

APPENDIX A. Child protection and abuse prevention education professional learning

All Department of Education staff who have contact with children and line managers of staff, must complete the online Child Protection and Abuse Prevention course within 6 months of enrolment in the online course.

All third-party providers, engaged through a formal service agreement with the Department of Education, who have contact with children and their Department of Education line managers, must complete the online Child Protection and Abuse Prevention course within 1 month of enrolment in the online course.

On satisfactory completion of the course, the completion status is recorded in a central database and staff are issued with a certificate of completion. The database and certificates assist principals in managing and monitoring compliance requirements.

Staff are required to update professional learning in Child Protection and Abuse Prevention every three years from the date of completion. Once this date has elapsed, their status will revert to Not Attempted.

There is an option for staff to retake the online Child Protection and Abuse Prevention course and receive a new date of completion prior to the three-year period elapsing. Staff can select “retake” which is located next to the “play” button.

The school nurse will complete the Department of Health training.

Alternative professional learning formats will be provided for staff who cannot access the online professional learning.

For a list of staff required to complete the Child Protection and Abuse Prevention course, refer to the *School Education Act 1999* (section 237) and School Education Regulations 2000 (r.127).

APPENDIX B. Protection and support for employees who report child abuse

All staff and third-party providers, engaged through a formal service agreement with the Department of Education, are protected from civil, criminal and disciplinary liability by providing information to Department of Communities, WA Police or the Department's Standards and Integrity Directorate (SID) for the purpose of investigating child abuse.

If acting in good faith, reporters are deemed not to have breached a duty of confidentiality, professional ethics or standards; or to have engaged in unprofessional conduct by providing information under s129 of the *Children and Community Services Act 2004*.

Under s129 of the Children and Community Services Act, if reports are made in good faith and with the best interests of the child in mind, the Act protects the reporter from:

- civil or criminal liability in respect of the disclosure
- a breach of any duty of confidentiality or secrecy imposed by law
- a breach of professional ethics or any principles of conduct applicable to the person's employment
- a breach of professional conduct.

When there is concern for the safety of the reporter, it is important that the school has a risk management plan in place. The principal advises the Department of Communities and/or the WA Police and contacts the Regional Education Office for further advice. Third party reporters should consult with their employer.

Staff are entitled to seek counselling through the Employee Assistance Program (staff only).

An employee or third-party provider, engaged through a formal service agreement with the Department of Education who attempts to threaten, intimidate, coerce or take reprisal against an employee or third-party provider, who has disclosed or intends to disclose unethical or unlawful behaviour may face disciplinary action (refer to the Staff Conduct and Discipline policy).

APPENDIX C. Completing documentation

When documenting child protection concerns staff should be aware that records can be subpoenaed by the court as evidence. If in doubt, you can consult with the principal, student services staff, the Department's Service Response (Child Protection) staff or the Department of Communities, Child Protection and Family Support (CPFS).

The principal may complete documentation on behalf of the staff member who reports concerns of physical abuse, sexual abuse, emotional abuse or neglect.

When reporting the belief that a child is or has been the subject of sexual abuse, staff who are mandatory reporters must complete their own documentation. The principal must not do this on their behalf.

The reporter should document, to the best of their ability, observations and factual information about what they have seen or heard, such as:

- relevant dates and times
- the identity of the source of information
- information from a third party that is clearly identified as third party information
- noting of the exact words the child used to describe what happened, even if it's not Standard Australian English e.g. the word or words they used for genitals or other parts of their body, or anything else related to the disclosure or concern
- statements or descriptions made by the child, parent or third party, written **verbatim** and in quotation (" ") marks
- professional judgments informed by professional training, resources and experience
- any other grounds for concern
- your response to the child
- the current situation i.e. Where is the child? Who is the child with?

Do not include:

- your opinions, for example, "the parent used excessive discipline"
- your personal conclusions about the type of abuse suspected
- your interpretation of what the child or others said.

Language:

- use clear, explicit, unambiguous, objective language
- use the first person singular, for example, "I saw...".
- use the names of people involved rather than she, he, etc.
- if the child uses any language other than English to describe an incident, document those words
- avoid jargon used within the organisation that may not be understood by others who read the report
- only use terms such as 'probably' or 'likely' if there is a reasonable degree of certainty.

APPENDIX D. Confidentiality and legal protection

The identity of the person making a report to the Department of Communities-is protected and can only be released:

- for the purpose of Department of Communities assessment
- for investigative purposes by a WA Police officer
- with the written permission of the reporter
- purposes of court protection proceedings.
- by an application under the Freedom of Information Act 1992.

Where there is suspected or alleged abuse or misconduct, allied professionals must not disclose or make use of the information in a manner that breaches confidentiality under Sections 23 and 129 of the Children and Community Services Act 2004 and s242 of the School Education Act 1999.

Professional confidentiality is protected when allied professionals provide information in the best interests of the child regarding possible child abuse to Department of Education staff or agencies who are directly involved in responding, investigating or supporting the child.

If information is disclosed, in good faith:

- no civil or criminal liability is incurred in respect of the disclosure
- the disclosure is not to be regarded as a breach of any duty of confidentiality or secrecy imposed by law
- the disclosure is not to be regarded as a breach of professional ethics, standards or any principles of conduct applicable to the person's employment, or as unprofessional conduct.

When there is concern for the safety of the reporter, it is important that the school has a risk management plan in place and the principal should contact the Regional Education Office for support.

Staff are entitled to seek counselling through the Employee Assistance Program (staff only).

An employee or third-party provider, engaged through a formal service agreement with the Department of Education who attempts to threaten, intimidate, coerce or take reprisal against an employee who has disclosed or intends to disclose unethical or unlawful behaviour may face disciplinary action (refer to the Staff Conduct and Discipline policy).