



# Child Protection Policy

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## 1 INTRODUCTION

Helena River Steiner School is committed to the protection of children from all forms of abuse- neglect, sexual, emotional, psychological and physical. This commitment includes prevention, early detection, intervention and promoting protective behaviours for all students.

The school will:

- take a preventative, proactive and participatory approach to child safety
- value and empower children to participate in decisions which affect their lives
- foster a culture of openness that supports all persons to safely disclose risks of harm to children
- provide an environment to help prevent all forms of child abuse
- minimise any harm to a victim, or the School community, as a result of abuse
- empower children to be capable of detecting and avoiding or responding to potential abuse

Children may also be exposed to risk of emotional or physical harm in many environments while in the School's care, including classroom and grounds, on excursion or other School related activities. The school also has an obligation to report on abuse that occurs outside the school grounds if it becomes known to school staff. The School has a duty of care to prevent and detect abuse of children while in the care of the School.

## 2 POLICY

Helena River Steiner School is committed to cultivating an ethos of nurturing care towards the children, and to assist in extending this attitude to every member of the community.

When any question of neglect or abuse is brought to the attention of any staff member, either directly or indirectly, the procedures listed below are to assist that staff member to deal with this appropriately and sensitively.

This policy will be applied in any situation where there is potential or actual maltreatment towards a child by any person either within or outside the school community, and whether this maltreatment has arisen in the past or appears likely to occur.

Helena River Steiner School seeks to implement and carry out effective human resource practices to ensure all new employees, volunteers and contractors are adequately screened, trained and supervised.

Helena River Steiner School requires all notes and reports on students to be submitted to the Principal to be kept as school records. They will be kept confidential and secure.

This policy shall be reviewed annually.

All staff shall be inducted in this policy at the commencement of their employment / volunteering / training / work experience and receive regular and annual training on understanding, upholding and complying with it.

## 3 SCOPE AND APPLICATION

### 3.1 Levels of Responsibility

#### **The School Board is responsible for:**

- Developing and adopting the policy
- Ensuring that all measures have been adopted by the Principal and staff
- Ensuring that they comply with their legal and professional obligations
- Reporting to the Director General of the Department of Education as soon as practicable, and in any event, within 48 hours of a breach of Staff Code of Conduct, where there are reasonable grounds to suspect grooming
- Reporting to the Director General of the Department of Education as soon as practicable, and in any event, within 48 hours of an incident requiring a Critical and Emergency Incident Report Form being submitted to the Department of Education (Non-Government Schools)

#### **The Principal is responsible for:**

- Duty of care
- Ensuring that they comply with their legal and professional obligations
- School community awareness of zero tolerance towards all forms abuse- neglect, sexual, emotional, psychological and physical abuse
- Dealing appropriately with bullying, both verbal and physical
- Ensuring that all staff are fully briefed and vigilant and are trained in, and aware of their responsibilities under the requirements of the Mandatory Reporting legislation.
- Ensuring that all staff understand and comply with the Staff Code of Conduct
- Ensuring that classroom teachers deliver a Protective Behaviours programme as part of the school curriculum
- Vigilance in access to students (including Family Court Orders)
- Vigilance regarding recruitment and screening procedures for all paid and unpaid/volunteer positions
- Ensuring that Working with Children Checks and police clearances are maintained in administration/staff files
- Ensuring that processes are in place to respect the privacy of the individual and to ensure that all information is handled professionally and in strict confidence, and that times and content be thoroughly documented
- Ensuring the school Board is briefed appropriately, in the required timeframe, in the event of:
  - a disclosure of abuse by a student
  - an actual or suspected allegation of abuse or grooming of a student by a staff member
- Ensuring that she/he complies with their legal and professional obligations, and where thorough investigation of allegations is initiated, informing Police and other specified agencies
- Consulting with the relevant government authorities to determine when, what and by whom information related to an allegation of child abuse and its investigation may be given to the person the subject of the allegation, the complainant, affected students and their parents and guardians, and the wider school community

### **The Staff are responsible for:**

- Providing a protective environment where the risk of any form of abuse occurring is minimised
- Vigilance in access to students (including Family Court Orders)
- Empowering students to deal with and report abuse effectively
- Enacting their 'duty of care' responsibilities in dealing with all forms of abuse, bullying and drug use and reporting as necessary
- Ensuring that they understand their responsibilities under the requirements of the Mandatory Reporting legislation
- Ensuring that non-mandatory report of suspected child sexual abuse must report to the Principal, who then becomes the reporter if required
- Incorporating a Protective Behaviours programme as part of the class curriculum.
- Complying with the Staff Code of Conduct
- Reporting to the Principal (or Board if it relates to the conduct of the Principal) any breaches of conduct by other staff members, particularly regarding the suspected, or actual, grooming behavior or abuse of a student

## **4 PROCESSES AND PROCEDURES**

All staff are made aware of the state legislation requiring various occupations, including teachers, to report on child sexual abuse: Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008:

- These procedures will be noted in the staff handbook
- All teaching and non-teaching staff receive annual Mandatory Reporting training from AISWA or other reputed training agencies
- All staff have the opportunity to additionally attend workshops on protective behaviours delivered by AISWA and other reputed training agencies
- Non- sexual abuse or neglect does not require mandatory reporting by law – however Helena River Steiner School's policy is that a teacher has a duty of care to act on any suspicions of neglect or reports from a child regarding abuse or neglect. The teacher may then consult with the Principal and should then make a report to the Department for Child Protection.
- Sexual abuse requires mandatory reporting – the process for this is detailed below. The teacher themselves are required by law to make the report, however they can consult with the Principal prior to reporting

### **4.1 Mandatory Reporting for Sexual Abuse**

At Helena River Steiner School teachers are required to make the report and are responsible for completing and submitting the report to the Mandatory Reporting Service.

'Sexual abuse' in relation to a child, as defined by the Act in Section 124A, includes sexual behaviour in circumstances where:

- The child is the subject of bribery, coercion, a threat, exploitation or violence; or
- The child has less power than another person involved in the behaviour; or
- There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

## Summary of Action

If any staff member believes on reasonable grounds that a child has been subjected to sexual abuse or a disclosure of sexual abuse is made to the staff member, then the staff member is legally bound to report. A failure to report an abuse can result in prosecution.

To make a verbal report, the Mandatory Reporting Service can be reached on **1800 708 704**.

To make an online written report, go to:

<https://mandatoryreporting.dcp.wa.gov.au>

If there is immediate danger: ring the Police **13 14 44**.

Midland Police Station **9250 0333**

## 4.2 Mandatory Reporting Service – Department of Communities, Child Protection and Family Support

### When does a mandatory reporter make a report?

Mandatory reporters must report a belief, based on reasonable grounds in the course of their work, paid or unpaid, that child sexual abuse has occurred or is occurring. This means that teachers working outside of the school grounds are also required to report when working in either a paid or unpaid capacity. For example, tutoring, volunteer teacher at youth centre, working as a Sunday school teacher.

A mandatory reporter can form the necessary belief, based on reasonable grounds, by noting the presence of indicators, disclosures, injuries, signs, symptoms and behaviours that heighten concerns about child sexual abuse.

### Useful Questions

Teachers may wish to consider the following questions to assist them in deciding if their belief is based on reasonable grounds:

- Can you describe the reasons why you believe a child has been, or is being sexually abused?
- What has the child said or done to suggest they are being sexual abused?
- Have you observed, or been told about, the presence of any of the 'possible indicators' of sexual abuse?
- Did the child disclose sexual abuse? What did they say happened? Who did they disclose to and when?
- What other behaviours have you observed and/or interactions with the child are of concern to you? What is the frequency and severity of the behaviour? How long has it been occurring?

### How does a mandatory reporter make a report?

A centralised Mandatory Reporting Service has been established to receive all reports of child sexual abuse in Western Australia. This service is operational 24 hours a day, 7 days a week.

There are two ways to make a report - verbal or written.

A verbal report is preferred in the first instance as it allows the mandatory reporting Service to ask clarifying questions and gather as much information as possible. However, it must be followed by a written report as soon as is practicable, usually within 24 hours. To make a verbal report, the Mandatory Reporting Service can be reached on 1800 708 704.

Failure to follow up a verbal report with a written report as soon as is practicable may result in a fine of \$3,000. A written report form filled in online at:

<https://mandatoryreporting.dcp.wa.gov.au>

If you do not have access to a computer, the form can also be mailed out to you. Once you have completed your written report, it can be returned using the following methods:

Email [to: mrs@dcp.wa.gov.au](mailto:mrs@dcp.wa.gov.au) Fax to: 1800 610 614

Post to: PO Box 8146, Perth BC WA 6849

Once you have lodged a report, you will receive an acknowledgement receipt. This receipt is proof that you have lodged a report so it is important that you keep it.

Once the report has been lodged, the Mandatory Reporting Service will assess the immediate risk to the child and determine the need for further child protection assessment and investigation. A copy of the report is sent to the WA Police. The police will then decide whether they need to be involved on a case by case basis.

The mandatory reporter will receive a feedback letter advising them of the District Office it has been referred to, or whether no further action was recommended by the Mandatory Reporting Service.

If the case is pursued consulting with the relevant government authorities to determine when, what and by whom information related to an allegation of child abuse and its investigation may be given to the person the subject of the allegation, the complainant, affected students and their parents and guardians, and the wider school community.

### **Confidentiality and Legal Protection**

The identity of the reporter is required to be kept confidential, except in limited circumstances. Section 124F(2) protects a reporter's identity from being disclosed. Disclosure of a reporter's identity carries a maximum fine of \$24,000 and 2 years imprisonment.

There are exceptions where a reporter's identity is permitted. Even where disclosure is allowed, consideration will be given to ensuring the reporter's safety has been taken into account.

Examples of when a reporter's identity may be revealed include:

- The Mandatory Reporting Service must send a copy of every written report to the WA Police. The WA Police may need to reveal a reporter's identity in order to investigate or prosecute a suspected offence
- A Department of Communities, Child Protection and Family Support officer may need to reveal the reporter's identity when certain child protection, family law or adoption proceedings are taking place
- Reporter may have provided written permission for their identity to be disclosed

- A mandated reporter who is normally governed by a code of confidentiality or secrecy, professional ethics, standards or principles of conduct (eg. Doctor/patient) is protected from a breach to this code if they are making a report in good faith. The legislative requirements of the Act override internal school policies, professional codes or confidentiality requirements
- A mandated reporter is also protected from liability. If a report is made in good faith, they will not incur any civil or criminal liability by making a report

### **Storage and retention of notes and reports**

The Freedom of Information Act does not apply to independent schools. Helena River Steiner School requires all notes and reports on students to be submitted to the Principal to be kept as school records. They will be kept confidential and secure.

Once the report has been provided to the Department of Communities, Child Protection and Family Support, the report becomes a 'government record' held by the Department and must be treated by the Department in accordance with the requirements imposed on the Department by the Act and any other statutory obligations.

Because the reporting obligations under the Act are obligations placed upon the teacher personally, the teacher should:

- Keep a copy of the report and any notes the teacher provides to the Department in compliance with their obligations under the Act
- Keep a record of receipt by the Department of the report (this is usually in the form of receipt number) as evidence that the report was made to the Department
- Keep a copy of the report and any notes the teacher provides to the school.  
The school will retain copies of any notes, the report and the receipt of the report by the Department, when the teacher leaves the school.

### **The role of the Department for Child Protection and WA Police**

The Department of Communities, Child Protection and Family Support is the government department with the statutory authority to investigate concerns in Western Australia. It is not the school's role to investigate child maltreatment issues, including concerns of sexual abuse. That is the Department's responsibility. All disclosures or strong concerns of abuse or neglect should be reported to DCP by the Principal or teacher. The Department will then decide on how to proceed.

The Western Australian Police also have a role in responding to allegations of child abuse and neglect. The WA Police Service Child Abuse Investigation Unit intervene in instances where it is believed that a criminal offence has occurred which may lead to criminal charges being laid. In the case of a report of child sexual abuse, Department will forward all reports to the WA Police.

Where abuse and neglect has occurred within a family and there is the possibility of criminal charges being laid, the police and the Department may undertake a joint investigation to reduce the trauma of the interviewing process to the child or young person.



Under section 129 of the Children's and Community Services Act 2004, people who give information, in good faith, to the Department of Communities, Child Protection and Family Support are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

### 4.3. Procedures for Handling Allegations and Convictions of Child Abuse Against Employees

#### Definitions

##### **Employee:**

Any persons who might be engaged by the school, including:

- Teachers
- Administration staff
- Maintenance workers
- Volunteers
- Work experience participants
- Student placement.

##### **Allegation:**

An allegation of child abuse against a current employee may be about recent conduct or alleged conduct that happened before the employee commenced work at the school. Staff, parents/users of the service, other agencies, or the Ombudsman, can make allegations.

##### **Process:**

- If an allegation is made against an employee, the employee must be immediately suspended (with pay) and asked not to approach the school or make any contact with staff, students or parents pending an investigation into the matter. In order to protect the integrity of the investigation, the employee should not be notified of the nature of the investigation, but that they will be contacted in due course
- The matter immediately to be referred to the Department of Communities, Child Protection and Family Support or the police for investigation. If the person reporting the abuse is a child, it is already a mandatory reporting situation, however if the person reporting the abuse is someone else (e.g. a parent) they can be encouraged to make the report directly to the authorities. The school must not conduct the investigation internally
- The Principal (or Board Chair if the allegation is against the Principal) be required to give no reason or a vague reason to staff and parents regarding the reason for the suspension
- The school Board, and in particular Board Chair-, immediately be notified that an allegation has been made and the course of action taken. The Board does not need to be notified of the identity of the employee or the subject of the allegations
- The complainant is informed about advocacy, support and other services that may be available
- Parents be notified if any charges are laid
- If charges are laid, the employee be suspended without pay from that day forward

**It is the role of the Principal to:**

- Seek advice/information from AISWA, the Department of Communities, Child Protection and Family Support and any other relevant government authorities about the process of investigation of the allegations made
- Notify the Chairperson of the Board
- Monitor that the Board has notified the Director General, Department of Education, within 48 hours
- Protect/maintain the confidentiality of the identity of persons the subject of the allegations, as far as possible, given the considerations relating to any care and protection intervention;
- Assess allegations impartially
- Act fairly to persons the subject of an allegation
- Assess any immediate care and protection issues
- Make sure the complainant is informed about advocacy, support and other services that may be available (some are listed below)
- Consult with the relevant government authorities to determine when, what and by whom information related to an allegation of child abuse and its investigation may be given to the person the subject of the allegation, the complainant, affected students and their parents and guardians, and the wider school community

Some issues are very concerning for teachers and staff members – for instance malicious allegations made by students against teachers. It is not the role of a teacher or the Education Coordinator to decide whether or not an allegation of child abuse is founded or unfounded. They must establish “firm belief” or “belief based on reasonable grounds”.

It is the role of the Department of Communities, Child Protection and Family Support, the Police Service or the Case Management Unit to carry out a full investigation. Attempting to resolve an allegation made against a teacher within the school setting without outside assistance is against school policy.

#### 4.4 Where to go for Further Information

The Department of Communities, Child Protection and Family Support is the state government department responsible for issues specifically related to the protection of children, including the handling of abuse and neglect cases. This website contains some excellent material for professionals, and parents and friends. Of particular interest is the information on ‘Identifying and responding to child abuse and neglect – a guide for professionals.

Available:

<http://www.dcp.wa.gov.au/ChildProtection/Documents/HowDoIRecogniseWhenAChildIsAtRiskOfAbuseOrNeglect.pdf>

The sexual abuse reports, the Mandatory Reporting Service must be contacted through one of the following means:

Telephone: 1800 708 704

Email: [mrs@dcp.wa.gov.au](mailto:mrs@dcp.wa.gov.au)

Fax: 1800 610 614

Post: PO Box 8146

Perth BC WA 6849

This unit is available 24 hours a day, 7 days a week for make a report or to raise concerns.



Details regarding mandatory reporting can be obtained through [www.mandatoryreporting.dcp.wa.gov.au](http://www.mandatoryreporting.dcp.wa.gov.au)

To contact CPFS for assistance with a specific case that does not involve sexual abuse, the school will need to speak to the Duty Officer at the local office, available during office hours. All offices are listed in the White Pages or on the website.

### **After Hours**

#### **Child Abuse Services WA**

9223 1111 / 1800 199 008

**Crisis Care** - a 24 hour telephone service for people in crisis and needing urgent help

9223 1111 / 1800 199 008

#### **WA Police Service Child Abuse Investigation Unit**

If the matter is urgent and the safety of a child is at risk, call **000**. If you are a victim of child abuse or paedophilia, or if you have information about someone else being abused, you should contact police on **131 444**.

You can also report child abuse to the Child Protection Squad on **9492 5444** or email them on [Child.Abuse.Investigation@police.wa.gov.au](mailto:Child.Abuse.Investigation@police.wa.gov.au), ring Crime Stoppers on **1800 333 000** or go to your local police station.

**WA Police Cyber Predator Team** can be contacted on **9492 5444** or complaints can be lodged on the WA Police Website: [www.police.wa.gov.au](http://www.police.wa.gov.au)

The websites below contain information on cyber predators for both parents, teachers and students to use.

[www.acma.gov.au](http://www.acma.gov.au)

[www.constablecare.org.au](http://www.constablecare.org.au)

[www.cybersmartkids.com.au](http://www.cybersmartkids.com.au)

[www.netalert.net.au](http://www.netalert.net.au)

[www.virtualglobaltaskforce.com](http://www.virtualglobaltaskforce.com)

#### **The National Association of the Prevention of Child Abuse and Neglect (NAPCAN)**

NAPCAN is an Australian organisation that seeks to resource and network child welfare professionals and practitioners working to prevent child abuse and neglect from happening before it starts, through the provision of parenting brochures, training, support networks and information. [www.napcan.org.au](http://www.napcan.org.au)

The following support service is available for staff at schools who may experience personal issues resulting from making a report:

**Prime Corporate Psychology Services** - Offers an employee assistance program including counselling, management and referrals.

9492 8900 / 1800 674 188



Each school may already have an assistance program available to their staff to provide help in overcoming problems that may cause difficulties in their work or personal lives.

The following services and organisations can provide help, advice and support to the school, parents or children who are affected by the effects of abuse and to prevent abuse from recurring and provide support and advocacy whilst making claims:

**Department for Child Protection and Family Services** – refer to previous page for details

**Parenting Line**

9272 1466 / 1800 654 432

**Family Helpline** is a free confidential telephone counselling and information service for families with relationship difficulties.

9223 1100 / 1800 643 000

**Men's Domestic Violence Helpline** provides a free telephone, referral and counselling service for men to help them change their violent behaviour toward female partners.

9223 1199 / 1800 000 599

**Women's Domestic Violence Helpline** provides a free 24hour telephone support and counselling service for women experiencing family and domestic violence.

9223 1188 / 1800 007 339

**Child Health and Community Health Services** - refer to the White Pages for contact details of local Child Health Centres

**Child and Adolescent Mental Health Services**

1800 220 400 – 24hour mental health advice line

**Perth Children's Hospital**

6456 2222

**State Child Development Centre**

9481 2203

**Disability Services Commission**

9426 9200 / 1800 998 214

**Kids Helpline** is a free and confidential telephone counselling service for 5 to 25 year olds in Australia available 24 hours a day, 7 days a week.

1800 551 800

**Sexual Assault Resource Centre Counselling Line** offers a free, 24 hour emergency service for people aged 13 or over who have been sexually assaulted or sexually abused recently (within the last two weeks).

9340 1828 / 1800 199 888

**Lifeline Australia** offers a service 24 hours a day, 7 days a week and can provide information about other support services, if required.

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## 5. REFERENCES

<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• Staff Handbook</li> <li>• Child Safe Organisations WA Framework</li> </ul>
<b>Links With</b>	<ul style="list-style-type: none"> <li>• Staff Code of Conduct</li> <li>• Protective Behaviours Policy</li> <li>• Access to Students Policy</li> <li>• Safeguard for Students Policy</li> <li>• Duty of Care Policy</li> <li>• Emergency and Critical Incidents Policy</li> </ul>
<b>Related Legislation</b>	<ul style="list-style-type: none"> <li>• Children and Community Services Act 2004</li> <li>• Children and Young Persons (Care and Protection Act) 1998</li> <li>• Ombudsman Amendment (Child Protection and Community Service) Act 1998</li> <li>• Child Protection (Prohibited Employment) Act 1998</li> <li>• Commission for Children and Young People Act 1998</li> <li>• Criminal Code Act (1913)</li> <li>• Working with Children (Criminal Record Checking) Act 2004</li> </ul>
<b>Appendices</b>	<p>Appendix I: Indicators of Child Abuse and Neglect</p> <p>Appendix II: Mandatory Reporting Procedure Flowchart</p>

## 6. APPENDICES

### Appendix I - Indicators of Child Abuse and Neglect

Students frequently show indicators from more than one category of abuse; and the examples listed below are not necessarily exclusive to a single category of abuse. Any of these indicators may suggest that a student is being abused, neglected or at risk of harm; however, indicators should be considered in the context of the student's age, medical and developmental history, and capabilities. In addition, mental illness, substance abuse and domestic violence within families must also be considered.

#### Physical Abuse

- broken bones or unexplained bruises, burns, or welts in various stages of healing
- the child or young person is unable to explain an injury, or explanations given are inconsistent, vague or bizarre
- direct admissions from the parents that they are concerned that they might harm their child
- family history of violence
- marked delay between injury and obtaining medical assistance
- parent who shows little concern about the welfare of their child or the treatment and care of the injury

- repeated presentations of the child to health services with injuries, ingestions, or minor complaints (this could also be an indicator of Factitious Disorder by proxy, a rare expression of physical and emotional abuse)
- the child or young person is unusually frightened of a parent or carer, or is afraid to go home
- the child or young person reports intentional injury by their parent or carer
- arms and legs are kept covered by inappropriate clothing in warm conditions
- ingestion of poisonous substances including alcohol or drugs
- avoidance of physical contact by the child (particularly with a parent or carer)

### **Sexual Abuse**

- sexualised behaviours inappropriate to their age (including sexually touching other children and themselves)
- knowledge of sexual behaviour inappropriate to their years
- disclosure of abuse either directly or indirectly through drawings, play or writing that describes abuse
- pain or bleeding in the anal or genital area with redness or swelling
- fear of being alone with a particular person
- child or young person implies that he/she is required to keep secrets
- presence of sexually transmitted disease
- sudden unexplained fears
- enuresis and/or encopresis (bed-wetting and bed soiling)

### **Emotional or Psychological Abuse**

- the parent or carer constantly criticises, threatens, belittles, insults, or rejects the child or young person with no evidence of love, support, or guidance
- the child or young person exhibits extremes in behaviour from overly aggressive to overly passive
- delayed physical, emotional, or intellectual development
- compulsive lying and stealing
- high levels of anxiety
- lack of trust in people
- feelings of worthlessness about life and themselves
- eating hungrily or hardly at all
- uncharacteristic seeking of attention or affection
- reluctance to go home
- rocking, sucking thumbs or self harming behaviour
- fearfulness when approached by a person known to them

### **Neglect**

- signs of malnutrition, begging, stealing or hoarding food
- poor hygiene: matted hair, dirty skin or severe body odour
- unattended physical or medical problems
- the child or young person states that no one is home to provide care (inadequate supervision, failure to ensure safety)
- child or young person appears constantly tired
- frequent lateness to school or absence from school
- frequent illness or low grade infections

- inappropriate clothing, especially in winter
- alcohol and /or drug abuse in the household

### **Grooming**

A child abuser usually spends time grooming the child with the child being made to feel that they are in some way complicit. Grooming is the process by which a person prepares a child, significant adults and the environment for the abuse of this child. Recognising the grooming process is one of the best ways of preventing child abuse.

Grooming behaviour may involve nurturance (care-giving) and attachment (care-seeking) motivations, as well as sexual motivations. The abuser may be drawn to a particular child because of perceived vulnerabilities in the child (e.g. loneliness, emotional neediness, problems at home, peer isolation, low confidence, low self-esteem), or to meet the abuser's own emotional needs.

Particularly in the early stages, these behaviours may appear ambiguous to both the victim and observers, however behaviours such as developing 'special' relationships, giving gifts or privileges, being overly familiar or affectionate, seeking to spend time with children outside the work role, or arranging to spend time alone with children, is should be seen as a violation of professional boundaries and cause for concern.

## Appendix II – Mandatory Reporting Procedure Flowchart

### MANDATORY REPORTING PROCEDURE

