

# Child Safe Standards Implementation

## Discussion tool

### Purpose

These discussion prompts help schools reflect on their own child safe culture and practices. The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) examined in detail the responses of schools to allegations of child sexual abuse. Each discussion prompt explores themes emerging from case studies before the Royal Commission.

### How to use this tool

Each discussion prompt is divided into two parts. The first part draws on case studies from the Royal Commission to illustrate a child safe standard. The second part suggests discussion points that schools can use to reflect on their child safe policies and procedures, measures and practices to ensure that child abuse and the arrangements that allow it to occur will not be tolerated.

The discussion prompts should be used together with [Ministerial Order No. 870](#).

The discussion tool can be used as a whole or divided into smaller prompts, depending on the time allocated.

It is important that schools have open and ongoing dialogue about child safety. This discussion tool facilitates dialogue and helps schools bring child safety into everyone's everyday thinking and practice.

### Target audience

- school governing authority
- principal
- school leadership team
- staff/volunteers.

### Suggested setting

- school governing authority meetings, induction and in-service events
- school leadership meetings
- staff meetings
- staff induction programs
- staff professional learning programs/events.

# Discussion Prompt 1

## Child Safe Standard 1

The Royal Commission heard evidence that relates to:

- **Standard 1—school culture**
  - **Standard 4—staff selection, supervision and management**
  - **Standard 5—responding and reporting**
  - **Standard 7—participation and empowerment of children.**
- a. “Authoritarian, disciplined, and ‘devoid of pastoral care’. Students did not report abuse at the time because they did not think they would be believed or did not know to whom they could report. Victims felt they would be ostracised or bullied if they disclosed abuse (case study 32).
  - b. Culture at the school where boys who made allegations were not believed and allegations were not acted upon (case study 34).
  - c. Student who disclosed abuse to school was asked ‘to keep the matter to himself’. The student was later asked to leave the school after he was overheard discussing the sexual assault with two other students’ (case study 32).
  - d. Two students who disclosed abuse to the headmaster were told by him that ‘they were lying and threatened to punish them if they persisted with the allegations’ (case study 34).
  - e. Teachers who had concerns about another teacher’s behaviour were ‘concerned they would be subjected to rejection, ostracism or bullying/ harassment from some staff if they were identified as ‘whistle-blowers’ or complainants’. A staff member who did raise concerns felt uncomfortable about raising her concerns and that ‘she was very scared and concerned she would look stupid’ (case study 12).
  - f. It took from 1993 until 2014 for the school board to issue an apology to a victim of child sexual abuse perpetrated against him by a former headmaster of the school. The Royal Commission found, ‘generally, in dealing with [the victim’s] complaint of abuse and his request for an acknowledgement and apology from the school, the board was motivated by a concern to avoid damaging publicity that could result from an apology being given rather than a concern for the truth about what occurred and compassion for [the victim]’ (case study 20).

## Discussion Points

- How would we describe the child safe culture in our school?
- How can we ensure and demonstrate that examples a, b and c would not occur at our school?
- What will we do if a student discloses that they have been abused or does not feel safe?
- Do our students feel comfortable to disclose that they have been abused or do not feel safe? How can we demonstrate this?
- How do our students know what to do if they have a child safety concern?
- If an allegation has been made, are staff and the school governing authority aware of their reporting responsibilities?
- What child safety information will be provided to the school governing authority/to the student and the student’s parents/ to the school community?
- Have we identified a child safe champion/officer within the school? Have we communicated this to the school community?
- How would a new member of our school community know about our school’s child safe culture?
- Review [Ministerial Order No. 870](#), clause 7. Does our school comply with all the requirements?

# Discussion Prompt 2

## Child Safe Standards 2–6

The Royal Commission heard evidence that relates to:

- Standard 2—policy
- Standard 3—code of conduct

In case study 12, the Royal Commission heard evidence that ‘...from 1999 to 2005, the school’s environment was such that, in respect of the reporting of sexual abuse, possible sexual abuse or other inappropriate behaviours:

- School staff and one parent who gave evidence were not aware of any written policies or guidance on the procedure to report child sexual abuse or other inappropriate behaviours.
- School staff received limited or no training or education in understanding the indicators of child sexual abuse and inappropriate behaviours or in reporting child sexual abuse and inappropriate behaviours.
- School staff and parents were not always kept informed of the school’s response when concerns were raised with the school.
- There was evidence of a culture at the school where some of the staff members and one parent felt that, if they raised concerns about another staff member, they may be ostracised by parts of the school community’ (case study 12).

## Discussion Points

- Is our code of conduct and statement of commitment to child safety publically available? What can we do to make these more accessible?  
[Ministerial Order No. 870](#), clauses 8–9
- Has the school community been informed about our child safe policy and how to access it?  
[Ministerial Order No. 870](#), clause 8(2).
- Do we support, encourage and enable school staff, parents, and children to understand, identify, discuss and report child safety concerns?  
[Ministerial Order No. 870](#), clause 8(1)(b)(ii).
- How do we support or assist children who disclose child abuse, or are otherwise linked to suspected child abuse? Can we do more?  
[Ministerial Order No. 870](#), clause 8(1)(b)(iii).
- How will we keep staff and parents informed of our school’s response if child safety concerns have been raised?
- Review [Ministerial Order No. 870](#), clauses 8–9. How has our school complied with all the requirements?

# Discussion Prompt 3

## Child Safe Standard 4

The Royal Commission heard evidence that relates to Standard 4—staff selection, supervision and management practices.

### Recruitment

The Royal Commission found that a principal employed a school bus driver who had prior convictions for sexual offences. The principal did not comply with existing policies and the following requirements:

- to write a shortlist of applicants
- that more than one person interview an applicant for a job
- to conduct reference checks with previous employers and not simply rely on written references
- to consult with the chairperson of the board of management before making a decision to employ the person.

The principal did not conduct a police check. A police check would likely have disclosed that the person had three prior convictions for child sexual offences and kidnapping (case study 9).

### References

In case study 23, the Royal Commission found that the headmaster prohibited a teacher from running school camps because he had become ‘too close to boys in a counselling sense’. When the teacher resigned from the school the headmaster wrote a ‘positive reference that included favourable comments about the teacher’s role in running school camps’. The headmaster gave a misleading positive written reference in relation to another teacher.

In case study 34, the Royal Commission found that the ‘only action [the school] took to deal with the allegations that the [perpetrator] had sexually abused boys was that [the headmaster] accepted [the perpetrator’s] resignation. [The headmaster] gave the [perpetrator] a favourable reference’. The [perpetrator] went on to teach at another school interstate where allegations of sexual abuse were made about him. He was later charged and convicted of a number of counts of child sexual abuse and was sentenced to eight years imprisonment.

### Discussion Points

- Review [Ministerial Order No. 870](#), clause 10. How does our school comply with all the requirements?
- What additional steps does our school take to ensure that our staff engaged in child-connected work perform appropriately in relation to child safety?  
[Ministerial Order No. 870](#), clause 10(7).
- Do our position descriptions include our commitment to child safety and our code of conduct?
- Are our recruitment and on-going staff retention policies adequate? What else can our school put in place to improve child safety?
- Do we conduct police checks and/or Working With Children Checks on non-teaching school staff such as bus drivers, canteen staff, and maintenance staff?
- Are we equipped to ask red flag questions to identify potential staff who are unsuitable to work with children? What questions should we be asking?
- How do we ensure new and existing staff (including volunteers) and members of the school governing authority are trained in our schools child safe practices and how often are the refresher programs?

# Discussion Prompt 4

## Child Safe Standard 6

The Royal Commission heard evidence that relates to Standard 6—risk strategies.

In case study 9, a school received funding for a bus driver and one additional staff member to transport students with intellectual disabilities. The bus driver transported the children unsupervised, despite the allocated funding.

The bus driver performed some volunteer work around the school and had unsupervised contact with students.

The bus driver provided ‘respite care’ to some students outside school hours. The school did not authorise the respite care, but the principal knew about it. He considered that it was a private arrangement (case study 9).

In case study 23, the principal at the school received a detailed report which revealed a number of serious allegations about a teacher who was also a resident master, including at least two incidents involving inappropriate touching of boys in 1986. The principal removed the teacher from his role as resident master in one of the boarding houses, but no other action was taken. In 1990 the principal allowed the teacher to occupy a residence located near the new boarding house, and to fulfil the role of house master from time to time. This allowed the teacher to be alone with boys on occasion.

### Discussion Points

- Could the situation identified in case study 9 occur at our school? How have we addressed these risks?
- Could the situation identified in case study 23 occur at our school? How have we addressed these risks?
- What is our school environment? Have we considered off-site environments such as school camps and sporting facilities? What about online?
- What are the risks posed by our contractors, service providers or external organisations who use the school environment and how are we mitigating the risks?
- What are the characteristics and needs of all children who are expected to be present in that environment?
- Have we considered child to child abuse risks?
- How (and how often) does our school monitor and evaluate the effectiveness of our risk management strategy? What is the role of the school governing authority in reducing and removing identified risks?
- Do our staff and members of the school governing authority receive guidance and training about their individual and collective obligations and responsibilities for managing the risk of child abuse, child abuse risks in the environment, and the school’s current child safety standards? Does this training occur at least annually? How can we demonstrate that this has occurred?
- What information does the staff and members of the school governing authority use to identify the risks of child abuse in the school environment?
- Review [Ministerial Order No. 870](#), clause 12. How has our school complied with all the requirements?
- Suggested group brainstorming session based on the [Situational Prevention Approach](#) developed by Professor Kaufman. Break up into small groups to discuss and reflect on the following:
  - Brainstorm the child safety risks in the school environment. This will include risks in the physical environment—physical building and grounds of the school, off-site locations such as school camps, sport facilities and other co-curricular activities. Consider also the risks posed by the online environment and social media.
  - Develop a solution for each of the identified safety risks.
  - Prioritise each of the identified risks taking into account the seriousness of the risk as well as the costs associated with removing the risk.
  - Develop an implementation plan to resolve each of the identified risks in order of priority.

# Discussion Prompt 5

## Child Safe Standard 5

The Royal Commission heard evidence that relates to Standard 5—responding and reporting.

Failures in school reporting systems have been highlighted by many of the Royal Commission’s case study findings that relate to schools. These include failures of senior staff (headmasters/ principals and house masters) to:

- inform police of allegations of child sexual abuse
- inform child protection authorities of the allegations of child sexual abuse
- inform the school council/board of allegations of child sexual abuse
- inform the relevant teacher registration authority or state government authority of child sexual abuse allegations
- notify the victims and their parents of the outcome of their complaint
- inform the school community about the allegations and result of any investigation
- keep accurate records of the allegations and any resulting investigations
- maintain adequate personal files and/or files relevant to the complaint
- manage disciplinary action, for example by allowing the subject of the complaint to resign rather than be dismissed, if that is the more appropriate action.

## Discussion Points

- What are our school’s reporting procedures?
- How do all our staff, parents and students know how to report a child safety concern?
- How will we support and protect a child connected to the alleged child abuse? What are our responsibilities to the child’s parents? What about the school community?
- Who in our school is responsible for managing our school’s response to an allegation or disclosure of child abuse? Has our school community been informed of how to contact this person?
- What are the individual reporting obligations in relation to mandatory reporting and the criminal offences of Failure to Protect and Failure to Disclose?
- Does our school reporting procedure comply with [Ministerial Order No. 870](#), clause 11?
- What must our school do under the Reportable Conduct Scheme?
- Does our school reporting procedure minimise the reporting obligations of staff to report suspicions/ observations of child abuse to authorities?
- How will our school and staff know that a report has been made given the legal obligation rests with the staff member who has formed a reasonable belief?

# Discussion Prompt 6

## Child Safe Standard 7

### Participation and empowerment of children

The Royal Commission has commissioned research by the Institute of Child Protection Studies. This research took the form of an online survey completed by 1480 young Australians. The survey addressed two main research questions:

1. What are children and young person's perceptions of safety within institutions?
2. What do children and young people consider is already being done to respond to safety issues and risks in institutions?

A summary of the key research findings can be found in the [Children's Safety Study video](#) from the Institute of Child Protection Studies.

#### Discussion Points

- How does our school involve students when making decisions about issues that affect them?
- What input have our students had in the development of our school's child safe policy and statement of commitment?
- How do our students raise concerns about issues that affect them? How does our school respond to these concerns?
- Do our students feel like they are valued, and that their opinions matter? How do we know?
- Do we know what the safety concerns of our students are?
- How can we elicit information about what makes our students feel safe?
- What are the strategies our students have identified they would use in situations where they feel unsafe? How can our school implement these?  
Resources can be found in the Institute of Child Protection Studies, Research to Practice Series, Fourteen: [Our Safety Counts: Key Findings from the Australian survey of Kids and Young People](#).
- How does our school deliver appropriate education about:
  - standards of behaviour for students attending the school
  - healthy and respectful relationships (including sexuality)
  - resilience
  - child abuse awareness and prevention?  
[Ministerial Order No. 870](#), clause 13(1).
- How does our school promote the child safety standards in ways that are readily accessible, easy to understand, and user friendly to children?  
[Ministerial Order No. 870](#), clause 13(2).
- How can we encourage students to report their safety concerns? Could we do this better?