Student Protection

Guidelines

Acknowledgement

Catholic Education Northern Territory is indebted to Brisbane Catholic Education for permission to use their material as a basis for our work. We gratefully acknowledge their generosity and continued support.

Preface

These guidelines have been developed by Catholic Education Northern Territory in order to provide information to support the implementation of the Student Protection Processes. These guidelines may be subject to change in line with developments in child protection practice and legislative requirements.

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1. Definitions

The *Care and Protection of Children Act 2007 (NT)*, provides the following definitions:

Wellbeing

- includes the child's physical, psychological and emotional wellbeing.

Harm

- any significant detrimental effect caused by any act, omission or circumstance on:
    a) the physical, psychological or emotional wellbeing of the child; or
    b) the physical, psychological or emotional development of the child.

- harm can be caused by the following:
    a) physical, psychological or emotional abuse or neglect of the child;
    b) sexual abuse or other exploitation of the child;
    c) exposure of the child to physical violence.

Exploitation

- includes sexual and any other forms of exploitation of the child
- Sexual exploitation of a child includes:
    a) sexual abuse of the child; and
    b) involving the child as a participant or spectator in any of the following:
        i. an act of a sexual nature;
        ii. prostitution;
        iii. a pornographic performance.

Mandatory reporting

- is the legal requirement to report a belief of harm which has been, is being, or may be committed. In the Northern Territory all adults over the age of 18 years have a legal obligation to notify concerns to the appropriate statutory authority:
    a) In relation to child abuse and neglect contact Territory Families or the Police.
    b) In relation to the domestic and family violence, you must contact the Police.

An adult must make a report when he/ she believes, on reasonable grounds any of the following:

    a) A child has suffered or is likely to suffer harm or exploitation;
    b) A child aged less than 14 years has been or is likely to be a victim of a sexual offence; and
    c) Where a child has been or is likely to be in a sexual relationship with a person who has a special care relationship with the child, for example, tutor, teacher, or coach.

It is an offence if you hold a reasonable belief and do not report.

Health practitioners also need to report where they believe that a child aged at least 14 years, but less than 16 years, has been or is likely to be a victim of a sexual offence; and that the difference in age between the child and the alleged sex offender is more than 2 years.

2.   Understanding abuse and harm

All children and young people have the right to be safe in environments free from abuse and harm. Where this is not the case, adults have a responsibility to act. This section informs the actions staff members must take if they form a reasonable belief of harm, abuse or inappropriate behaviour towards a child or young person. In this document the term 'child' will be used for any person under the age of 18.

Abuse and harm can be defined as:

Abuse – action by an adult, for example, parent, caregiver, teacher

Sexual Abuse	Emotional or Psychological Abuse	Physical Abuse
Neglect	Exposure to domestic and family violence	

Harm – impact on the child

Physical Harm	Emotional Harm	Psychological Harm

3.   Sources of abuse

Students can be abused, or experience harm from a number of sources. These include:

Person associated with the school (staff member, volunteer, consultant, visitor, contractor or another student at the school)	Family member/ relative of the student (parent/carer, sibling, grandparent, other relative)
Other person in the community (family friend, neighbor, coach, tutor, stranger)	Self-harming by the student

It can also be caused by:

- A parent's failure to protect a child from being abused;
- Repeated abusive or neglectful events that happen over time.

4.   Types of abuse

4.1   Sexual abuse and likely sexual abuse

Sexual abuse of a child occurs where a person engages in sexual behaviour with a child, and:

- the other person bribes, coerces, exploits, threatens or is violent toward the relevant person; and/or

- the child has less power than the other person; and/or

- there is a significant disparity between the child and the other person in intellectual capacity or maturity.

Characteristics of a power imbalance include: significant differences in age or developmental ability, authority, influence or some kind of control over the child.

Likely sexual abuse is where it is more probable than not that a child will be sexually abused in the future. One situation where a reasonable belief of likely sexual abuse could be formed is where 'grooming' behaviours towards a child are identified.

IMPORTANT NOTE: Sexual activity between staff members and students

The involvement of any staff member, volunteer or visitor within a school in sexual activity with, or sexual exploitation of, a student attending that school is always to be regarded as sexual abuse.

What does sexual abuse involve?

Sexual abuse involves an imbalance of power between a child and the other person. The imbalance of power allows force, trickery, emotional bribery, blackmail or emotional pressures to be used against the child to involve him/her in sexual activity or to sexually exploit him/her. Secrecy, the misuse of power and distortion of adult-child relationships may also be involved.

Sexual abuse involving physical contact with a child could include:

- touching, kissing, holding or fondling a child's body in a sexual manner; touching, kissing or fondling a child's genital area;

- engaging in or attempting to have sex with a child;

- engaging or attempting to engage in oral sex with a child; or

- engaging or attempting to engage in masturbation with a child.

It does not matter whether the child is clothed or unclothed while sexual abuse involving physical contact takes place. Engagement of a child in sexual acts by duress or through inducements of any kind is considered sexual abuse.

Sexual abuse/likely sexual abuse of a child may not necessarily involve physical contact. It could, for example, involve behaviour that occurs in the child's direct presence or that occurs indirectly including through electronic communications. Examples include:

- exposing a sexual body part to a child;
- requesting a child to expose a sexual body part;
- making obscene or sexually explicit remarks to a child;
- sending obscene or sexually explicit material to a child;
- blatant or persistent intrusion into a child's physical privacy;
- voyeurism - covertly observing intimate behaviour that is normally private;
- exposing a child to pornographic films, photographs, magazines or other material;
- having a child pose or perform in a sexually explicit manner;
- exposing a child to a sexual act;
- forcing a child to witness a sexual act; or
- communicating with a child in a sexually intrusive way.

4.2 What is grooming?

Sexual offending against a child is rarely a random act by a stranger. It is commonly based on a relationship with the child that has been formed over time. The abuse is commonly well thought out and planned in advance. Offenders may often take time to 'groom' their targeted person, often over a lengthy period.
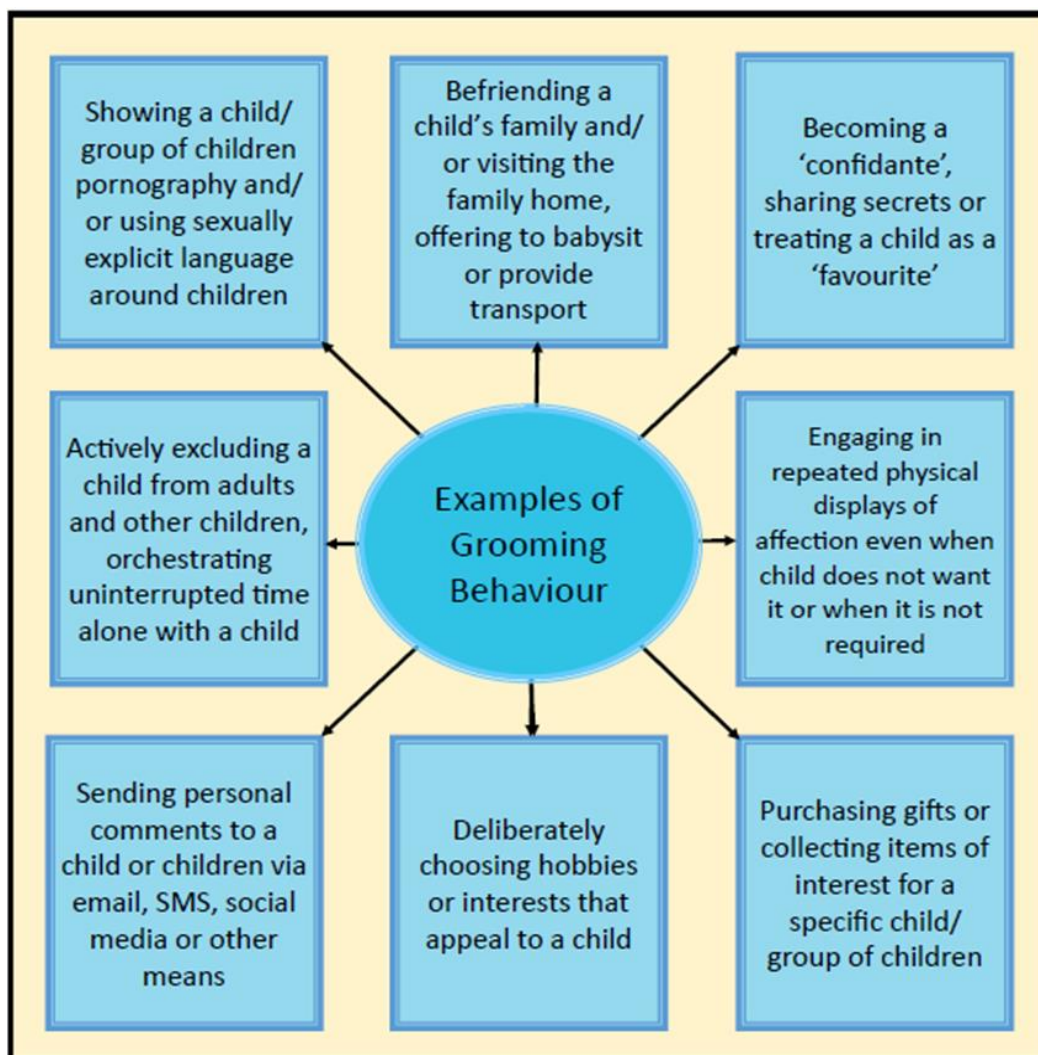
They will also often 'groom' the child's parents, carers or others who might otherwise protect them from the abuse. This occurs so that the child and his/her parents or carers will trust the offender and not suspect any intended wrongdoing.

The establishment of a relationship of trust which is then misused is often very confusing and damaging to the child. The child may not even immediately recognise what is happening to them as abuse. Grooming behaviour is unlikely to be recognised when observed as a one-off event, but a pattern of grooming of the targeted person and/or the targeted person's parents or carers is likely to be recognised. Grooming will tend to develop in intensity over time. It will also tend to include elements of secrecy and concealment.

It is important to be aware of the types of behaviours that can be used in the process of grooming a child, while remembering that some of the behaviours might equally reflect normal interactions based on genuine motives of care and concern. This is the reason that, for staff members, the observance of clear professional boundaries and transparency in the declaration of potential conflicts of interest is a vital part of the protection of children and of the professional integrity of staff members themselves.

Recognition of the grooming process that is used as a preparation for the sexual abuse of a child is an indicator of likely sexual abuse.

4.3 Examples of 'grooming' behaviour:

Examples of Grooming Behaviour

- Showing a child/group of children pornography and/or using sexually explicit language around children
- Befriending a child's family and/or visiting the family home, offering to babysit or provide transport
- Becoming a 'confidante', sharing secrets or treating a child as a 'favourite'
- Actively excluding a child from adults and other children, orchestrating uninterrupted time alone with a child
- Engaging in repeated physical displays of affection even when child does not want it or when it is not required
- Sending personal comments to a child or children via email, SMS, social media or other means
- Deliberately choosing hobbies or interests that appeal to a child
- Purchasing gifts or collecting items of interest for a specific child/group of children

4.4 Sexual Activity between students

The *Criminal Code Act* (NT) makes it an offence to have sexual intercourse with a person under the age of 16 years. This is called the 'age of consent'. The law does not prohibit people below 16 from having sex but rather it prohibits other people from having sex with them. Therefore sex between two fifteen year olds is unlawful in the NT and both participants could be charged with a criminal offence as a result.

For those above 16 years, the dynamics and characteristics of the sexual activity is a key consideration.It is important to note that activity between peers may be considered abusive, especially if the relationship is coercive or the behaviour forceful, degrading or threatening.

Report any sexual harm to a person under 18 years of age.

4.5 Physical abuse

Physical abuse occurs when a child or young person's body is deliberately hurt or injured.

What does physical abuse involve?

Examples of physical abuse include but are not limited to hitting, shaking, throwing, burning, biting, choking, poisoning and female genital mutilation.

A person does not have to intend to physically harm a child to have physically abused them (for example, physical punishment that results in bruising or fractures would generally be considered physical abuse). Physical abuse does not always leave visible marks or injuries. Physical abuse can result in significant physical harm (for example, fractures, burns or bruises) and/or emotional/ psychological harm (for example, hyper vigilance, depression or persistent state of fear and anxiety) to a child.

4.6 Emotional/ psychological abuse

Emotional or psychological abuse occurs when an adult's behaviour and attitudes towards a child fail to meet their emotional needs for love and security. Children experiencing these harmful behaviours feel unloved, worthless and lack confidence.

What does emotional or psychological abuse involve?

Examples of emotional abuse include, but are not limited to, constant criticism, public humiliation, belittling, constant yelling, withholding praise and affection, excessive teasing, scape-goating, rejection, hostility, exposure of a child to domestic and family violence and conveying that a child is worthless or unloved, inadequate or valued insofar as the child meets the needs of another person.

Emotional or psychological abuse may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of reasonable exploration and learning or preventing a child from participating in normal social interaction. Emotional abuse can result in significant harm to a child, for example, it can result in significant emotional / psychological harm such as depression, attachment disorders, chronic feeling of fear/ anxiety or self-harm.

4.7 Neglect

Neglect is the persistent failure to provide for a child's basic physical and emotional necessities of life such that the child's health and development are affected. Basic needs include: food, housing, adequate clothing; personal hygiene and hygienic living conditions; education; health care, including the timely provision of medical treatment and dental care; and adequate supervision and protection needed for the child's optimal growth and development.

Neglect can result in a significant impact on a child's physical, emotional and psychological wellbeing. It can result in significant physical harm such as serious injury or death. For example, failure to supervise a child may result in a child ingesting poison or getting seriously injured or getting burnt. Neglect can also result in serious emotional/ psychological harm such as attachment disorders, failure to thrive in infants and significant developmental delays.

5. Recognising the signs of abuse and harm

5.1 Observations of student behaviour

In general terms, something may be wrong if you observe student behaviour such as:

- nervousness/withdrawal;
- passivity/excessive compliance;
- evidence of deterioration in peer relationships and/or generally poor peer relationships;
- trouble concentrating at school/unexpected drop in school academic performance;

- frequent absences from school without substantiated or acceptable explanations;
- being extremely aggressive, stealing or running away;
- evidence of extreme or continually aroused emotional states;
- out of character behaviour;
- behaviour that is not age appropriate or typical of peer behaviour;
- in younger students: separation anxiety, changed eating patterns; or
- in older students: drug/alcohol use, sexual promiscuity, self-harm or reckless and risk-taking behaviour.

In relation to possible harm or risk of harm to a child that may be a result of sexual, physical or emotional abuse and/or neglect, you may observe the following:

Physical

- bruises or lacerations, especially on face, head and neck;
- burns/scalds;
- multiple injuries or bruises, especially over time;
- fractures, dislocations, twisting injuries;
- explanations offered by the student not consistent with the injury or the injury is unable to be explained by the student;
- a student hiding injuries; or
- repeated injuries with a recurring or similar explanation.

Neglect

- delay in achieving developmental milestones;
- medical or therapeutic needs not attended to;
- poor personal hygiene leading to social isolation;
- scavenging for/stealing food;
- lack of adequate school lunches;
- extreme seeking of adult affection; or
- flat and superficial way of relating.

Emotional / psychological

- inability to value self and others;
- lack of trust in people;
- statements from the student for example, "I'm bad; I was born bad"; or
- extreme attention-seeking behaviours.

Sexual

- direct or indirect disclosures of abuse;
- concerning sexual behaviour and/or age-inappropriate sexual knowledge;
- use of threats, coercion or bribery to force other children into sexual acts;
- sexual themes/fears expressed in artwork, written work or play;
- repeated urinary tract infections, especially in younger girls;
- physical trauma to buttocks, breasts, genitals, lower abdomen, thighs;
- unexplained accumulation of money/gifts; or
- presence of sexually-transmitted infections, especially in younger students.

More information around understanding child abuse and harm can be found on the [NT Government website](#).

6.   'Reasonable Grounds' to report harm or exploitation

You must make a report if you believe on reasonable grounds that a child has, or is likely to be, harmed or exploited, when someone, including a child, tells you about harm that has happened, is happening, or is likely to happen.

- Disclosures of harm may start with:
  a) 'I think I saw…'
  b) 'Somebody told me that…'
  c) 'Just think you should know…'
 d) 'I'm not sure what I want you to do, but…'

It is important to act quickly and in the best interest of the child after a disclosure of harm is received, irrespective of the alleged source of harm and especially if the person disclosing is a child.

- Observations of the student's behaviour or development indicate that the student is being harmed
- External indicators of harm are recognized.

You do not have to prove the harm or exploitation. You need only report what you believe may be the case, and the grounds for that belief.

If you are unsure as to whether the threshold for reporting is met, talk to Territory Families, Child Abuse Hotline on 1800 700 250 (Free call 24 hours).

7.   Responding to a disclosure

LISTEN	REASSURE	RESPECT
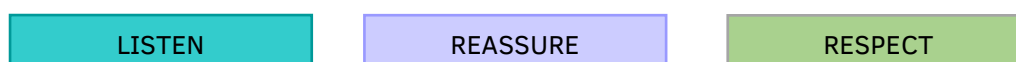
Staff members in schools are often the first people a child may tell when they are feeling unsafe, therefore it is important for staff members to be aware of how children disclose and how to respond in the most appropriate manner. If a student tells a staff member about being abused or harmed:

- move to a suitable environment, free of distractions.
- be calm and patient - allow for the student to be heard.
- let the student use their own words - avoid asking leading questions.
- avoid "quizzing" the student about details of the abuse.
- don't be afraid of saying the 'wrong' thing. Listening supportively is more important than what you say.
- reassure the student that it is Okay to tell you what's been happening.
- address any concerns about the student's safety.
- reassure the student that s/he is not at fault and is not the cause of any distress you may feel.
- respect that the student may only reveal some details.
- acknowledge the student's bravery and strength.
- avoid making promises you can't keep - manage the student's expectations.

Only ask enough questions to help you decide whether you have reasonable grounds to form a belief of harm / abuse or an unacceptable risk of harm / abuse. Be aware that any questioning beyond this could interfere with the integrity of any subsequent investigation undertaken by the relevant authorities.

As soon as possible after the disclosure, make detailed relevant notes about any signs, disclosures, injuries and behaviours that caused you to be concerned for the student's safety or wellbeing. Any response must be focused on the best interests of the student.

8.   Reporting harm and exploitation

To report your belief of harm or exploitation, contact Territory Families, Child Abuse Hotline on 1800 700 250 (Free call 24 hours) OR Police 131444. In an emergency, call 000 and ask for the Police.

Identifying Information:

- Reporter's details
- Child's details
- Parent's details
- Details of other household members or support network

Information about:
- What has happened to the child
- When it occurred
- Where the incident happened
- Who was there
- Who is potentially responsible for the harm

Type of harm:
- Neglect
- Emotional
- Physical
- Sexual
- Cumulative

CENT's Reporting Student Harm Documentation form needs to be completed by the person making the report and by the Principal.

9.   Protection and support for notifiers

Under Section 27 of the *Care and Protection of Children Act*, a person making a report and providing information in good faith is not civilly or criminally liable. This only applies to the making of a report and does not protect a person who discloses inappropriately to another person. The appropriate degree of confidentiality must always be maintained by employees.

If the relevant authorities contact a notifier seeking further information and evidence, a notifier must always comply with request.

It is essential that student protection processes are managed in a confidential manner that both preserves the dignity and privacy of all affected parties, and ensures that any investigative process is not impaired.

The management of any student protection concern should be well-documented, with clear records of any disclosures made by a student and any actions taken by the school. All information relating to a

student protection concern, including notes, reports and other documents must be stored securely and confidentially.

10. Support and referral services

When students and families receive support services early, it can avoid the escalation of concerns towards statutory intervention. Therefore, information may need to be provided to tailored support services and resources to assist or resolve difficulties or concerns, and prevent problems from escalating. These services may include CatholicCare, CENT Pastoral Care and Wellbeing Officers and Northern Territory Families and Children Enquiry and Support (FACES) – Telephone 1800 999 900. The families will need to contact FACES; they cannot be referred to from the school.

Where a concern is identified that does not meet the threshold for a report to the Child Protection Hotline or Police, or where the outcome of a report is that no intervention by the authorities will occur, the Principal also should consider informing the student and families of support services.

There are a number of options to support students at risk within the school environment that can be implemented in addition to any external referral including:

- Referral to the school counsellor;
- Engaging specific educational services to meet a student's needs;
- Consideration of academic demands and providing flexible alternatives;
- Identifying other school support staff, including pastoral care options and peer support;
- Implementing risk management plans, particularly involving situations between students; and
- Providing protective behaviours education to students, including safety planning.

11. Understanding behaviour by a staff member a student considers to be inappropriate

For the purposes of these processes, staff inappropriate behaviour includes (though is not limited to) any behaviour, including words, towards a student that is contrary to what is required of staff members under the *Catholic Education Northern Territory Code of Conduct* and the *Diocese of Darwin Safeguarding Code of Conduct*.

Inappropriate behaviour by a staff member towards a student can by described in terms of violations of professional boundaries. These boundaries can be described as follows:

11.1 Physical Boundaries

Exist to protect the body. Physical boundaries define appropriate physical contact between CENT staff and students in appropriate circumstances whilst respecting and responding to the physical needs of students.

11.2 Emotional Boundaries

Exist to protect feelings. Emotional boundaries determine the nature of appropriate professional relationships between CENT staff and students in the context of respecting the emotional needs and wellbeing of students.

11.3 Behavioural Boundaries

Exist to protect actions. Behavioural boundaries determine the appropriate behaviours expected of CENT staff towards students.

11.4 Examples of Boundary Violations

(from the NT Teacher Registration Board *Code of Ethics*, *Protective Practices Guidelines* and *Managing Professional Boundaries Guidelines* –website)

Physical Boundary Violations	Emotional Boundary Violations	Behavioural Boundary Violations
Using force to manage or direct a student's behaviour • pushing • pulling • grabbing • poking • shoving • throwing Using force to correct or punish a student • hitting/ hitting with an object • punching • kicking • pinching • shaking Using physical force to ensure a child cooperates Holding or restraining a child (unless in imminent danger of harm) Refusing biological necessities (disregarding or refusing a student's reasonable request to access food, drink or use a toilet) Inappropriately touching or massaging a student (patting a student on his /her bottom, stroking a student's hair)	Shaming, embarrassing or humiliating a student • teasing • using sarcasm • belittling • making derogatory remarks Using unprofessional criticism or comments that target the student rather than the behaviour Making overly familiar or personal commentary about a student's: • appearance • family Using intimidating behaviours: • shouting at or in the presence of a student • use of threats or fear	Having inappropriate interactions with a student through: • inappropriate use of social media in relation to a student • personal email, texts, phone calls or other forms of personal communication with a student • gift giving or showing special favours • sharing secrets with a student • disclosing inappropriate personal information to a student • inappropriate questioning of a student about personal and private matters • overly familiar social interactions with students including in staff offices or classrooms • providing personal mobile or home telephone numbers to students • engaging in social activities with students (where there is no declared personal relationship) outside school • driving students without appropriate authority • visiting students at home without appropriate authority Using unprofessional language: • swearing at or in the presence of a student • making inappropriate comments to or in the presence of a student

Physical Boundary Violations	Emotional Boundary Violations	Behavioural Boundary Violations
Applying painful or noxious conditions to a student (for example, exposing a student to protracted physical management techniques such as standing still for an unreasonable length of time, making a student pick up rubbish or reach into a bin without protective gear for example, gloves) Unnecessary or unwanted physical contact		Failing to follow a school's student behaviour policy and procedures • using unreasonable, unfair and/or unjust disciplinary measures • imposing manifestly unreasonable expectations or excessive demands on a student • using inappropriate locations or social isolation outside of the school's behaviour guidelines as punishment Using a personal device or private email address to make contact with a student (unless there is an appropriate authority) Photographing a student other than for a professional reason Supplying substance to a student (for example, unauthorised medication, tobacco, alcohol, illicit drugs Exposing students to material that contains adult content or themes that are offensive or inappropriate for the age and /or maturity of the student

12. Historical Allegations

When a staff member receives information that a former student has been abused, or has suffered significant harm, by a staff member at the school, the staff member must report such historical matters to the Principal who in turn must report the matter to the Director Catholic Education Northern Territory.

The Director Catholic Education Northern Territory, or delegate, will report historical allegations of abuse of past students of schools to the Northern Territory Police Service and inform the SA & NT Office of Professional Standards.

A risk assessment must be carried out and a recommendation must be made to the Director in relation to the staff member's employment status. The SA & NT Office of Professional Standards and CENT will work closely with the Northern Territory Police Service and if, and when, their investigation is concluded, determine whether a CENT investigation needs to occur.

Where the person against whom the allegation is made is no longer an employee of CENT, the matter should be referred to SA & NT Professional Standards on 08 8210 8275.

13. Support and Referral Services

The *Student Protection Processes* for CENT are based on the following principles and commitments which are to be observed when responding to student protection issues:

- every student has a right to protection from abuse and/or neglect and also protection from inappropriate behaviour by CENT staff members;
- the welfare and best interests of the student are paramount;
- all adults have a responsibility to care for children, to positively promote their welfare, and to protect them from any kind of harm;
- the interactions of CENT staff with students take place in the context of the staff member being in a position of trust arising from the nature of their role;
- in every preventative and/or protective action related to a student the total wellbeing of the student is the primary concern, while respecting the rights and welfare of others;
- appropriate confidentiality should be observed relating to student protection matters, and relevant information should be kept in a secure place;
- the cultural diversity of students and families in our schools (particularly Aboriginal and Torres Strait Islander students and their families) is to be recognised, acknowledged and respected. The management of student protection issues needs to be carried out with sensitivity to cultural issues;
- the special needs and vulnerabilities of students with disabilities and their rights to an educational and family environment free from abuse, discrimination, harassment or victimisation must also be recognised, acknowledged and respected;
- the value of the family unit is to be respected but not in such a manner as to be detrimental to the wellbeing of the student;
- all persons who are the subject of an allegation of improper conduct, abuse and/or neglect should be treated fairly, respectfully and with dignity and provided with access to support services as appropriate; and
- all persons who honestly and reasonably report a matter in good faith in accordance with these procedures should not be disadvantaged for doing so.

CENT seeks to fulfil its duty of care to all within its school communities and particularly its duty of care to students. In order to do this, CENT is committed to:

- upholding the right of students to a safe and supportive environment based on the belief that this is critical to students fulfilling their personal potential and critical to their overall wellbeing;
- responding promptly and appropriately to information concerning student protection matters;
- co-operating and working in partnership with the relevant statutory authorities that are involved in child/student protection; and
- ensuring that school pastoral care structures address and make appropriate provision for the support of students, families and staff.

14. Selection of Safeguarding Contact Persons

Principals must give serious consideration as to who is selected as Safeguarding Contact Persons in the school. While there is a requirement to have at least two Safeguarding Contacts, it may be appropriate to nominate more than two in larger schools such as T - 12 Colleges, taking into account the age and diversity of students. In the general selection of a staff member for this role some other considerations to be taken into account include:

- The staff member's personal attitudes, experiences and beliefs, for example:
  a) someone who is non-judgmental and with the capacity to be objective when managing sensitive issues;
  b) someone who is calm and resilient; and
  c) someone who demonstrates a high degree of integrity, discretion and respect for confidentiality.

- The staff member's role within the school, for example:
  a) someone whose role reflects professional standing, seniority and experience in working with complex student and family issues;
  b) the person's preparedness to assume the responsibilities of the role in addition to their other duties; and
  c) someone whose role enables them to be readily available and accessible.

- The staff member's personal profile within the school, for example:
  a) approachability;
  b) someone whom students trust;
  c) someone whom staff trust; and
  d) someone willing and able to respond personally and sensitively.

N.B. It is important to note that unfortunately many of the positive characteristics mentioned above are also evident in the 'grooming' behaviours used by child sex offenders towards children, families, colleagues and an organisation. The potential for this dynamic to exist necessitates caution when assessing an employee's profile within the school community and makes it important not to rely solely on one measure of suitability.

Additionally, the following should be considered with regard to the selection of Safeguarding Contact Persons:

- willingness and capacity to work in a proactive partnership with school leadership and any other Safeguarding Contact Person at the school;
- gender balance;
- willingness and ability to make effective and objective student protection records and reports; and
- willingness and ability to attend student protection professional learning opportunities when offered.

15. Legal Guidelines

The following are general guidelines only. Should other issues arise in relation to specific cases it is recommended that further legal advice be sought.

In reporting cases of abuse/neglect or an unacceptable risk of abuse/neglect to a student, school staff reporting to a relevant statutory authority are not required to prove the case; they need only report on their reasonable belief and their reasons for it.

School staff should be very careful to report only to the persons or authorities that are mentioned within this document.

The matter must remain highly confidential and should never become a topic of gossip and should never be spoken about freely with others.

If a restricted and confidential report of harm is inappropriately communicated to others, an action for damages for defamation could be taken or a complaint may be made to the Office of the Australian Information Commissioner in relation to a breach of the student's privacy.

Staff are permitted under privacy legislation to disclose personal information about a student when making a report or where the staff member reasonably believes that the disclosure is necessary to prevent threats to life or health.

A person acting in good faith in making a report is not civilly or criminally liable, or in breach of any professional code of conduct:

- for making the report; or
- for disclosing any information in the report.