Order for a maximum period of two years and may continue to do so on further occasions. The court may attach conditions to a Custody to Secretary Order.

### *Guardianship to Secretary Order*

A Guardianship to Secretary Order grants sole custody and guardianship to the Secretary. A Guardianship to Secretary Order remains in force for a maximum period of two years. If the initial Guardianship to Secretary Order is for a period not exceeding twelve months, then the court may extend the Order for a period not in excess of twelve months. If the initial Guardianship Order is for a period of two years, then the court may extend the Order for a maximum period of two years and may continue to do so on further occasions. A Guardianship to Secretary Order cannot be made subject to conditions.

### *Interim Protection Orders*

If the court finds that a child is in need of protection, but considers that it is desirable to test the appropriateness of a particular course of action, it may make an Interim Protection Order (IPO). An IPO remains in force for a maximum period of three months. An IPO must specify when the matter is to be brought back before the court. The court can then make a Child Protection Order, but it cannot extend the IPO. The Secretary is responsible for the implementation of the IPO. The court may attach conditions to an IPO.

### **Permanent Care Orders**

A Permanent Care Order grants sole custody and guardianship to the persons specified in the order. The court may vest guardianship of the child jointly in the persons named in the order and the child's parents in special circumstances.

A Permanent Care Order remains in force until the child reaches 18 years of age. The Secretary is the applicant for a Permanent Care Order on behalf of the specified persons. An application for a Permanent Care Order may be made when a child has not resided with their parents for at least two years, or for periods that total at least two of the last three

years. In the case of an Aboriginal child, an application must be supported by a report from an Aboriginal agency. The court may attach conditions to a Permanent Care Order.

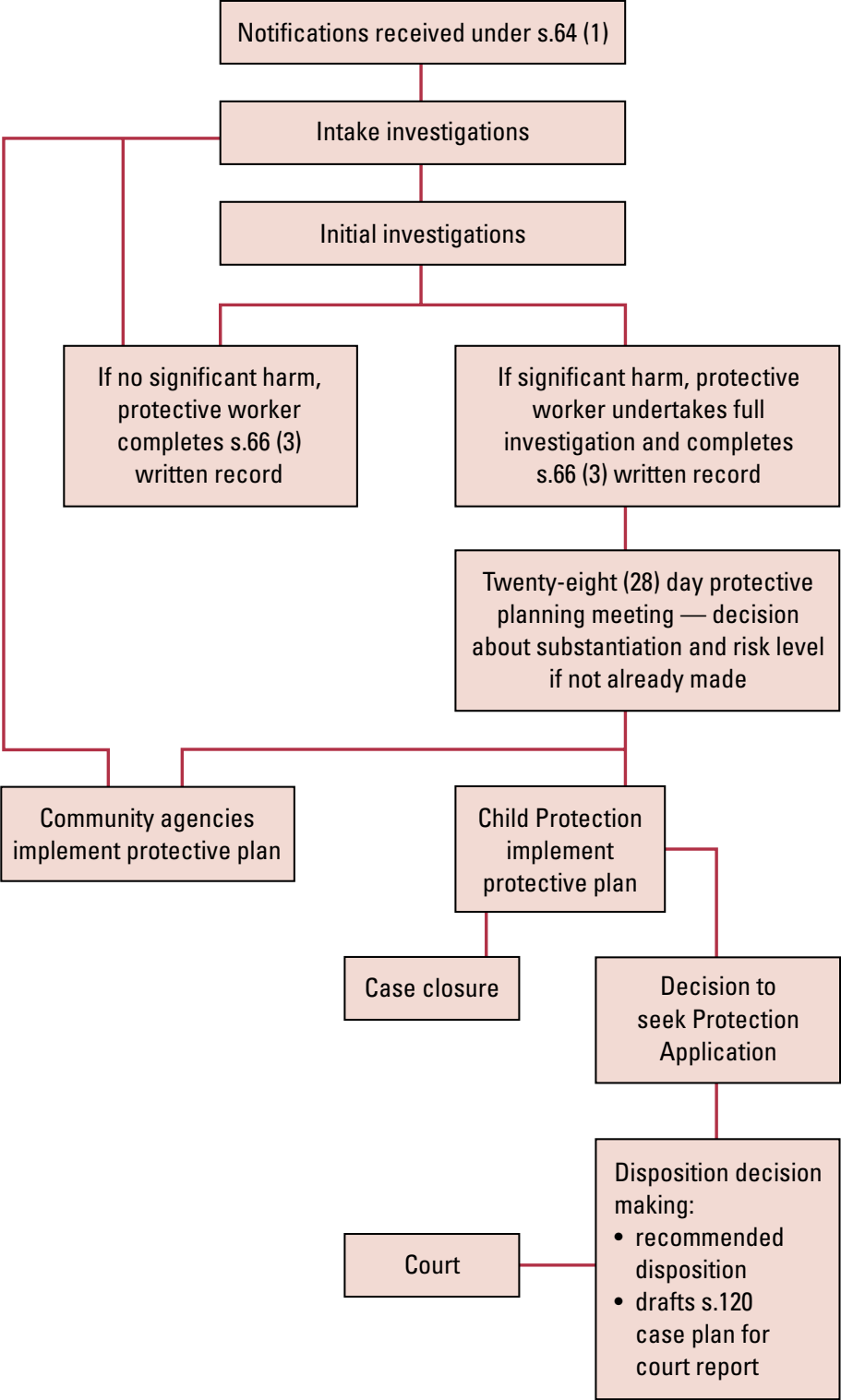
### **Case Planning**

Where a protection order has been made, the Child Protection Service is required under the Children and Young Persons Act to prepare a case plan to address the protective concerns and the issues that lead to court action.

The purpose of case planning is to:

- Identify the key changes necessary to enable the child to live safely and have their individual needs met.
- Identify the activities and tasks necessary to bring about the key changes.
- Identify those responsible for the specific activities and tasks.
- Ensure that intervention is targeted and tied to timelines.

Figure 7: From Notification to Court



## Frequently Asked Questions in Education

There are a number of Frequently Asked Questions in Appendix 2 in the Tools Section of this kit. The following FAQs are additional questions or scenarios that arise in an educational context.

**When making a notification over the phone, the Child Protection worker asks you to examine more closely the bruises or other signs of physical abuse on the child's legs and buttocks and provide more information. What are your obligations? Where do you stand legally?**

It would be appropriate for a teacher to comment on bruises that could be seen without removal of clothing. Teachers are not trained to undertake medical examinations and, although in some first aid procedures they may be required to remove parts of a student's clothing, it would be inappropriate in this situation. Regardless, teachers should always have another colleague with them. If medical attention, including basic first aid, was required in this situation, then it would be best administered by a medical practitioner. Teachers could assist by supporting and comforting the student and assisting the Child Protection worker in allowing the child to be examined by an appropriate person at the school. At no stage should a member of the teaching service conduct a body search or ask students to remove their clothing as part of an investigation by either police, the Child Protection Service or the school.

**What happens if the student you have protective concerns about is over the age of seventeen?**

A child or young person is defined under the Children and Young Persons Act as being aged seventeen years or under, so protective concerns would not be referred to the Child Protection Service unless the young person is already on a Protective Order. The school would clearly need to support this student and clarify their rights for them. Concerns about assault from another person — whether family or not — is a police matter, and the young person has a choice about whether to proceed. With the student's permission, you may wish to support the student to contact the police. Issues around accommodation, counselling, impact on study or exams, would require the school's involvement and support. Confidentiality issues remain important.

**You have made a notification to your regional Child Protection Service around 2.00 pm immediately after a child disclosed sexual abuse. The intake worker has told you to hold the child at school and they will be there by 4.00 pm. School has now ended and you realise this child will be collected by one of her parents. What can you do?**

It is really a matter of assessing the risks to the child. Hopefully, you obtained a contact name and direct line number when you rang earlier, so you can call the Child Protection worker, express your concerns and then follow the advice given. If you were unable to contact the worker and the parents arrive to collect the child, in most cases it would be appropriate to allow the child to leave. You probably cannot stop this from happening, even if it was not your preferred course of action.

Depending on the relationship you have with the parents, what the issues are, and who the alleged offender is, you may be able to negotiate with the parents to wait until the Child Protection workers arrive. However, you also do not want to alert the alleged offender. Most cases do not need to be responded to immediately, so do not feel guilty—you have done all that you can under the circumstances. It is likely that if the workers were delayed and did not get to the school in time, they will be proceeding to the child's home.

**What happens if the alleged perpetrator of abuse is another minor who is not related?**

Any allegation concerning another minor is a police matter. When child abuse occurs in settings outside the family, it requires a criminal investigation by the police and is not a Child Protection matter unless the parents or guardians are unable or unwilling to protect the child or young person from further abuse.

When talking with the student, avoid asking 'leading questions' or adopting an investigative approach that would implicate the student in wrongdoing and may affect the investigation and results. Careful, objective note-taking should be maintained.

Where possible, the school needs to try to prevent further contact between the parties concerned. This immediate action needs to be taken as a precautionary measure because the innocence or guilt of the alleged perpetrator is yet to be determined. The situation needs to be monitored closely and vigilance maintained. Parents would need to be informed. Confidentiality is crucial and therefore only those members of staff who need to know, to ensure safeguards are met, should be informed.

If the police are involved and wish to interview a student or students at a government school, the principal should act in accordance with the protocol between Victoria Police and DEET concerning criminal offences (see *Schools of the Future Reference Guide*, 4.6.7). In Catholic and independent schools internal procedures need to be followed.

**What happens if the alleged perpetrator of the abuse is a sibling?**

Allegations of significant harm inflicted by a sibling — whether another minor or an adult — is a matter for the Child Protection Service. When talking with the student, avoid asking ‘leading questions’ or adopting an investigative approach that would implicate the student in wrongdoing and may affect the investigation and results.

Careful, objective note-taking should be maintained. Confidentiality remains crucial and therefore only those members of staff who need to know to ensure safeguards are met should be informed.

If Child Protection is investigating the case, then it is likely to be their role to inform the parents. If you would prefer to do this because you have an established relationship with the parents, then discuss this at the time of the notification. Future management of the case will vary, depending on the investigation, but directions about setting up safeguards, the role of school personnel, counselling, and so on, could be discussed together.

**The principal has been notified by Child Protection Services that Child Protection workers will be arriving at your school to take a child away to be photographed and examined. What is the role of the principal at this time?**

The Child Protection workers will contact principals or their nominees when interviews with children are required at school or at another venue. Principals should facilitate all such interviews, regardless of whether the school is the source of the notification or not. The principal or their nominee should request identification of the Child Protection workers before allowing access and handing over the child.

Children or young people should be advised of their right to have a supportive adult present during interviews. How this is explained and shared with the child will depend on their age, stage of development or ability to comprehend the concept. The supportive adult could be a principal, teacher or other appropriate school-based person.

It is the responsibility of the Child Protection worker to advise the parents or guardians of the interview at the earliest possible opportunity. This should occur either prior to, or at the time of, the child arriving at home.

Maintaining sound and healthy relationships between the child and parents is of paramount importance and, where appropriate, needs to be protected and nurtured.

**The school day has ended and you have been asked to withhold the child until the Child Protection workers arrive. The parents in this case have abandoned their child. The workers said they would be there by 4.00 pm. It is now 6.00 pm.**

Regional Child Protection switchboards close at 5.00 pm, so it is important in the initial contact to get a name and a direct line number so you can remain in contact with them after 5.00 pm. Often schedules are delayed for a range of reasons. In this case, one of the main concerns for a Child Protection worker will be organising a placement for the child that night with either a relative or in emergency care.

At school, a teacher, but preferably two colleagues, would need to remain with the student to offer reassurance and support. The principal would need to be informed of what is happening, and if necessary make sure you have the principal's home number or contact number.

It would be important to establish as early as possible with the Child Protection worker what the plan of action is, including your availability and when you have to leave. If it is past 5.00 pm and you have lost contact with the regional office then do not hesitate to contact the After Hours Service on 131 278. They may be able to contact the worker and will have an array of options and plans, which they can negotiate with you.

**You report your protective concerns about a student to a level coordinator or school administrator and they tell you not to worry about it and not to make a report. You disagree with this and continue to have concerns about the child's safety.**

Regardless of the views of other colleagues, the legislation clearly states that if you are a mandated professional you have a legal responsibility to report your concerns to Child Protection Services if you have formed a belief that a child is in need of protection. The individual teacher must ensure that the report is made as soon as possible. For further information on this issue see Module 3 of this kit and the handout titled 'Responding to Concerns about Safety and Wellbeing: A Guide for Professionals'.



**What do I do if the alleged perpetrator of abuse is a member of staff?**

Most schools have policies to deal with this scenario. When child abuse occurs by someone who is outside the family, the employing bodies deal with the matters, and the criminal investigation is undertaken by the police. Child Protection intervention is not required unless the parents or guardians are unable or unwilling to protect the child or young person from further abuse.

These types of disclosures or allegations from a student at school would need to be reported to the principal immediately. If the alleged perpetrator is the principal, then this would need to be reported immediately to the person next in charge or to the relevant personnel in the respective regional office, organisation or Registered Schools Board. Each educational organisation will have its own internal arrangements about dealing with such allegations.

Where possible, the school needs to try to prevent further contact between the parties concerned. This immediate action would need to be taken as a precautionary measure, as the innocence or guilt of the alleged perpetrator is yet to be determined. The situation would need to be monitored closely and vigilance maintained. Parents would need to be informed. It *would not* be appropriate to allow the adult to confront the student about the allegations.

Confidentiality is crucial, and therefore, only those members of staff who would need to know in order to ensure safeguards are maintained should be informed. Careful note-taking should be maintained at all times.

**It is known that parents of a child have a substance abuse issue, that is, they are dependent on either legal or illegal drugs. How should this inform my assessment of a child's safety?**

Although this is not the best environment for a child to grow up in, it is possible and common for a drug-dependent carer, parent or guardian to provide the basic care and necessities for a child. It is not necessarily a Child Protection matter. If the parent's drug dependency affects their ability to protect, or they are unlikely to be able to protect the child from the list of harms, according to section 63 of the Children and Young Persons Act, then a notification may be necessary.

A range of assessment tools are available to assist in assessment and responses to concerns about a child. Refer to *A Guide for Professionals*, page 44, and *Indicators of Harm*, Appendix 1, page 51.

Other factors to consider are the age of the child, stages of development, who else is in the house and factors that could impact on the safety of the child.

**A child is regularly absent, and legally should be attending school.**

**Is this an issue for Child Protection Services?**

Non-school attendance in and of itself is not a protective concern. It becomes a protective concern when the child or young person is not willing or able to attend school due to familial issues, and where they might be engaging in risk-taking behaviours that place them at significant risk of harm. Therefore, truancy may be one of several observations that assist a teacher in assessing a child's safety and wellbeing. Hopefully the school would investigate the student's truancy. There are many reasons, some complex, as to why some students' attendances are irregular.

Examples of high risk behaviours include:

- Substance abuse that places the young person at immediate and significant risk (for example, chronic and heroin use).
- Self-harming behaviours, such as suicidal behaviour.
- Prostitution.

Refer to *School Attendance Guidelines*, Department of Employment Education and Training, 1997.

**A parent of another child at your school says to you that they have observed a child being physically abused by the child's parent. How do you handle this information? What happens if the same parent asks you later on what you have done about the information they passed on?**

First, inform the parent that they have the right to make a report. Perhaps briefly explain how the process works and encourage them to make a report, as they are the one with first-hand observations. Having received this information you would need to monitor the student named and talk with any relevant colleagues who have regular contact with this student. This would be the process of 'information gathering' that might lead you to 'form a belief' similar to that of the parent who spoke with you.

If the parent returns for further information then explain that the matter is a confidential one and that you are not in a position to discuss the matter further, but assure them the school did follow up the concerns raised.

**A teacher makes a notification to the Child Protection Service, and during the phone call, the intake worker asks the teacher if they would mind going around to the family's home to discuss the issues raised and to see if the parents can seek help for themselves.**

This is a possible request from intake workers in a limited number of situations. However, the teacher must feel completely comfortable in expressing concerns about doing this and feel under no obligation to do so. There may be teachers or school personnel who would feel comfortable in dealing with some issues with some families, and this could be negotiated with the intake worker. The teacher making the contact with the family to raise the issues, may in fact achieve the best outcomes for the young person. Home visits are not uncommon by schools, but school representatives would need to ensure the principal was informed and school protocols followed.

**A teacher has made a notification to the Child Protection Service. What is a reasonable amount of time in which to expect some feedback? Who will provide the feedback? Who should I contact if several weeks have passed and I've heard nothing? What form of feedback can I anticipate?**

The decision to investigate a notification can happen during the first phone call or at a later time when more information is gathered and an initial risk assessment is undertaken. The notifier should be informed of the decision as soon as is practical by the Child Protection worker. However, prioritising cases for investigation is constantly changing as new notifications are reported on a daily basis. The planning and intervention process usually involves discussions with, and coordination of, a number of people. This means that providing definite timelines will be difficult. It may be helpful for the notifier to ask for a contact name and number during the initial call, and negotiate with the worker a reasonable time to expect some form of feedback. If the notifier has not had feedback within that time period, then either the notifier or principal can contact the Child Protection intake manager in the region to seek further information.

Feedback is handled in a variety of ways, depending on the case, the regional office practices where the notification was made, and the personnel involved. Sometimes the feedback will be in the form of verbal communication; at other times it may be in writing. The feedback may not necessarily come directly from the intake worker who recorded your notification, as different teams are responsible for intake calls and investigations.

# ACTIVITY

## Case Studies

The following case studies are intended to be used to support the learning outcomes as described on pages 6 and 7 in the Introduction.

Trainers can use the case studies as they are, or adapt them to meet their specific group's needs. For example, you could change the names, the type of school, or the age of the child. Although the cases are fictional, they are derived from a combination of actual events. If teachers wish to use local case studies then they should ensure that confidentiality is maintained at all times, and be mindful that audiences often try to guess which child and family is being discussed.

The feedback provided with each of the case studies is not intended to provide the complete answer, nor the perfect response. The case study feedback is to be used as a guide, to provide points for further discussion and to enable participants to explore broader issues. Local protocols, knowledge of particular students and their families and prior experience will vary the participant's responses to a particular set of circumstances.

It is recommended that participants use the 'Guide for Professionals' (see Handouts) and 'Indicators of Harm' (see Appendix 1) when working through a case study. This will provide opportunities for teachers and other staff to practise using these tools in making an assessment of harm and whether a notification is necessary.

### Case Study 1

Quoc is a ten year old boy who lives with his father, mother and two older brothers. Quoc's dad works very long hours, including night shifts. Quoc's older sister, Tu, is married and lives separately with her husband and two year old daughter, Tran. Tu called Quoc's teacher and stated that she has been worried about Quoc for some time. She said that her mother is very strict and recalled that she has made Quoc sleep on the verandah when he is naughty, or locks him out of the house for several hours. Quoc is very scared about being outside at night. Tu says their mother tells Quoc she doesn't like him, and either yells at him or simply ignores him.

### Discussion Points

What are the indicators of harm?

How would you respond?

What outcomes would you like to achieve?

What community agencies could be contacted for support?

### Feedback

Unless the school was prepared to discuss these issues with the family directly, then the school would need to make a notification to Child Protection Services. The school should ensure that Quoc is supported by a caring adult, (for example, welfare coordinator, classroom teacher or mentor) and set up regular and private meetings. A quick check every day that things were okay would be ideal.

Professional counselling should be considered to ensure Quoc is not feeling that this form of discipline is normal or appropriate. Peer support could also be considered, depending on Quoc's friendship base. Careful monitoring would be most important. The school could also consider how they could involve Quoc's mother or his sister at school, and provide Quoc with strategies about how best to cope with situations in which he feels unsafe.

## Case Study 2

Bindi is an eight year old girl who was overheard by a teacher telling her classmate, 'Daddy said if I tell my secret to anyone then he will go to jail and I would never see him again'. The teacher is concerned about Bindi, as her behaviour has changed recently from being a confident, cooperative girl, to being moody, defiant and tearful.

Bindi often complains of 'tummy aches' and frequently asks to go to the toilet. Bindi has also been the leader in classroom games and free time activities, in which she has encouraged some of the boys to lie on top of her.

### Discussion Points

What are the indicators of harm?

What might the toilet visits indicate?

How would you respond?

### Feedback

Although one single indicator can be as significant as the presence of a number of indicators, the teacher here has observed many behaviours and signs that indicate possible harm from sexual abuse. Therefore a notification to Child Protection should be made.

The school would need to continue to observe and monitor Bindi — particularly in her interactions with other students. Bindi will need to be re-taught what is acceptable behaviour with other students. Counselling would probably assist her. As part of the Child Protection investigation, a medical examination may be required.

### Case Study 3

A family with four children at a small rural community is constantly coming to school under-nourished, poorly dressed and without lunch. The mother is often at the school, seeking help as a result of a violent husband, who, she says, gives her no money to buy food or provide for her family. The eldest child agrees with the mother. Local knowledge indicates that there are often times when the father is found stoned or drunk in the main street and is not capable of providing for his family. The school calls Family Services to provide support, but when the father finds out he becomes violent, saying that people are interfering with his family. The mother arrives at school one day with bruises on her face and the kids are quite distressed. Family Services are now unable to help on a voluntary basis.

### Discussion Points

What are the indicators of harm?

What support can the school put in place?

What other secondary services may be able to assist here?

### Feedback

The school could notify Child Protection Services on the basis of the emotional harm to the children and the mother being unable to protect the children (or herself). The school will have an important role in monitoring the situation. Counselling could be organised for the mother on school grounds, during school hours. The children would need to be supported by caring staff members and be informed that certain teachers know about the difficulties they are facing at home. School will be a haven for these children: a place of safety and a secure environment where they know someone will listen to them.

There are domestic violence outreach workers who can provide advice and assistance, but these resources are stretched very thinly in rural regions. A domestic violence refuge may be one option for this family; however, the mother would need significant support in deciding what action to take. If she was to leave it is likely she would be relocated to a different area, but this may remove her from existing support networks.

The eldest child could be given a personal safety plan that includes phone numbers and people to be contacted when in danger.

### Case Study 4

Ali is seven years old and is in grade two. He is tall for his age. He lives with his mother and has very little contact with his natural father. This is the third school he has attended this year. He sits near the teacher's desk and tampers with her personal belongings. He rarely completes any set tasks or schoolwork, and disrupts the learning program of the other children in the room. He gets into fights in the playground and has no real friends. Recently in the after school care program he climbed onto the school roof and encouraged other children to follow him. His behaviour is consistently inappropriate and the Out of School Hours Coordinator (OHSC) wishes to exclude him from the program. Ali frequently talks about killing himself and swallowed a handful of saccharine tablets on a visit to his aunt's home. At a school excursion he ran in front of a tram. His mother claims that he has always been a 'monster' and is basically uncontrollable.

### Discussion Points

What are the indicators of harm?

What support can the school put in place?

Is there other relevant information that may assist the teacher to decide whether to make a notification?

### Feedback

The family requires support, but a notification is not required on the current information given. With mother's permission a case management approach would be effective in dealing with issues around possible medical intervention, psychological assistance, classroom management and social skills programs. The development of a case management plan could be set up by the welfare coordinator, school leadership team member, integration teacher or student support services officer. It is possible that the whole school might adopt a particular approach in handling Ali, with a view to changing his inappropriate behaviours.

It may be appropriate to suggest respite for the mother. The mother, classroom teacher and out of school hours program coordinator may require added support and guidance in dealing with Ali. An approach that helps to share the care and management of Ali is needed so that he is not disengaged from school and the community.



### Case Study 5

Twin boys, Tim and Tom are in grade six in a middle-class suburban school. Their teacher has sent the boys to the General Office because they were passing around an explicit sexual drawing of a couple having sex. While Tim and Tom are at the office the teacher makes further enquiries and discovers first that the boys have brought pornographic magazines to school and shared them with their classmates, and then that two friends have been around to the family home and watched a porno film. They said Tim and Tom's mother knew of this and she just laughed. Tim and Tom disclosed to the principal that this information was correct and that they had watched mum and her boyfriend have sex.

### Discussion Points

What are the possible indicators of harm?

Would there be an alternative for the school other than to make a notification?

Is this just a case of early adolescent male behaviour?

### Feedback

Sexually explicit drawings or essays can be an indicator of sexual abuse and additional information should be gathered. The age of the child and any changes in behaviour will also assist in deciding what action needs to be taken.

A discussion with the mother by the principal and or their teacher would probably be the best response in this situation. Of course this would depend on the relationship the school has with the family, any prior knowledge or concerns, and how comfortable the school feels about dealing with this issue. Parents generally feel happier about discussing such issues with schools rather than Child Protection workers; therefore outcomes are more likely to be positive.

If, after discussions with the relevant personnel, the school feels there are significant indicators of harm, and that these would be best dealt with by the Child Protection Service, then they should make a notification as soon as possible.

Tim and Tom's mother may think that it is acceptable for the boys to be exposed to such material. She may not have thought about the possible misconceptions they may be forming about gender roles, violence, exploitation, relationships and sexuality as they enter adolescence. However, steps must be put in place to avoid exposing such materials to other children. The boy's mother must take responsibility for this.

The boys would need some discussions and possible counselling around the issues contained here. The parents of the other boys exposed to the inappropriate literature and films would need to be contacted and informed.

### Case Study 6

Abdul is a boy in year eight, and was sent to see the nurse by the teacher on first aid duty because of a headache. He often presents to first aid with headaches and rests or sleeps for a while then returns to class. The school nurse learnt that Abdul went to bed at 4.00 am, woke up with the headache and had no breakfast. It was disclosed that he went to bed at that time because he and his mum were hiding in the bushes in the park, as his father had been drinking heavily and was bashing both of them. They returned to the house about 4.00 am when his father had fallen asleep. The nurse examined the boy's arms and legs and found no obvious signs of injury. The school nurse made a notification to Child Protection Services. With Abdul's permission, the student welfare coordinator became involved and called the boy's mother who came up to school to discuss her own and Abdul's situation.

### Discussion Points

What intervention strategies did the school use here?

What could you have done differently in this instance?

How could the school support this student in the future?

### Feedback

Initially, the school would attend to the student's basic needs, that might include a shower, food, care and comfort. The school would be able to refer the mother to a domestic violence outreach worker and discuss strategies with Abdul about how to better cope if a similar situation arises in the future, and how best to minimise the risks and harms resulting from his father's behaviour.

The school would need to continue to monitor Abdul closely with a particular teacher or level coordinator, 'touching base' with him on a regular basis. School could expect his mother to support him on other occasions, and may have set up a strategy with the domestic violence outreach worker.

### Case Study 7

Maria, a girl in year seven, discloses to the school nurse that her father has hit her in the past when she has done the wrong thing, such as being late home from school and having poor reports. The nurse discusses issues, laws, keeping safe, and strategies to deal with her father. Maria and the school nurse develop a network and emergency plan to use if it happens again, and asks her to let her know if he hits her again.

Several months later Maria comes to see the nurse late one Friday afternoon. Maria alleges that her father hit her last night after parent-teacher night because her report had several Ns, indicating 'not satisfactory'. She revealed bruising on both upper arms consistent with being grabbed and shaken, bruises on the back of her legs and reported pain in her upper back. With Maria present, the school nurse rang Child Protection Services immediately. The nurse discussed the situation with the intake worker, who explained that this required an urgent response. It was suggested that the student go by taxi with the nurse, to the Child Protection office, so that a home visit could be arranged for that afternoon after the father got home. Maria agreed to this plan.

On the following Monday morning Maria reported that the workers at the Child Protection office were really kind. They had to involve the police because of the seriousness of the abuse. They took her home and explained to her father that he is not allowed to hit her. A family action plan was developed. The student was not sure if it would work, but she felt much safer and good about doing something about the violence. The police decided not to pursue the criminal investigation on Maria's insistence.

### Discussion Points

What intervention and prevention strategies are operating here?

How did the school support Maria after the notification?

### Feedback

Asking a staff member to accompany a student or to visit a family is a possible response from intake workers in a limited number of situations. The principal would need to be informed of this request and be made aware of any such action. However, the teacher or nurse must feel comfortable about doing this, and feel under no obligation to do so. There may be teachers or school personnel who would feel comfortable in dealing with some issues with some families, and this could be negotiated with the intake worker. Maria would need to be monitored until she felt comfortable that her father's behaviour had changed. Discussions about the family action plan and reinforcing the value of a network of trusted and supportive people who could be called upon if required would assist.

Child Protection must contact the Victorian Police to conduct joint investigations in instances of sexual abuse or serious physical abuse. A joint visit is initially aimed for, to minimise the trauma for the child. Where this is unable to be organised the police will sometimes request to interview the student at school.

Child Protection's role is to undertake the risk assessment for the child or young person where the police's role is to pursue the criminal investigation.

Young children do not have a say in the police's decision to investigate or not, however, older children do have a say.

### Case Study 8

Cassandra, a sixteen year old student, is sent to see the student welfare coordinator because she often falls asleep in class, particularly after the lunch break. After a number of sessions the student welfare coordinator discovers that Cassie is depressed, she uses marijuana heavily, including a regular 'brekkie bong' in the morning, has an occasional joint at lunchtime at school with a friend, and a few joints at night with her mother. She says the marijuana helps her get to sleep, although she wakes up a lot during the night. She was once a high achieving student but her studies are now suffering. She tells the student welfare coordinator that her stepfather, who has moved interstate, sexually abused her when she was younger, but that she was unable to tell her mother and still doesn't want her to know.

### Discussion Points

What impact does the drug issues have on this scenario?

How would you address these issues?

Are there any other health issues of concern?

What are the confidentiality issues?

Should the student welfare coordinator make a notification?

What information should the student welfare coordinator share with Cassie's mother?

### Feedback

Depression is a significant and real condition for some adolescents, and needs to be addressed as a matter of urgency. Medical support from a doctor who deals with adolescent mental health concerns would be beneficial for Cassie. The issues of why a young person uses a drug must be investigated, and appropriate drug and alcohol counselling, or general counselling, needs to be negotiated with the student. Parent involvement would also be a worthy aim. The marijuana use could be a form of self-medication.

No teacher should offer a student complete confidentiality, and this needs to be explained to the student at the beginning of the session, or at a point where you know the student is about to disclose sensitive information. Trust is important in the relationship between student and teacher, but it is important that teachers inform students about their professional obligations concerning their duty of care and mandatory

reporting requirements. The teacher needs to tell the student that when a student tells them that they are going to hurt someone, or someone is going to hurt them, or they intend hurting themselves, then the teacher may have to notify someone else.

As long as the stepfather does not return to the home, then Cassie is protected and a notification to the Child Protection Services is not required. The police could investigate the allegations if Cassie wished to pursue it. Regardless of that choice, Cassie should be strongly encouraged to see a counsellor at the Centre Against Sexual Assault. There would need to be sound case management in Cassie's case, in light of her depression and drug issues that includes the mother. Cassie needs to be assisted in exploring the issues around what to do if her stepfather confronted her at any time in the future.

### Case Study 9

Matwandra discloses to her teacher one day that she was sexually abused by the father of her friend. She also discloses that the same man sexually abused her friend, and that this man was the friend's own father. The teacher notifies Child Protection, and they undertake an investigation. Two weeks later, after the teacher phones the Child Protection regional office and speaks with the team leader, she is informed they have closed the case due to lack of evidence. They found no evidence that Matwandra was abused. The other girl, whose father was the alleged perpetrator, denied the abuse and so did her mother.

### Discussion Points

What can the school do to support this student?

What does the school do if the student alleges further abuse?

What type of counselling might be appropriate here?

### Feedback

The school would need to continue to monitor Matwandra and offer appropriate counselling. If she continues with such allegations the school needs to inform Child Protection Services immediately.

In this case the school can provide support to Matwandra, and discuss techniques of how to protect herself with different strategies. These could include understanding body signals in unsafe situations, taking action, calling on her network of support and setting up action plans.



### Case Study 10

Suzie is a fourteen year old student who resides during the week in a school residential setting. She frequently wets the bed and is happy *not* to go home on the weekend if she has a reason to stay in Melbourne. On one such weekend, Suzie discloses to her supervisor that 'Dad touches my private parts' and still helps her to get dressed. He also gets her to touch him and threatens to have her favourite horse put down if she tells anyone. She is too scared to tell her mother.

### Discussion Points

What should the supervisor do?

How should the school respond to this disclosure?

What guidelines and protocols would need to be in place to support any living away from home situations, like boarding schools, retreats and school camps?

### Feedback

Where applicable, individual school protocols should cater for these possible scenarios, providing the supervisor with a clear understanding of who they must report this to. The school would be expected to notify Child Protection Services immediately. The school would need to put in place the necessary counselling required and make sure Suzie is comforted, and is supported as an accepted member of a caring and secure school community.

### Case Study 11

There is a family of six children, four of whom attend a special education setting. The other two children are not of school age. Both parents also have significant intellectual impairments. They are a very proud family and refuse offers of help from the school. The children often come to school hungry and are observed 'stealing' the crusts from other children and eating from the bins. They come to school inappropriately dressed, for example, the boys wearing girls' shoes, different articles of clothing missing or the wrong size. The eight year old girl is often kept at home to mind the youngest baby. One of the boys regularly smells of urine. The family have been offered clothing and other forms of welfare support but simply refuse.

### Discussion Points

If the parents refuse help what can the school do to support these children?

What are the indicators of harm?

What procedures could schools put in place to monitor any changes?

What other early intervention strategies could be put in place?

### Feedback

This can happen with a range of families. Naturally, schools would offer showers to the children on site, so as not to further alienate them from peers, and provide appropriate clean clothing (despite parental objections) and explain to parents why these actions are taken.

School health programs would be reinforcing the need for personal hygiene, proper clothing and good nutrition. Depending on age-appropriateness, independent living skills would be encouraged.

Schools can only offer to support families in a voluntary capacity and guide parental understanding of how their refusal to accept support affects their children. Parents may react negatively to this advice and support for a number of reasons. If significant harm arises, further assessment should be undertaken, monitoring the indicators of harm, and Child Protection Services needs to be notified of any concerns.

### Case Study 12

Two boys, one sixteen and the other twelve, both attend a special school. The parents, both intellectually disabled, have separated, and mum has little to do with the boys. The older boy, Dwayne, discloses to his teacher that he and his father 'touch each other in bed'. The teachers have also found this same boy in a toilet cubicle at school with another student, touching each other's genitals. The case was investigated by Child Protection Services and the police, but was unsubstantiated, due to lack of evidence, as the boys provided no further details. Soon after, the same sexual activity in the toilet was observed with another student. Trevor, the younger brother, was found in bed with a twelve year old girl who attends the same school during a weekend respite stay. This was reported to the school by the agency staff.

### Discussion Points

What should be the school's course of action?

Are there grounds for a further notification?

Should the parents of the other children be informed?

### Feedback

In special settings, individual sexual gratification by some students is commonplace, and teachers will employ a range of strategies and programs aimed at changing such behaviours in public places. Each individual child's behaviour would be monitored, supervised and redirected if needed. Behaviour modification can be tackled in a variety of ways, and defining inappropriate behaviour in different situations is sometimes difficult to explain to some young people. Teachers of special school children are often in the position where inappropriate sexual behaviour is broached, and this situation would require discussions with both of the boys involved.

The respite care agency would need to be informed of all the issues so that appropriate monitoring and consistent intervention can occur. The girl's parents would also need to be informed. It would be up to the parents or guardians of the girl as to what action needs to be taken.

The school would need to continue to monitor both Dwayne's and Trevor's behaviour, looking out for indicators of harm and relaying any significant concerns to Child Protection Services immediately.

### Case Study 13

Patricia is thirteen years old, and is currently the subject of an Interim Accommodation Order and living in a residential home. She moved to this school halfway through the year and is finding it difficult settling in and making friends. The residential care worker came to see the Year Level Coordinator at enrolment and there has been some communication with the Child Protection worker.

Two months later, it was noted that Patricia had not attended school for three consecutive days. The school contacts the residential worker and discovers Patricia had been in court over issues around offending behaviour.

### Discussion Points

What are the issues of concern for the school?

What actions could be taken to ensure a breakdown in communication does not occur between the three services involved?

How would the DEET/Department of Human Services Partnering Agreement 2001 on School Attendance and Engagement assist schools to keep vulnerable students at school?

### Feedback

Patricia is experiencing significant difficulties at the moment, and her life is in turmoil. It is paramount that schools try to keep students like Patricia engaged at school. School may offer the only consistency and containment during a chaotic period. Young people are less likely to be involved in offending behaviours if they are either at school, employed or involved in ongoing training. Confidentiality must be maintained at the school and information shared on a 'need to know' basis.

The key to effective communication between all parties is in setting up processes and clarifying goals through the case planning process and support groups. The Child Protection worker should undertake this responsibility and involve the school in educational goal setting and communication strategies. It may be appropriate at times for a member of the school to attend the case planning meeting. The principal would need to be informed of the outcomes of case planning meetings.

The Partnering Agreement aims to guide government schools towards the principles and practices that are outlined in the School Attendance and Engagement Policy. One of these practices is setting up a support group for the young person, with the aim being 'to ensure that those

with the most knowledge of and responsibility for the student work together to support attendance and establish shared educational and social goals. This group will also monitor and evaluate the student's progress'. (See the final draft of the School Attendance and Engagement Policy, 2001).

# ACTIVITY

## Techniques for Interviewing Students

### Appropriateness of Activity

This activity is recommended for participants who have a thorough understanding of the material covered in Modules 1–3, and the trainer believes time needs to be spent around the issues of managing a disclosure. This would be a suitable topic for a one- or two-day format.

### Tips for Trainers

- It would be appropriate to draw on these skills through practical application.
- A trainer needs to be mindful that this topic can provoke some anxiety and needs to be handled sensitively.

### Conducting the Session

- Provide a handout of ‘Managing a Disclosure’ (on page 114) and discuss key points.
- Use one of the case studies and a role play to practise the key points or show the video *The Secret: Child Sexual Abuse*, which shows a teacher encouraging a young child to talk and managing a disclosure very well. The video can be ordered through Film Australia on (02) 9413 8734.
- Set up exercises where the interviewee has a set of descriptors, which, through the disclosure process, enables the interviewer to assess the extent of the harms to which the young person is exposed. Observers could be watching and noting good practice.

## Managing a Disclosure

- Stay calm and control expressions of panic and shock.
- State clearly that the abuse was not her/his fault — no matter what the circumstances.
- Always accept what the child says, no matter how fanciful it may appear to you — let them know you believe them.
- Allow the student to talk at their own pace and use their own language.
- Listen attentively and only ask open-ended questions. Avoid using leading questions, and remember: *you are not investigating the incident.*
- Do not pressure the person into telling you more than they want to.
- Drawing may help, but is not necessary.
- Encourage the student to talk about their concerns, as this can be helpful in dealing with difficult experiences.
- Not all the information will be necessarily expressed in one conversation or discussion.
- Tell the young person you are pleased they told you.
- At some point in the disclosure ensure that you inform the child or young person that you cannot offer absolute confidentiality or protection. Do not make promises where there is some doubt you may not be able to keep them.
- Take careful notes throughout, if appropriate, or very soon after the young person has left. Keep to the facts, and use the words as they are spoken to you. Note date, time and place.
- You may wish to stop the interview if you think it is better handled by another person or staff member, or if it is too stressful for the student. Avoid going over the information time and time again; you are only gathering information to help you decide if you are going to make a notification or take some other action. The Child Protection workers and/or the police will undertake a full investigation.
- Consider the school protocols around responding to child abuse and mandatory reporting. Follow these protocols carefully. Notify the principal or nominee as soon as possible.
- If your concerns lead you to making a notification, then do so as soon as possible.
- This can be very stressful for you, so take care of yourself. Remember that you do not have to cope on your own, and that support from another colleague ought to be available. This support may not be required immediately.

### **Examples of Open Questions**

'When did this happen?'

'What did the person do?'

'Can you tell me a bit more about that?'

'What did the person say?'

'Have you told anybody else about this?'

'Where did this happen?'

'How do you feel when this happens?'

'Has this happen more than once?'

'What do you mean by that?'



# References

Child Protection Victoria Publications, available at: [www.dhs.vic.gov.au](http://www.dhs.vic.gov.au), and follow the links to Community Care Division

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Guidelines and Procedures for Mandatory Reporting of Child Physical and Sexual Abuse, CEOM Policy 2.19, 1999, Catholic Education Office, Archdiocese of Melbourne, available at: [web.ceo.melb.catholic.edu.au](http://web.ceo.melb.catholic.edu.au)

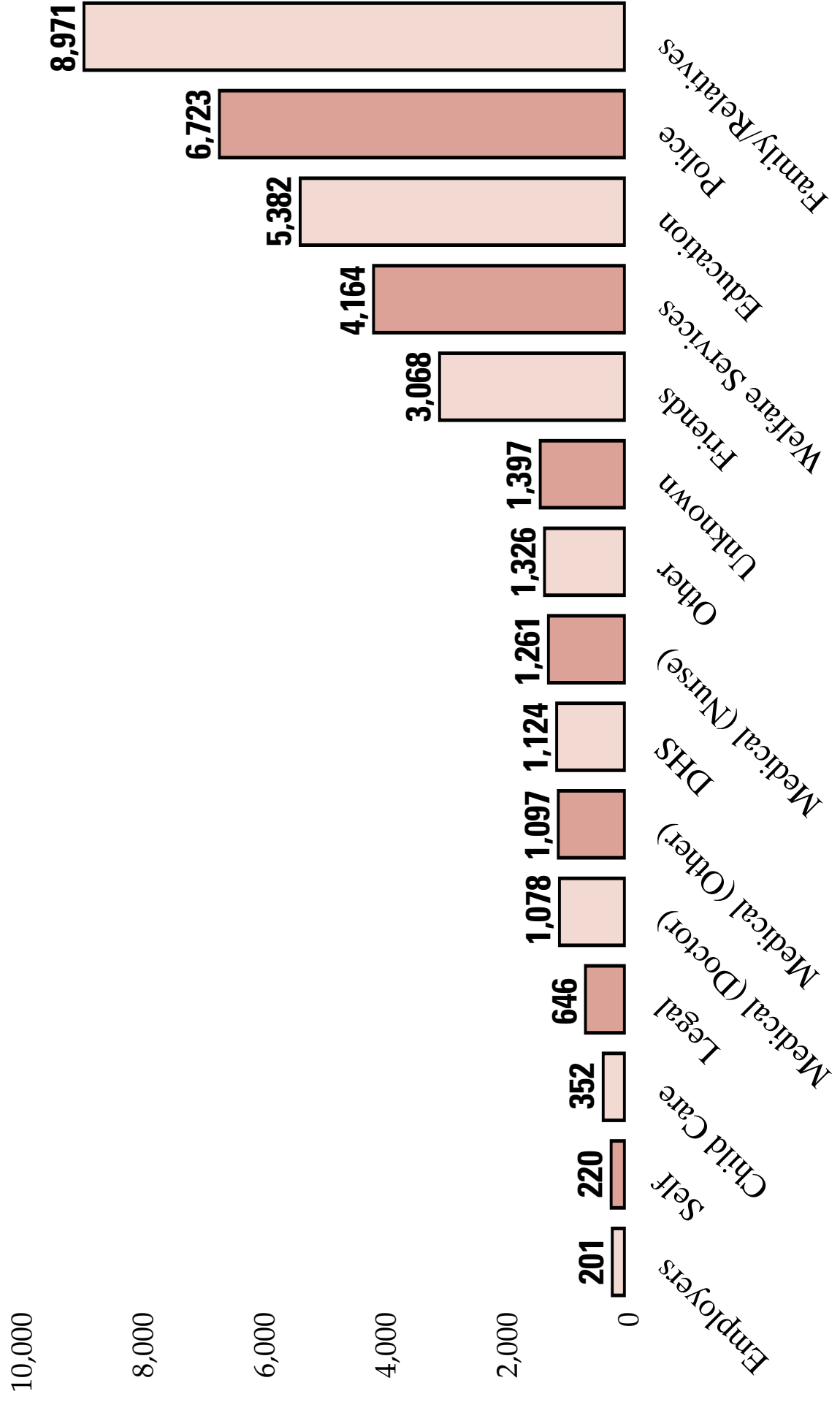
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# Overheads

## Source of Notifications, 2000–2001



## Flowthrough of Notifications from Education Sector, 1999–2000

