

31 August 2015

ANGLICAN SCHOOLS AUSTRALIA
Submission to the Royal Commission into
Institutional Responses to Child Sexual Abuse
Issues Paper 9

1. Anglican Schools Australia

Anglican Schools Australia (ASA) is a network of the General Synod of the Anglican Church of Australia; a national body comprising some 160 Anglican schools across Australia, educating over 150,000 young Australians. All Anglican schools are members of ASA. Our members include several of the oldest schools in Australia as well as many recently established schools. ASA has both single sex and co-educational schools as members.

The constituted purpose of ASA is to:

- a) Provide a forum at National level for Anglican schools to facilitate discussion particularly on spiritual, moral and values related issues as they have a bearing on education.
- b) Be an effective network of General Synod of the Anglican Church.
- c) Achieve recognition of Anglican Schools as part of the mission of the Anglican Church.
- d) Engage with the Commonwealth Government, national Anglican agencies, other national education bodies and industry groups on matters which affect the Church's mission through Anglican schools.
- e) Be a forward-looking, dynamic organisation aiming to develop a strong unity of purpose among Anglican Schools.
- f) Report to General Synod on major matters discussed by Anglican Schools.

2. Scope of Response

From the outset, it is important to note that this response to Issues Paper 9 only represents the views of the 11 members of the ASA National Management Committee, who come from every Australian state and territory except the Northern Territory. Due to the short time in which to frame a response, the Management Committee has not sought the views of our 160 member schools, a process that would usually take at least three months. Accordingly, the comments below do not represent the views of any ASA member school nor the national body as a whole, but rather a response framed by the Management Committee. With this qualification, we trust that this response is a helpful start in reflecting on what we consider to be a few of the major issues addressed in Issues Paper 9.

It is worth noting also the variations in legislation and obligations cross jurisdictionally which create challenges and risk as well as undermining the strength of the child protection framework in each individual jurisdiction.

3. Topic B: Governance and Leadership

- i. The governance structure of Anglican schools in Australia varies from one school to another. However, responsibilities for directors of governing bodies is, under some circumstances, largely consistent, i.e. responsibilities articulated in Sections 180 – 184 of the *Corporations Act* 2001 or the responsibilities and liabilities contained in the *Work Health and Safety Act* where States have adopted the harmonised legislation. Section 184 of the *Corporations Act* 2001 provides for Good faith of the Directors, use of position and use of information. Directors understand their obligations and the importance of those obligations is highlighted because of the criminal sanctions that attach to that section. To bring child protection to the forefront of the agenda within Boardrooms suitable sanctions need to be in place to ensure the protection of children has a priority at least as great as the safety of workers and the honesty of the Board. Boards would have in place Policies and Procedures to minimise the risk when it comes to student safety.
- ii. Staff within schools have, under very trying circumstances and tight fiscal constraints, implemented training for compliance in this area. There is no doubt the governing body having a greater understanding of the obligations and challenges would assist with the necessary focus and cultural change. A more thorough understanding of the responsibilities by the governing body would:

ASA

ANGLICAN
SCHOOLS
AUSTRALIA



Anglican Schools Australia
c/o Anglican Schools Commission, PO Box 2520, Mt Claremont WA 6010
Telephone (08) 9286 0290 Facsimile (08) 9384 5023 Email: asa@asc.wa.edu.au
Web: www.anglicanschoolsaustralia.edu.au ABN 93 627 309 630



- assist the management of the school to secure time and resources for professional development;
- assist with the resources to implement programs within the school;
- fully grasp the reputational risk not only to the school but to staff individually who are not thoroughly trained in this area.
- ensure policies were in place to educate its students, parents and staff with respect to child protection.

4. Topic E Education training Professional support and Primary prevention

- i. Professional Development for all staff, not limited to teaching staff, would strengthen the child protection framework particularly if it was within a national framework.
- ii. In order to promote a greater proficiency to staff who have not had direct experience there should be thorough testing and scenario based learning.
- iii. Whilst online learning is expedient and cost effective face to face training is still the most effective way to deliver training in this area.
- iv. Schools are often having to assume responsibility for policy development and training in this area which is extremely costly and is more appropriately seated with experts in child protection.
- v. Educate the students, age and stage appropriate, in student safety.

Primary prevention is a priority within schools. The current thrust of legislative measures addresses the start of the process with a policy complementing legislation and the end of the process with reporting regimes. The central and important element to primary prevention is the education of students. Currently, this is undertaken by individual schools generally in an ad hoc manner without any proven outcomes. Guidelines within the national curriculum or a national program would assist all educators.

As noted above, a national framework is the most apparent requirement for a successful outcome. Particularly within Anglican schools, staff are extremely mobile across State boarders. The current jurisdictional and systemic barriers to sharing information pose a considerable risk to the safety of children.

5. Topic F Reporting and information sharing

We are unable to comment on the effectiveness of the reporting regimes. However, there are several concerning elements:

- as already noted, it is clear that systemic and state boundaries prevent effective and vital sharing of information. There is an urgent need to increase the capacity of sharing information between sectors and states; and
- the list of mandated reporters should be expanded to include all people working with children; for example teacher aides, counsellors, chaplains, sports coaches and music teachers, many of whom will not be registered teachers but working closely, often one on one with children, and not mandatory reporters in some states.

Of some concern is the lack of training given to teaching staff into the elements of a crime or the understanding of when an offence is committed.

Albeit a tight timeline, the ASA Management Committee is grateful for the opportunity to respond to Issue Paper 9. We appreciate that the work of the Royal Commission is extremely important but that it has to be handled in a sensitive, careful and diligent manner. The ASA Management Committee commends the Royal Commission for the work being carried out to date and we are keen to provide further commentary representative of all of our member schools should it be required in future.