



# Child Protection Policy

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Scope:	All Staff and Students		
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Concurrent Policies: Staff Code of Conduct, Mandatory Reporting, Duty of Care, Emergency and Critical Incident Management Policy, Occupational Health and Safety, Staff Code of Conduct, Protection of Children- Grooming Policy, Child Safe Framework

## Contents

1. Introduction
2. Policy
3. Reporting Child Sexual Abuse
  - 3.1 Responsibilities of teaching staff
  - 3.2 Responsibilities of non-teaching staff
  - 3.3 Responsibilities of the principal: mandatory reports
  - 3.4 Responsibilities of the principal: reports made by non-mandatory reporters
4. Reporting of physical abuse, psychological/emotional abuse or neglect
  - 4.1 Responsibilities of all staff
  - 4.2 Responsibilities of the principal
  - 4.3 Reporting allegations of abuse perpetrated by staff
  - 4.4 Reporting procedure for all staff
  - 4.5 Reporting procedure for the principal
  - 4.6 Reporting allegations of sexual abuse perpetrated by a child
  - 4.7 Sexual abuse perpetrated during supervised school activities
5. Reporting sexual harassment
  - 5.1 Sexual harassment by a student
  - 5.2 Sexual harassment by staff
  - 5.3 Electronic communication and images
  - 5.4 Child abuse perpetrated via electronic communication
  - 5.5 Responding to disclosures of child abuse
  - 5.6 Acting on a belief, formed on reasonable grounds when there is no disclosure
  - 5.7 Reporting family and domestic violence
  - 5.8 Supporting children affected by abuse
  - 5.9 Informing parents when child abuse report has been made
    - 5.9.1 Informing parents when a child abuse report has not been made
6. Record keeping and documentation
  - 6.1 Collaboration and case management
  - 6.2 Confidentiality
  - 6.3 Protection and support for employees who report child abuse
7. Documented plans for children in the care of the CEO of CPFS
8. Working with Children Check

## **1. Introduction**

All children have a right to be protected from harm in any form.

Hope Christian College has a special responsibility to children not only to protect them when they are on the school premises but also to intervene when they believe that the welfare of a child is at risk when outside the school. For these reasons, Hope Christian College has a Child Protection Policy.

## **2. Policy**

All staff employed at Hope Christian College are responsible for the care, safety and protection of the students. This responsibility extends to the identification and timely response to regarding the possible sexual, psychological and emotional abuse or neglect of a child.

Hope Christian College is committed to making every effort to protect students in their care, from any form of harm.

As a school we are obligated to provide a 'safe' and supportive environment. This requirement not only relates to child protection but overlaps with Pastoral Care, Restorative Practices, Occupational Health and Safety, Anti-Harassment and Anti-Bullying policies.

Recruitment screening, educational training programs, rigorous supervision of practice and clearly articulated policy and procedure for expectations and requirements of 'duty of care' are specifically designed to create a culture of care in our school.

Employees and volunteers at Hope Christian College who have direct contact with students are to undertake training about their legal responsibilities in relation to child protection, mandatory reporting and other relevant expectations as to appropriate and professional conduct at Hope Christian College.

All persons seeking employment at Hope Christian College are required to meet the 'employment' screening/background checking and Working with Children Check. All volunteers working with students are also required to submit a Working with Children Check.

### 3. Reporting Child Sexual Abuse

#### 3.1 Responsibilities of teaching staff.

Teachers must report a belief formed on reasonable grounds of child sexual abuse that occurred on or after 1 January 2009 to the Mandatory Reporting Service or Department of Communities – Child Protection and Family Support (CPFS) in accordance with the Children and Community Services Act 2004.

#### **Guidelines:**

Mandatory Reporters who fail to report sexual abuse can be fined up to \$6000. A person can be prosecuted within 3 years after failing to make a report.

A belief formed on reasonable grounds that a child has been abused or neglected may be based on but not limited to:

- Reports of abuse by a third party; and/or
- A disclosure of information provided by a child or parent/carer; or
- Observed evidence of physical and/or behavioural indicators.

If a decision to report has not been made, teachers must document all observations and provide to the Principal for storage.

If an immediate decision to report has been made on the basis of a disclosure, observation of indicators of information received, teachers must.

- Report a belief formed on reasonable grounds of sexual abuse where the belief is formed during the course of paid or unpaid work as a teacher.
- Make the written report using the Mandatory Report Form located <http://www.mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>
- Lodge the report with the CPFS and Mandatory Reporting Service {MRS}
- Inform the principal that a report will be or has been made;
- If the principal is absent from school, inform the deputy principal;
- Report to the Chairman of the Board if the principal is the alleged perpetrator or may be biased towards the person alleged to be responsible for the abuse.

Teachers must follow one of the following reporting processes to the MRS

- Make a written report only; or
- Make a verbal report which must be followed up with the written report.

Teachers must lodge reports with the MRS by one of the following pathways;

- Provide the written report to the principal who is authorised to receive it on behalf of the MRS;
- Make a written report directly to the MRS and inform the principal that a report has been made;

- Make a verbal report to the MRS and provide a written report to the principal; or
- Make a verbal report followed by a written report directly to the MRS and inform the principal that a report has been submitted.

When making a report teachers must:

- If a verbal report is made, submit a written report as soon as possible;
- Note the receipt number issued by the MRS as proof that a verbal or written report has been made;
- Inform the principal of the receipt number; or
- Inform the principal of the advice contained in the feedback letter received from the MRS following the report.

Guidelines:

- If a teacher believes that a report of sexual abuse which provides identical information has been lodged by another member of staff, it is not necessary to make their own report.
- It is recommended that a verbal report be made to MRS before lodging a written one.
- Prior to lodging a report of sexual abuse, a teacher may consult with the local CPFS or MRS duty officer, principal, colleagues or student services staff.
- The teacher can add information to the report by quoting the receipt number or child's name to MRS.
- Multiple reports can be made for the same child.
- The reporter is not required to store their own copy of the report CPFS will store the report.

### **3.2 Responsibilities of non-teaching staff**

Non-teaching staff must advise the principal of child protection regarding possible sexual abuse. This advice must be either verbal or in writing. Non-teaching staff are not mandatory reporters but are required by this policy to report child sexual abuse to the principal or chairperson.

Non-teaching staff may submit a written report to the principal, if the principal forms the belief on reasonable grounds, the principal will write their own report to the MRS. If the report is about the Principal. The Chairman of the Board is to be informed.

### **3.3 Responsibilities of the Principal: Mandatory Reports**

Sexual abuse that occurred on or after 1 January 2009 is to be reported. The Principal will follow the procedures set out in section 3.1.

The Principal must:

- If requested, support the teacher to make a verbal report to the MRS;
- Forward the written report to the MRS;
- Provide information to CPFS or the WA police as requested;
- Arrange support for the child as required and keep all documentation thereof.
- Arrange support for a staff member who has made a mandatory report when there is concern for their safety;
- Provide secure storage for documentation, excluding mandatory reports in a confidential file, separate from the student's school records.
- File a Critical Incident Report and forward this to all the relevant authorities.

The Principal must not:

- Make verbal or mandatory reports on the teacher's behalf;
- Alter the written report in any way;
- Authorise or request the collection of photographic evidence by staff; or
- Delegate mandatory reporting of sexual abuse to a deputy or other staff.

Guidelines:

Supporting a teacher to make a verbal report may include providing teacher relief or a private room to make a phone call.

The principal is not required to make a report if a report has already been made.

The Chaplain should be informed of the need to advise the principal of child protection concerns.

When there is concern for the safety of a staff member who has made a report, the principal may contact AISWA to develop a support plan.

### **3.4 Responsibilities of the principal: reports made by non-mandatory reporters**

The Principal Must:

- Make a mandatory report when information is received from a non-mandatory reporter that leads to a belief on reasonable grounds of child sexual abuse; and

## **4. Reporting of physical abuse, psychological/emotional abuse or neglect**

### **4.1 Responsibilities of all staff**

- All child protection concerns relating to physical abuse, psychological, emotional abuse or neglect that arises during a school activity must be reported.
- Concerns must be documented using the incident report form available at the front desk.
- All consultations prior to reporting must be conducted in a confidential manner and documented.
- Teacher and other mandatory reporters who form a belief on reasonable grounds that child abuse has occurred, must complete the Mandatory Report Form (<http://www.mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>).

#### Guidelines:

Where an immediate decision to report occurs after a disclosure or observation of indicators, it is necessary to document concerns and provide to Principal for storage.

The principal may complete documentation on behalf of the staff member.

Concerns may involve children from another school that are involved in the school activity.

School activities may take place either on or away from school premises and either during or outside of school hours.

### **4.2 Responsibilities of the principal**

- Forward all child protection reports to the CPFS office and request acknowledgement that the report has been received;
- Report child protection concerns that may involve criminal behaviour to the WA police:
- Seek advice from CPFS or the WA police as appropriate prior to informing the parent:
- Store all documentation securely and separately from the child's school records.

The Principal must not:

- Delegate reporting to staff other than the deputy principal;
- Authorise or request the collection of photographic evidence by staff; and
- Interview the child or investigate the report.

## Guidelines

Reporting physical, psychological/emotional abuse and neglect to CPFS may be delegated to the deputy principal who needs to keep the principal informed on all actions taken.

Criminal behaviour to be reported to WA Police includes:

- Assault, for example, unwanted physical contact; and
- Female genital mutilation or female circumcision.

Prior to making a report the principal may seek advice from CPFS Duty Officer, or district education office student services, including the social worker or Non-Government School Psychologist.

### **4.3 Reporting allegations of abuse perpetrated by staff**

Allegations of abuse that involves a staff member must be reported consistent with sections 4.1 and 4.2 in addition; the allegation must be immediately reported to the principal. The principal must contact Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board as soon as the allegation is received.

Allegations made by students, employees or non-employees regarding staff conduct must be acted on by the principal as soon as practicable.

All staff must behave with integrity and carry out their professional responsibilities in accordance with the Staff Code of Conduct for Hope Christian College.

It is child sexual abuse and a criminal offence for an employee of Hope Christian College to have a sexual relationship with a student less than 18 years of age. Under no circumstances can a child consent to a sexual relationship with an employee. It is also considered a breach of discipline to have a sexual relationship with a student over 18 years of age and will be a dismissible offence.



Guidelines:

Students of appropriate age should be made aware of the process to report staff behaviour of concern. This is to be implemented as part of the protective behaviours curriculum.

Examples of sexual behaviour that constitute misconduct but are not limited to:

- Watching children undress, for example, in change rooms when supervision is not required or justified; undressing in front of a child; sharing a room, inviting or allowing a child into the staff member's room during excursions etc.;
- Making references to a teacher's or child's sex life; sexual compliments; sexualised comments about a child's physical appearance; inappropriate use of sexualised language; sexually suggestive comments; and
- Electronic communication of obscene pictures, posters or cartoons, messages or jokes.

Examples of sexual behaviour that may constitute criminal behaviour include but are not limited to:

- Propositions, invitations or requests for sex;
- Comments that express a desire to act in a sexually explicit manner;
- Accessing and communication of pornographic or sexually explicit material; and
- Using electronic means to procure or expose a child to indecent material.

#### **4.4 Reporting procedure for all staff**

All staff must:

- Report allegations or concerns involving an employee's behaviour towards a student to the principal;
- Make a mandatory report to CPFS if a belief is formed, on reasonable grounds that sexual abuse has occurred.
- Report allegations regarding the conduct of the principal to the Chairman of the Board.

Guidelines

Even if the students age is 18 years or older, the employee's behaviour is reportable.

An allegation may concern behaviour of a staff member towards a student who is enrolled at the reporter's school or another school.

The allegation may concern the behaviour of a staff member towards a student during or outside of school hours.

If dissatisfied with the response of the authority who received the allegation, the staff member can report to the next level. Such as the Chairman, Vice-Chairperson or WA Police.

#### **4.5 Reporting procedure for the principal**

The principal must:

- Report to the Chairperson
- Report to the CPFS and WA Police Child Abuse Squad if physical assault is involved;
- Report to the parents/carer only on the advice of CPFS or WA Police;
- If this constitutes a critical incident then follow critical incident procedures.

The principal must not:

- Interview the child;
- Investigate the allegation, or
- Inform the alleged offender that an allegation has been made.

#### **4.6 Reporting allegations of sexual abuse perpetrated by a child**

Forced sexual activity involving a child constitutes sexual abuse and must be managed as a mandatory report regardless of whether the behaviour occurred during school supervised activities or outside of school time.

All allegations must be reported to MRS who will then inform WA Police.

If the allegation concerns behaviour during school activity and is substantiated, it will be managed as a serious breach of school discipline, a critical incident and in some cases a criminal matter and expulsion from Hope Christian College.

#### **4.7 Sexual abuse perpetrated during supervised school activities**

All staff must inform the principal immediately of an allegation of sexual abuse perpetrated during school activities.

The Principal must:

- Arrange for the safety and supervision of the alleged victim and the person alleged to have committed the abuse;
- Establish that a mandatory report will be made;
- Notify the WA police, when appropriate;
- Seek advice from MRS on informing the alleged victim's parents;
- Contact the alleged victim's parents to inform of the event and action taken;
- If medical attention is required get parents agreement prior to contacting emergency services;
- Arrange support for others affected by the incident;

The principal must not.

- Interview the students involved;
- Disclose the identity the person alleged to have committed the abuse to the alleged victim's parents; or
- Disclose the identity of the staff member who may have made a mandatory report of sexual abuse to the parents of the children involved.

Guidelines

The MRS will inform the Child Abuse Squad who in turn will advise the parents of the person alleged to have committed the abuse.

If the principal receives a report from a non-mandatory reporter, then they become the mandatory reporter and must immediately lodge a report with the MRS.

If the principal is absent, an incident of forced sexual contact must be reported to the MRS by the next person in charge.

## **5. Reporting sexual harassment**

All allegations of sexual harassment must be reported to the principal

### **5.1 Sexual harassment by a student**

Sexual harassment of a student by another student must be:

- Reported to MRS where the behaviour leads to the belief formed on reasonable grounds that sexual abuse has occurred; and
- Managed as a breach of school discipline according to Hope Christian College's Code of Conduct.

## Guidelines

To lodge a complaint of sexual harassment against another student, both students must be aged from 16 years under the Sex Discrimination Act 1984.

When a criminal offence has been committed, depending on the alleged person's age and mental capabilities, victims have a right to make a Police report.

Implementing behaviour management strategies does not preclude a report being made to CPFS where the behaviour is considered to be an indicator of child abuse.

### **5.2 Sexual harassment by staff**

The principal will immediately notify Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board of any incidents or allegations of sexual harassment of students by staff.

## Guidelines

Any sexual harassment behaviour by staff is serious misconduct and may also constitute sexual abuse under the Criminal Code.

Where the allegations leads to the belief formed on reasonable grounds that child abuse has occurred, this is to be reported in accordance with section 4 of this policy.

Students and potential students are entitled to learning environments free of sexual harassment.

### **5.3 Electronic communication and images**

#### Staff conduct and electronic communication

Staff must conform to the professional boundaries of staff-student relationships at all times in social interactions via electronic devices.

Staff must not engage in social interaction with students through social networking sites unless there is an educationally valid context and with the prior approval of the principal.

## Guidelines

Social networking sites include but are not limited to, Facebook, Myspace, YouTube and Twitter.

The intent of these procedures is to clarify the professional boundaries to protect staff and students from potential misinterpretation or abuse of the staff-student relationship.

These procedures apply to all social interaction between staff and students occurring during and outside of working hours where a staff-student relationship exists.

### **5.4 Child abuse perpetrated via electronic communication**

The use of electronic devices for the purposes of the distribution of sexually explicit material, solicitation and harassment, constitutes child abuse and/or criminal behaviour that must be reported to the principal.

The protection of children from sexual and emotional abuse perpetrated through the use of electronic means is managed through security software, computer access and mobile phone policies, school education programs and by reporting incidents.

### **5.5 Responding to disclosures of child abuse**

All staff must be aware of the immediate needs of children making disclosures and respond accordingly.

## Guidelines

When responding to a disclosure staff are advised to:

- Reassure the child that telling was the right thing to do;
- Allow the child to tell the story in their own words;
- Use protective interrupting if their disclosure is in an appropriate situation;
- Find a quiet place to talk;
- Let the child know what will happen next;
- Assess the child's immediate safety; and
- Complete the documentation as soon as possible.

Staff are advised to not:

- Dismiss or ignore the disclosure
- Put words into the child's mouth, push for details or conduct an investigation as this could jeopardise the interview process of CPFS or the WA Police;
- Make the child repeat the disclosure to a third party;
- Stop the child from talking once there are reasonable grounds for forming a belief that abuse occurred;
- Promise not to tell when there are clear limits on confidentiality;
- Confront the person believed to be the abuser; or
- Engage in general staff room discussion about the disclosure.

Protective interrupting is a strategy to prevent students disclosing in front of other students and providing them with the opportunity to disclose in a safe and confidential manner using the following steps:

- Be supportive and gently indicate that they can talk in a more private situation;
- Quietly arrange to see them as soon as possible; and
- Listen attentively in a private location within the school.

Staff should be aware that a disclosure can arouse personal feelings of shock, anger and helplessness. It is important to conceal these feelings; they can be worked through after the disclosure. Support will be made available through the principal.

### **5.6 Acting on a belief formed, on reasonable grounds when there is no disclosure**

All physical and behavioural indicators of child abuse must be documented on the school Incident Report form. This includes confidential discussions with colleagues.

#### Guidelines

A child who is being subjected to abuse and has not disclosed, may be experiencing emotional and psychological distress which could affect their behaviour and learning.

If there is concern about a student but the staff student relationship is not favourable to offering support, advise the principal who can monitor the student.

Continue to observe the student and document.

The principal may contact CPFS to seek advice.

## **5.7 Reporting family and domestic violence**

Witnessing family and domestic violence is associated with child abuse and must be reported to CPFS.

### **Guidelines**

Other forms of child abuse are more likely to occur when family or domestic violence exists. Children who are involved in or witness to this violence may show physical, behavioural, emotional or psychological indicators consistent with child abuse.

## **5.8 Supporting children affected by abuse**

The principal must take steps to support the child/ren affected by abuse, including the children who may be alleged perpetrators.

When a case has been reported to CPFS, the principal must develop a support plan that includes details of actions planned and agreed responsibilities of all relevant staff and keep all documentation thereof.

### **Guidelines**

- In cases where the alleged victim and person alleged to have committed the abuse remain on the school grounds, where practicable the alleged offender should be removed from contact with the alleged victim.
- Management of support may be delegated but remains the responsibility of the principal.
- Where possible, external agencies involved in providing support should be involved in developing the plan.
- Support will be determined by the needs of the child and the capacity of student services or other agencies to provide services.
- Staff involved in a supportive role should take into account culture, religion, disability and maturity of the child.
- Where appropriate, the child should be involved in decisions that directly affect them and provided with information about what will happen.
- In cases where criminal conduct has been reported, the support of district office staff should be accessed by the principal.

## **5.9 Informing parents when a child abuse report has been made**

Parents must not be informed of reports made to CPFS or the WA Police unless the agencies have instructed the principal to do so.

When CPFS or WA Police have directed the principal to inform parents the principal must:

- Conduct the interview in private and document the discussion;
- Tell the parents why the interview is taking place;
- Inform the parents the interview is confidential;
- Be direct, honest and professional;
- Advise of reports made to other agencies;
- Explain the action to be taken by Hope Christian College if an allegation has been made against a staff member; and
- Inform the parents of the support available to them and their child.

The principal must not:

- Disclose the identity or personal information relating to the person alleged to have committed the abuse;
- Disclose the identity of the person who made the report;
- Offer personal opinions;
- Place blame on the parties involved.

### **5.9.1 Informing parents when a child abuse report has not been made**

Parents must not be informed:

- That physical or behavioural indicators have been observed in their child which have led to the possibility of child abuse;
- Formed a belief, on reasonable grounds of family or domestic violence; and
- Of an intention to make a report concerning their child to WA Police or Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board.

Guidelines

A parent may be the perpetrator of abuse. To inform the parent of possible child abuse may alert them and pose a further risk to the child.

Observations can be discussed with parents in order to seek further information without alerting them to the belief formed, on reasonable grounds of child abuse.



## **6. Record keeping and documentation**

- Staff must document observations, consultations and actions involving child abuse;
- All records must provide factual information, observable indicators and not opinions or conclusions. Records must include the dates and approximate times of observations or disclosures with exact wording of statements made by the child;
- The identity of the reporter must not be recorded.
- The receipt number for a mandatory report must be recorded by the reporter as proof that a report has been made.

### **The Principal must:**

- Keep written records of all communication with WA Police or Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board and subsequent actions;
- Securely store all confidential information separately from the child’s school records.

### The principal must not:

- Store copies of mandatory reports;
- Record or disclose information that may identify the mandatory reporter other than the agencies involved in the investigation; or
- Send original copies of child protection documents to a school where the child has subsequently enrolled.

### **6.1 Collaboration and case management**

The principal must develop a plan of support for a child.  
CPFS must be invited to attend school planning for a child taken into care.

#### Guidelines

Making a report of child abuse to WA Police or Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board does not prevent the need for the ongoing support and care of the child/ren concerned.

## **6.2 Confidentiality**

Confidentiality must not be promised to students and whenever possible they must be informed about who will be involved and the actions that may be taken.

Where there is a belief formed, on reasonable grounds or alleged abuse or misconduct, staff must not disclose or make use of the information in a manner that breaches confidentiality.

All information held by the school must be provided to WA Police or Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board upon request and doing so does not breach confidentiality.

### **Guidelines**

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

Staff may consult as long as this is carried out in a confidential manner.

This must not extend to general discussion or disclosure of information in the staffroom, or with other parents or members of the general community.

## **6.3 Protection and support for employees who report child abuse**

### **Guidelines**

All staff are protected from civil, criminal and disciplinary liability by providing information to WA Police or Mandatory Reporting Service (MRS), Department of Communities – Child Protection and Family Support (CPFS), the Director General and the Chairman of the Board for the purpose of investigating child abuse if acting in good faith are deemed not to have breached a duty of confidentiality, professional ethics or standards; or to have engaged in unprofessional conduct by providing such information.

The identity of the person making a report to CPFS is protected and can only be released with the permission of the reporter or the court, for investigative purposes.

Staff may be anxious when reporting allegations of misconduct or child abuse and/or neglect because of the impact this may have on relationships with colleagues, the family or the child. This anxiety may be discussed confidentially with the principal or CPFS duty officer and support requested.

When there is concern for the safety of the reporter, it is important that a risk management plan is put into place and the principal should contact AISWA for assistance.

An employee who attempts to threaten, intimidate, coerce or take reprisal against an employee who has disclosed or intends to disclose unethical or unlawful behaviour may face disciplinary action.

## **7. Documented plans for children in the care of the CEO of CPFS**

The principal must:

- Verify that a Documented Plan is developed as soon as practicable upon identification by CPFS that a child is in the care of the CEO of CPFS; and
- Provide a copy of the completed Document Plan to the CPFS case manager and other key stakeholders.

### **Guidelines**

Children in the care of the CEO of CPFS are often vulnerable and at greater risk of poor educational achievements and outcomes than their peers. Poorer educational achievements can have negative implications for children's social and emotional wellbeing and their employment and economic options in later life. CPFS and Hope Christian College recognise their shared responsibility to increase the educational opportunities and outcomes for all children in the CEO's care. Each of these students are identified as 'being at educational risk' and have a Documented Plan that is developed in collaboration with CPFS.

The school community is a key resource for children at risk of poor social and educational outcomes and important in assisting children to establish positive relationships with significant adults, mentors and peers. Continuous same school attendance can provide children in care with stability and consistency and support their social and emotional development.

## **8. Working with Children Check**

The principal must confirm that all employees, volunteers, visitors and external providers in child related work at Hope Christian College have applied for or hold a valid Working with Children Check.

