

Managing Child Abuse Allegations Policy & Procedure

(Revised March 2016 V2)

POLICY OWNER: Headmaster

PURPOSE:

The following document outlines the policy and procedure of St Peter's College in regards to the lodgement and management of allegations relating to child abuse and sexual misconduct by an adult member of the School community, i.e. staff member, volunteer, sports coach.

SCOPE:

All staff, students, parents, Old Scholars and volunteers of the St Peter's College community are covered by this policy.

The School has a **Child Protection Policy** with a stated Code of Conduct and Reporting Process. This policy, and its procedures, should be read in conjunction with the Managing Child Abuse Allegations Policy & Procedure.

REFERENCES:

- St Peter's College Child Protection Policy (updated April 2015)
- St Peter's College Disciplinary Performance Management Policy & Procedure
- St Peter's College Critical Incident Management Policy & Procedure
- Managing allegations of sexual misconduct in SA Education and care settings. *Government of South Australia, Department of Education and Child Development.*

ALIGNMENT TO SCHOOL STRATEGIC PLAN:

Our Preferred Future – A Strategic Plan for St Peter's College 2015 – 2018 underpins this policy and procedure.

ALIGNMENT TO SCHOOL'S VISION & VALUES

Our vision is to be a world-class school where boys flourish. Our core values underpin this policy and procedure:

- Building lifelong commitment to serve others.
- Building leadership capability.
- Celebrating the uniqueness of every boy.
- Celebrating accomplishment.
- Developing emotional maturity.
- Developing lifelong learning, engagement, meaning, and purpose.
- Embracing creative potential.
- Fostering honesty, integrity, and wellbeing.
- Honouring diversity.
- Valuing teamwork, collaboration, and communication.
- Unlocking individual virtues and strengths.

POLICY:

Allegations Procedure

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to an allegation that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature. Those that have occurred sometime in the past, should be actioned as soon as possible, preferably within 24 hours.

Principles

The School is committed to an effective resolution of such allegations in a timely and systematic manner. This policy sets out the process by which allegations of child abuse can be addressed in a confidential, expeditious and sensitive way.

Resolution arises out of a clear understanding of the School's policies and practices, good communication, an agreed method of allegation management and resolution and appropriate seriousness about the allegation and towards the complainant.

Resolution involves good record-keeping during the process of hearing a serious allegation and respect at all times for appropriate confidentiality.

It is in the common interest to manage resolution of any allegation by means which neither disrupt nor damage the School's optimum operation

St Peter's College Commitment

St Peter's College is committed to:

- Providing a working and learning environment that is safe, fair and just.
- Promoting positive personal relationships.
- Minimising the incidence of circumstances that might give rise to a child abuse allegation.
- Supporting the right of every person to have their allegation lodged, listened to, addressed fairly and dealt with as soon as possible.
- Managing allegations in a respectful and supportive way.
- Meeting its moral and legal obligations (eg: Mandatory Reporting).
- Maintaining high levels of communication and record keeping.
- Providing adequate training and support for people with responsibility to investigate child abuse allegations.

PROCEDURE:

Lodging an Allegation

Principles

The following principles will apply to the lodging of a child abuse allegation:

- ~ While the health, safety and wellbeing of all members of the School community is an important concern that of children and young people remain the highest priority.
- ~ People are entitled to lodge a child abuse allegation.

- ~ Child abuse allegations should be lodged in good faith and without frivolous, malicious or vexatious intent.
- ~ The allegation will be heard promptly and will be taken seriously.
- ~ The right to report will be affirmed and the complainant will not be pressured in any way.
- ~ The School will make every reasonable effort to ensure a person lodging an allegation will not be treated unfairly or victimised because of the grievance.
- ~ All resolution policies and processes acknowledge and value different perspectives and will operate under the principles of impartiality, promptness and protection from victimisation.
- ~ The complainant will be reminded that this policy does not remove the right of any person lodging an allegation to proceed to an external body or authority.

Procedure

The initial response of the person that receives the allegation (or person on behalf of the child) is crucial to the wellbeing of the child/person. It is important for the person receiving the information to :

- Listen to, be supportive and do not dispute what the person says;
- Reassure the person that what has occurred is not their fault;
- Ensure the person is safe;
- Be honest with the person and explain that other people may need to be told in order to stop what is happening or to investigate the allegations/issues;
- Ensure that what the person is saying is quite clear but do not elicit detailed information about the abuse. Suggestive or leading questions are to be avoided;

The person receiving the allegation should obtain and clarify basic details (if possible) such as:

- The person's name, age and address;
- Person's reason for suspecting abuse (observation, injury or other); (Note – the person raising the concern does not need to have evidence in any forensic sense – reason for suspicion is the basis for notifying concerns), and
- Names and contact details of all people involved, including witnesses.

Any concerns or allegations of child abuse should be made or referred to the Headmaster or his delegate. If the allegation is to be investigated by the School it will be dealt with in the following manner:

- The Headmaster, or his delegate, will meet with the complainant in a location they nominate as safe for them. They should be advised beforehand that they can bring a support person with them.
- Allow the complainant to tell the whole story.
- Affirm the right to report.
- Acknowledge their concerns.
- If the disclosure is made by a child or young person:
 - Immediately say that you believe the child;
 - Stress that what has happened is not the child's fault;
 - Commend the child for telling you about it;
 - Actively listen without probing for detail or asking leading questions;
 - Do not question excessively;
 - Talk gently and reassuringly, pointing out that you are there to help;
 - Do not make a promise that you will not tell anyone as you have a responsibility to inform the Headmaster.
- Appropriate notes of each key point will be taken, repeating them to the complainant and asking whether they represent an accurate record of the allegations.
- Show empathy with the complainant's emotion, but reserve the right to request the complainant to be civil or terminate the interview.
- Avoid immediate judgements or debate, or becoming defensive or angry in discussion.
- Listen and find out what they want you to do and why they have come forward now before any suggestions as to actions steps are proposed.
- Offer counselling / professional support.
- Let them know what will happen next, who to contact if they have questions about the process, and very importantly who will need to be notified about the allegation.

Undertaking disciplinary action

- For incidents of a serious or criminal nature, consideration should normally be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings. However, there may be times when the School may need to take action in the event that other children are likely to be at risk.
- If disciplinary action is to be taken, follow the procedures outlined in the St Peter's College Disciplinary Performance Management Policy & Procedure.
- If a staff member is to be suspended during an investigation, the staff member will be suspended on full pay.

- Check with the relevant government authority to determine if a written report needs to be prepared and sent.
- Any disciplinary measure imposed by the Headmaster under this policy must:
 - Observe any contractual and employment rules and requirements;
 - Conform to the principles of natural justice;
 - Be fair and reasonable;
 - Be based on the evidence and information presented;
 - Be within the powers of the Headmaster or his delegate to impose the disciplinary measure.

Documentation

While the detail and formality of record keeping may vary according to each issue, appropriate documentation should be maintained.

Records will need to be kept if further disputation occurs or in the case of future legal action. Details such as dates, names, contacts, statements, relevant files, and staff involved and outcomes should be recorded.

Records should be kept in the locked files of the Headmaster.

Managing allegations of sexual misconduct

Allegations might be made against a member of the teaching staff, administration or other support staff or against volunteers.

The fundamental steps that should always be observed are to notify immediately:

- SA Police
- Child Abuse Report Line (CARL)
- Parents of the victim, unless a parent is the accused person, and with due regard for the victim's wishes
- Any other relevant sector office or government agency.

This process is also supported by the process outlined in the document '*Managing Allegations of Sexual Misconduct in SA Education & care settings*,' Government of South Australia, Department of Education & Child Development. It provides support to this policy in the following ways:

- Staff who have trained and or worked in SA are already familiar with this so that the School builds on existing knowledge;
- It highlights those processes/expectations that are additional to the School's processes, thus underscoring the high level of commitment given to this process by the School.
- Prevents any confusion through the use of different language.
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1. Importance of note taking

Memories fade and recollections of events will be difficult at a later date when School leaders or members of staff are asked to recall events or conversations.

It is essential that those involved in the process keep a written record of all conversations relating to the allegations. The notes should, if possible, be made in the course of the conversation or immediately after.

Staff and volunteers should be aware that they may be called to give evidence in court proceedings. Contemporaneous notes will then be very helpful in assisting recollection of events and conversations. It is also important to be aware that notes may be subpoenaed for court proceedings and, therefore, should be completed in a legible and professional manner.

The notes and forms should be placed in a file marked 'confidential' and held in a secure cabinet. The only person with access to the cabinet should be the Headmaster or his delegate. At a relevant time, the Headmaster will provide this documentation to the necessary authorities.

2. Immediate action

Allegations of sexual misconduct might be made either to a staff member or the Headmaster. The allegations may be made by a child or young person, a staff member, a parent, a volunteer or a member of the public. On other occasions, the first knowledge that the School has of the allegations is when police state that they have arrested a person and charged him or her with a sexual offence.

The following is a list of steps that should be taken by the Headmaster when allegations of sexual misconduct have been made. Which steps the Headmaster begins with will vary according to whether the Headmaster is responding to the allegations 'first hand' or acting on information and instructions from another person or other sector authority. Nevertheless, all the steps are important and need to be attended to immediately. The Headmaster has responsibility to undertake or, if tasks are undertaken by others, to oversee and confirm the execution of all the steps. Some steps can be taken simultaneously and most will be undertaken through consultation with, or by direction from, police and other sector authorities.

3. Actions of the Headmaster

3.1. Obtain medical assistance for child or young person if required.

The Headmaster should attend immediately to any medical treatment that the victim might require and attend to the victim's emotional needs in all ways appropriate until he is in the care of parents.

3.2. Receive report of allegation

If an allegation of sexual misconduct is made to a member of staff or a volunteer at the School, it should be reported to the Headmaster immediately. The member of staff or the volunteer to whom the allegation is reported should record the allegation in writing (see Appendix 1 for report form).

If the allegation involves the Headmaster, the report should be made to the chairperson of the Governing council.

3.3. Report to SA Police

Once the School is aware of an allegation of sexual misconduct, the Headmaster must immediately report the allegation to police on 131 444. If the Headmaster is the person against whom the allegation is made, it is the chairperson of the Governing Council that has responsibility to make this report to police.

During this report, the Headmaster should seek and note SA Police's immediate advice on:

- Restricting the staff member's access to children and young people
- Preservation of evidence
- Contact with parents of the victim
- Police contact number to provide to parents of the victim.

This will help inform the strategy discussions that the Headmaster and Police will undertake. The Headmaster should expect that police will not normally interview children or young people at the School except as a matter of urgency or immediate necessity. In the ordinary course, children and young people should be interviewed at a place nominated by police that is off-site.

3.4. Notify the Child Abuse Report Line

The Headmaster should, as soon as practicable, notify CARL on 131 478 and ensure the report is documented using the mandatory report form used by the School and securely stored in the Headmaster's file.

3.5. Preservation of evidence (if applicable)

The Headmaster should immediately take basic steps to secure the place where the alleged offending occurred, if that is on the School site, until the police arrive. An example is blocking access to the site's network if an allegation regarding child pornography is made, or locking the room in which an incident is alleged to have occurred. Electronic material of any kind **must not be deleted** but must be quarantined as far as practicable for handover to the SA Police. The police will properly secure the crime scene on arrival. The Headmaster should seek advice from the police on this issue when making the initial report.

3.6. Preventing access to children and young people

When it is necessary to prevent the accused person from having any further contact with children or young people at the School, the Headmaster should take steps to prevent the accused person from attending the School, on directions for the SA Police.

In some circumstances, SA Police may ask the Headmaster not to indicate to the accused person that an allegation has been made until SA Police are able to complete their own preparations. The Headmaster will determine the most appropriate plan to either re-direct the individual from their teaching or care duties or to allocate another

adult to the teaching or care situation in order to provide supervision until the end of the day. Each situation will provide different options and challenges to consider in managing this situation.

3.7. Inform parents of victim

Unless the parent is the accused person, the Headmaster should immediately seek the approval of SA Police to inform the parents of the victim of the allegations if the parents are not already aware. This should be done in a sensitive manner, taking into consideration the victim's wishes. Information about counselling services and support for the victim and family should be provided at this time.

3.8. Inform the accused person of his or her immediate work requirements.

In consultation with the SA Police, the Headmaster should determine which leave/employment/contract options are appropriate and available for the accused person. The intent is that the accused person does not attend the School while an investigation proceeds. If a staff member is to be suspended during an investigation, the staff member will be suspended on full pay.

3.9 Inform the Association of Independent Schools – SA (AISSA).

4. Further Action

The previous section outlines actions that must be taken immediately. The following tasks should be undertaken as promptly as possible without compromising the consultation, risk assessment and information gathering that is required for those tasks to be undertaken appropriately.

4.1. Future employment of accused person

Where the accused person is a staff member, the Headmaster should suspend the staff member from duty on full pay pending the outcome of the investigation.

If the accused person is suspended the Headmaster should send that person a formal letter of suspension.

If the accused person is a volunteer, the services of that person should be terminated immediately.

If the accused person is a contractor, legal advice should be obtained whether the contract can be terminated.

In the event of the charges being withdrawn or in the event of an acquittal, the Headmaster will determine what is to occur in relation to the future employment of the accused person.

4.2. Counselling and support

Appropriate support should be provided as required to:

- The victim and his parents
- Other children or young people and parents of the School community
- Staff members
- Relatives of the accused person who are employees or enrolled

students at the School

Generally speaking, the support will be in the form of counselling.

Victim and victim's parents

The Headmaster should meet with the parents of the victim to discuss continuing support for him. Details of counselling services with contact numbers should be provided to the victim and his parents as part of this first meeting. After the meeting, the Headmaster should have complete a written record and have it signed by the parents (see Appendix 2).

Over the following days, a support and safety plan should be finalised covering all aspects of the victim's and the family's ongoing needs and agreed actions (see Appendix 3). Copies of the plan, and all updated versions, should be provided to the victim and the family. The verbal offer of counselling to the victim and the family should be followed by a letter re-stating the offer and the specific service options. If these services have been taken up by the victim and the family and recorded as part of the support and safety plan, the letter should simply confirm those agreed arrangements and attach the support and safety plan. The School must continue to monitor the wellbeing of the victim and his family through regular reviews of the support and safety plan. Particular attention must be given to significant dates where court proceedings are likely to prompt further stress and emotional burden.

Other children or young people and parents of the school community

The nature of the support or counselling that may be appropriate for other children or young people and parents in the School will vary depending on the circumstances of each incident. If the risk assessment indicates the appropriateness of informing a wider group of parents then, generally speaking, the same services as outlined above should be offered. This may happen via a letter, face-to-face meeting or small group meeting, as appropriate. These actions will be undertaken in consultation with the SA Police and the appropriate provider of such counselling, for example, the School's counselling services or Child and Adolescent Mental Health Services. Copies of letters and records of meetings must be stored with the Headmaster.

Staff Members

Staff members may be profoundly impacted by sexual misconduct allegations. Consideration must continue to be given to the wellbeing of staff, particularly those who were in some way associated with the accused person (e.g. co-teacher, friends, and relatives) and to the Headmaster (or his delegate) on whom the additional burden of ultimate responsibility for the safety of the School rests.

Particular care should be taken in explaining the restrictions that may be placed on the accused person to staff who are friends of the accused. Individual staff members may need specific help in knowing how to respond to requests for emotional or other support from the accused person without complicating their own obligations at the School or unwittingly complicating matters for the accused.

It is reasonable and important that staff members are able to offer

emotional support to others and that accused persons have access to the support of friends. However, staff will need clear guidance on how to respond to particular requests such as acting as a witness. The Headmaster should seek support in clarifying the advice they give in these circumstances.

As with any other kind of serious critical incident, the School may need to deploy additional personnel to the site to ensure that it can operate without placing staff wellbeing or the care of the children and young people at risk. Staff members may not immediately appreciate the impact on their wellbeing so reminders about the availability of the relevant counselling services should be given to staff on a number of occasions in the weeks or months that follow. Important events such as the outcome of court proceedings can trigger new points of stress and need which the School must anticipate and monitor.

4.3 Risk Assessment

A risk assessment will be made by the Headmaster and will draw on information provided by the SA Police. The risk assessment will consider whether there is a reasonable suspicion that there might be other victims and the most appropriate way of addressing that risk through informing identified people. Where necessary the Headmaster should consult experts.

The risk assessment should consider relevant factors, including:

- The nature of the offending
- The circumstances in which the offending occurred
- The place or places where the offending occurred
- The age of the victim
- The age and gender of the accused person, whether the accused person had regular and frequent contact with other individual children or young people, or a group or groups of children or young people, and the nature and circumstances of that contact
- The opportunities that were available to the accused person on which to offend against other children or young people.

4.4 Informing Responsibly

Although a suppression order and section 71A of the Evidence Act forbid publication of the name of the accused person generally to the public, it is proper for those with a legitimate interest in the matter to be informed of the alleged offending. Those who have a legitimate interest in the offending are the staff at the School, the members of the Governing council and parents of children or young people who are likely to have been in contact with the accused person.

As considerable care must be taken when informing staff, the Governing council and parents of the incident, Headmaster (or his delegates) should follow the advice below.

It is necessary to consider the question of providing information at three stages.

They are:

1. When no more is known than what is contained in the allegations.
2. After the accused person has been charged.
3. After the committal or other appropriate relevant date.

Stage 1: when allegations only are known

Informing staff

It might be necessary for the Headmaster to make arrangements to replace the accused person who has been placed, for example, on special leave, and to make other consequential administrative arrangements. The Headmaster is at liberty to inform the staff involved in the administrative arrangements of the allegations but should not inform other staff at that stage. Those staff members who are informed of the allegations should be asked to keep the information confidential. Other staff members should be told that the member of staff is on special leave, or another kind of leave using a neutral term applicable to processes utilised in the School.

Once the decision has been taken to suspend the accused person, the Headmaster should call a staff meeting and inform all staff that the accused person has been suspended.

It might be necessary to state that the accused person has been suspended because his or her conduct is being investigated but nothing should be said that might indicate that allegations of sexual misconduct had been made against the accused person.

Staff should be informed that the accused person is not allowed on School grounds and if the accused person is seen on site to report it to the Headmaster. Staff should be instructed to keep the information confidential and to refer any parents with questions to the Headmaster. Staff members should be instructed that, if they have any information that will assist the police investigation, they should contact the police and provide that information. If that information is relevant to the safe operation of the School, it should also be provided to the Headmaster. If the identity of the victim is known and consent is obtained from the victim or the victim's parents, specific staff members such as the victim's class teacher or School Psychologist /Counsellor may be told who the victim is on a confidential basis in order to provide appropriate support for the victim.

Informing Governing council

The members of the Governing council should be informed by the Headmaster. They should be given the same information as staff, namely, that the accused person has been suspended until further notice and that the accused person has been directed not to attend the site. They should be asked to keep the information confidential and to refer any questions from parents to the Headmaster.

Informing parents

Generally speaking, while allegations are being investigated, it is not appropriate to inform parents of those allegations. The allegations might prove to be false, may not be substantiated, or there may be insufficient evidence to warrant criminal proceedings. A letter that named the accused person and reports what are no more than allegations has a real potential to be defamatory. As a general rule, the Headmaster should not, therefore, inform parents of allegations. Generally speaking, if there is an occasion when it is necessary to send a letter to parents referring to allegations, for example as a means of managing serious and harmful misinformation, that letter should not name the person against whom the allegations have been made. Legal advice should be obtained before sending such a letter. It will be necessary, also, to consult SA Police.

Managing rumour, misinformation and curiosity

It is anticipated that discussion will occur within the School's parent community once a member of staff has been suspended. It is appropriate that staff be provided with instructions for dealing with potential queries or comments. That instruction should be to refer all inquiries to the Headmaster.

If an inquirer asks the Headmaster why the suspended person is no longer on site, the Headmaster should give the inquirer an answer that is as neutral as possible and one that does not disclose the nature of the alleged offending. One example of an appropriate answer is 'The person has been suspended. I am sorry I cannot give you any further information at this stage. As soon as I am in a position to do so, I will let you have more information'. If the inquirer persists, the Headmaster should do no more than state that the person has been suspended because his or her conduct is being investigated by police and more information will be given when the outcome of this police investigation is known.

Staff members should also be instructed to alert the Headmaster immediately if they become aware of accusations or threats by community members that pose risks to the safety and wellbeing of individuals or the broader School community. The Headmaster should consult with the SA Police about the best course of action. In some circumstances, this may prompt the need for a letter to the whole community. However, as stated above, this should only occur through consultation with the SA Police and legal advice must be sought.

Stage 2: After accused person has been charged

Informing staff

Following the arrest of a member of staff, the Headmaster should convene a meeting of staff for the purpose of:

- Informing them that a member of staff has been arrested and to name that person and the offence
- Informing them of changes to staff required by the absence of

the accused person

- Informing them that the accused person is not permitted on School grounds
- Asking staff to inform the Headmaster if the accused person is seen at or near the School go that the Headmaster may take appropriate action
- Informing them that, if they have any information that will assist the police investigation, to report that information to police and to the Headmaster if relevant to the safe operation of the site.

Staff should also be instructed to keep the matter confidential in order to protect the confidentiality and identity of the victim and also instructed that it is an offence to publish any material identifying the accused person at this stage of the criminal proceedings.

If new staff join the School, the Headmaster should give the same information to those new members of staff. Information should be given to a relieving teacher only if that teacher will be teaching the victim.

If the identity of the victim is known and consent obtained from the victim or the victim's parents, specific staff members, such as the victim's class teacher(s) or School Psychologist/ Counsellor, Head of House and House Mentor, may be told on a confidential basis who the victim is in order to provide appropriate support to them.

Informing Governing council

The most suitable means by which to inform the Governing council is at an extraordinary meeting called for that purpose. The Headmaster is at liberty to inform members of the Governing council of the same facts as revealed to staff members. Governing council members should be given the same instructions regarding the requirement to maintain confidentiality and to inform SA Police and the Headmaster of any information relevant to the safety of the School.

The Headmaster should also advise the governing council of parent communications (see below). Wherever practicable, this advice should be given ahead of the communications occurring.

Informing parents

The manner in which information is given to parents and the kind of information given to parents will depend on the result of the risk assessment.

Particular care must be taken when informing parents of the fact that a staff member has been arrested and charged with an offence. Parents will be advised either by letter, email or at a meeting, as described below.

Letters

As a general rule, the accused person should not be named in the letter to parents. The letter should be sent as soon as reasonably practicable.

There is no one letter that will be suitable for all occasions. The

Headmaster will prepare the letter suitable to the occasions in questions and will use what other resources are necessary (i.e. Police, internal communications, marketing and public relations expertise) in the preparation of written communication.

The letter to be sent to parents should have regard to the following five factors:

- The presumption of innocence
- The fact that section 71A of the Evidence Act restricts publication of the name of the alleged offender until committal or 'relevant date' pursuant to section 71A of the Evidence Act. If, contrary to the recommendation in this guideline document, it is decided to name the accused person and, if the letter is to be sent to a large number of parents, advice should be taken as to whether the letter is permitted by section 71A.
- The fact that a person who receives the letter might post it on Facebook or another internet site.
- The fact that the name of the person alleged to have committed the offence can lawfully be published once that person has been committed for trial or sentence or after the 'relevant date'.
- Whether a suppression order has been made by a court.

The purpose of the letter is twofold: to inform parents of the fact that a person connected to the School has been charged with a sexual offence and to state whether there is any concern for the safety and welfare of children and young people other than the victim.

The letter should be sent by post or email as per the School's established processes. It should not be sent home with the child or young person. It should not be published in a newsletter.

No other victims

If the result of the risk assessment is that there is no suspicion that there might be other victims, a letter should be sent to all parents at the School stating the fact. The letter should state that a person connected with the School has been arrested and charged with an offence, naming the offence but not naming the person.

When a group is identified

If the result of the risk assessment is that there is a group of children or young people who might include victims, two letters should be sent to parents. Neither letter should name the accused person.

The first of these two letters should be sent to the parents of the children or young people in the group in which it is suspected that there might be other victims. It will inform those parents of the fact that a person connected to the site has been arrested and charged with committing an offence, naming the offence but not naming the person. It would inform those parents if a meeting is being called to give information to parents, or if parents are being invited to meet personally with the Headmaster. At the same time, it would endeavour not to suggest that the children or young people of those parents who received the letter are, in fact, victims.

The second letter to be sent should be addressed to all other parents at the School. It will contain essentially the same information as the first letter except that it will state that, while there is no evidence that any child or young person at the School apart from the victim is involved, a group meeting or individual meetings are occurring with parents whose children or young people have been in contact with the accused person. The letter may state that the site is holding such a group meeting and the recipient may attend the meeting if he or she wishes to do so.

When a particular group cannot be identified

In those cases where there is a reasonable suspicion of other victims but it is not possible to narrow down the group of children or young people because the accused person has had contact with most of the children or young people at the School, a communication process with all parents must be planned.

Contact with parents

Where, as a result of the risk assessment, there is a reasonable suspicion that there might be other victims, contact should be made with the parents of those children or young people. Through that contact (e.g. telephone, individual meetings, group meetings), parents should be given information and instruction that cannot be given in a letter.

The information and instruction provided should deal with such matters as informing parents of the kind of behaviour that is indicative of a child having been a victim of abuse, the appropriate way to provide opportunities for the child or young person to talk about what has been a traumatic experience, and how to support the child or young person and manage the situation. The information and instruction should be directed to the type of offending that had been alleged. It should include a strong message that the parents should be available to their child but not to interrogate him.

The discussion should be planned with and attended by a qualified and experienced expert such as the School psychologist with experience in assisting children who have been victims of child abuse and who would be able to answer any questions parents might have. The discussions should include giving parents appropriate advice on how to deal with any discussions made by their child. Parents should be provided with the contact details of the relevant support services.

The Headmaster may name the accused person and answer any questions parents might have.

The Headmaster should ask parents to treat the information as confidential. They can be told that publication of the name of the accused person would be in breach of section 71A of the Evidence Act. It might be preferable to encourage parents to treat the information as confidential by stating that it is in the interests of the victim and the parents of the victim to keep the matter confidential.

It should be stressed that in the discussions that nothing should be said or done that might identify the victim.

Following the discussions, parents should be provided with an

information sheet containing information about good parenting practice when dealing with a victim or possible victim of sexual abuse. That document should also include guidance as to how best to respond to a disclosure by a child or young person who has been abused.

The information sheet should be made available to those parents who cannot or do not wish to attend the site.

Stage 3: After committal (or other relevant date)

After the accused person has been committed to stand trial or been sentenced, or after any other relevant date, there are no restrictions on informing either staff, members of the Governing council or parents of the fact that the accused person has been charged with a sexual offence. Any information given to people in those groups can name the accused person and state the offence with which the accused person has been charged. At this stage, there is no need for confidentiality about any of those facts.

However, if a suppression order has been made, legal advice should be obtained on the question as to whether it is possible to give information to staff, members of the Governing council or parents. It should also be noted that publication of any information that tends to identify a victim may still be prohibited under section 71(A) of the Evidence Act.

Informing parents of previous students

Where appropriate based on the risk assessment undertaken earlier, the Headmaster should ascertain the names of children or young people who in previous years would have been in contact with the accused person. Having done so, the Headmaster should send a letter to the parents of those children or young people whose addresses are known or to the young people themselves if they are now adults.

This information should be given to those parents after committal or other relevant date, unless their child is identified during the risk assessment as being at risk of having been abused. They should then be informed in accordance with the procedure in the last part of Stage 2 above.

Informing other sites

Where the accused person has been employed at other education and care sites, the Association of Independent Schools of SA will notify those other sites so that they can consider whether it is necessary to inform parents in the same way as described in Stage 2 above.

Informing other authorities

This Headmaster will be responsible for informing other authorities about changes to the situation and actions taken. Those other authorities should include:

- Chairperson of the governing council

- Other education sectors as per the Intersectoral Information Sharing Protocol
- The Education and Early Childhood Services Registration and Standards Board in the case of early childhood and care settings.
- Any other agency/organisation where risks to children's or young people's safety are identified.

4.5. Monitoring court proceedings

The Headmaster should monitor court proceedings to determine the stage the prosecution has reached.

Unless a suppression order has been made, the Headmaster may inform parents by letter of the fact that the prosecution has reached any of the following stages:

- When a plea of guilty has been made
- At the end of a trial, whether the accused person has been acquitted or convicted
- After the accused person has been sentenced
- After any appeal.

Any letters should be drafted in consultation with relevant authorities. Before sending any letters, it is necessary to check whether a suppression order has been made.

4.6. Responding to the media

All media enquiries should be directed to the Communications & Marketing Manager who will communicate with the Headmaster. The Headmaster (or his delegate) is the spokesperson for the School.

4.7. Reporting the outcome

It is desirable to inform the staff, members of the governing council and parents of the outcome of the criminal proceedings.

If the accused person is acquitted or if the charges against him or her are withdrawn or if the proceedings lapse for any reason, it is essential to inform staff, members of the governing council and parents of the fact. The letter should be drafted by the Headmaster with input from relevant parties.

Should the accused person be acquitted or if the charges against him or her are withdrawn or if the proceedings lapse for any other reason, the Headmaster will make any decision in relation to the future employment of the accused person. This will include whether the accused person will be subject to any disciplinary proceedings in accordance with the School's Disciplinary Performance Management Process.

Any disciplinary measure imposed by the Headmaster under this policy must:

- Observe any contractual rules and requirements.
- Conform to the principles of natural justice.
- Be fair and reasonable.
- Be based on the evidence presented.
- Be within the powers of the Headmaster (or his delegate) to impose.

Anonymous Allegations

Allegations from an anonymous source will be taken seriously and investigated as practicably as possible. However, it is difficult to undertake a thorough investigation and resolution if the complainant cannot be identified. The person receiving the allegation will be sensitive to the complainant's anxiety, but a suspicion of abuse once known must be followed up. Complainants are therefore encouraged to identify themselves.

Withdrawing a Serious Allegation

An allegation can be withdrawn at any stage. If an allegation is withdrawn, consideration will be given to whether it is appropriate in the circumstances to close the matter.

COMMUNICATION:

This policy and procedure is available on the School's Information System – Keystone, under the Policies tab.

POLICY HISTORY:

HISTORY	
Date Approved	Amendments made (summary of major changes)
17 February 2014	1 st draft December 2013
Amendments made	April 2015
Amendments made	March 2016

Appendix 1 – Record of allegation



St Peter's College
ADELAIDE, AUSTRALIA

Record of allegation	
<i>Note: The staff member who first received information regarding the allegation must complete this record. It must be stored in a secure, confidential file in the Headmaster's office</i>	
Record of allegation of sexual misconduct	
Name of person making the allegation:	
Date and time that allegation was reported:	
Age, gender and role of complainant:	
Name of accused person:	
Role of accused person:	
Name of victim (if not the complainant):	
Age and gender of victim:	
Allegation details <i>Do not interrogate the victim. Complete in direct speech what was reported to you.</i>	
Name: (person who received the allegation):	
Signature:	Date:

Appendix 2 – Record of meeting



St Peter's College
ADELAIDE, AUSTRALIA

Record of Meeting	
<i>Note: This record should be completed after all meetings or conversations relating to the management of allegations of sexual misconduct by adults and stored in a confidential file.</i>	
Date of Meeting:	
Location of Meeting:	
Attendees	<i>Include full names and titles of attendees. Example, John Smith – Headmaster, Ms Jones – mother of student</i>
Purpose of Meeting:	<i>Example: Discuss allegation of sexual misconduct towards Ms Jones' son Marcus by staff member / volunteer Discuss as much of support and safety plan as possible Discuss options for changed enrolment, if considered appropriate by any party.</i>
Actions taken to date:	<i>Example: Police contacted, referral to CAMHS</i>
Contact names and contact details:	<i>Include all relevant contact details. Example: contact number for Headmaster, contact number of SA Police investigating officer.</i>
Future actions:	<i>List future actions to be taken and person responsible. Set date for finalising the support and safety plan</i>
Name & Signature of Headmaster:	Name: _____ Signature: _____
Signatures of other attendees:	Name: _____ Signature: _____
	Name: _____ Signature: _____

Appendix 3 – Support and safety plan for child / young person



St Peter's College
ADELAIDE, AUSTRALIA

Support and safety plan		
<i>Note: The following is a guide to the actions and considerations that should be made in supporting a victim. It should be adapted to the age and needs of the victim.</i>		
Support categories	Support strategies	Responsible person/s
Internal support	<p>Who has discussed, as appropriate for age, all features of this plan with the child/young person?</p> <p>Has the child/young person been given full opportunity to share his view and has his view been respected to the fullest degree possible?</p> <p>What changes to the child/young person's routine are in place to support him? For example:</p> <ul style="list-style-type: none"> - yard duty arrangements - before/after school - timetable - work expectations - attendance arrangements - site-based counselling support <p>What is the child/young person advised to do if he feels unsafe at any time at the School? For example:</p> <ul style="list-style-type: none"> - advise yard duty teacher - move to front office - report directly to Headmaster - to to counsellor's office - access nominated friend - contact parent/caregiver. <p>Which adult in the School will be available for the child/young person to talk with at any time and act as the 'support person'?</p> <p>How does the child/young person access the support person?</p> <p>What signs of stress in the child/young person will be reported</p>	

MANAGING CHILD ABUSE ALLEGATIONS POLICY & PROCEDURE

	<p>immediately by staff to parents/caregivers?</p> <p>How will this communication be made and by whom?</p> <p>What is the agreed verbal response the child/young person will make to questions from others (eg staff, students, parents, friends)?</p> <p>What information is to be given to other relevant staff who must support the child/young person but for whom it isn't necessary or appropriate that they know the details of the underlying event? For example:</p> <ul style="list-style-type: none"> - other class teachers - relief staff - yard duty staff - front office staff <p>Who is responsible for informing other relevant staff?</p> <p>Who will keep the child/young person's support person informed of upcoming events, such as court hearings?</p> <p>How will the child/young person's support person and the parent/caregiver contact person (see below) liaise with each other, if the one staff member does not undertake both roles?</p> <p>Has the child/young person consented to external professionals sharing information with the support person at the site, where relevant to the child/young person's safety and wellbeing?</p>	
<p>Parent/caregiver support and liaison</p>	<p>Who has provided parents/caregivers with counselling support services, verbally and in writing?</p> <p>Which staff member is the contact person for parents/caregivers on all matters associated with the support for the child/young person?</p> <p>How can parents/caregivers contact/access this staff member?</p> <p>What actions are being taken at home to help restore the child/young person's sense of safety and wellbeing?</p> <p>Are the actions at the School complementary to the parents/caregivers actions?</p> <p>What signs of stress in the child/young person will</p>	

MANAGING CHILD ABUSE ALLEGATIONS POLICY & PROCEDURE

	<p>parents/caregivers immediately report to the nominated parent/caregiver contact?</p> <p>Have parents/caregivers given permission for external professionals to share information with the support person at the site, where relevant to their child/young person's safety and wellbeing?</p>	
Teaching and learning support	<p>Are there any curriculum issues that need to be addressed? For example:</p> <ul style="list-style-type: none"> - a proposed teaching plan that must be modified to avoid distress to the child/young person - the introduction of a teaching program in order to reinforce particular behaviour <p>Have these plans been discussed with other professionals supporting the child/young person?</p>	
External support	<p>Which other agencies or professionals are involved with the child/young person or his/her family?</p> <p>What is the nature and length of their support? For example:</p> <ul style="list-style-type: none"> - How do they liaise with the School? - Have they contributed to the development of this plan/been given a copy? - Have they agreed to liaise with the School? - How is this liaison to occur and through which staff member? 	
Plan review	<p>When will the plan be reviewed?</p> <p>Who is responsible for setting a review date?</p> <p>How can the site, child/young person or parents/caregivers initiate a meeting outside of the scheduled review?</p> <p>Have parents/caregivers and child/young person been informed of whom they can raise concerns with if they are not happy with the actions of the School in providing support?</p> <p>Do they have the contact details?</p>	
Others with a duty of care	<p>Who else needs to know about the plan? For example:</p> <ul style="list-style-type: none"> - OSHC staff - Boarding staff <p>What do the child/young person and parents/caregiver agree will be the information given to these individuals?</p> <p>What is necessary or relevant for</p>	



MANAGING CHILD ABUSE ALLEGATIONS POLICY & PROCEDURE

	them to know in order to follow the plan?	
Signatures	The plan is signed by key stakeholders, in particular: <ul style="list-style-type: none">- child/young person- parent/caregiver- Headmaster	