

# GUIDELINES

## SEXUAL BEHAVIOUR IN CHILDREN

Responsibility of: Student Wellbeing and Inclusion  
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Target Audience: Staff, parents, school community

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This document should be read in conjunction with the

- [Mandatory Reporting of Harm and Exploitation of Children Guidelines](#)
- Student Wellbeing – Allegations of Sexual Misconduct Policy and Guidelines.

### 1. INTRODUCTION

It is natural for children and young people to display sexual behaviours, however, in some instances the nature of the sexualised behaviours will require a school to respond. Depending on the behaviour, an appropriate response can vary from talking to the child about school behavioural expectations through to making a mandatory report to Territory Families or the Northern Territory Police.

Serious (or harmful) sexual behaviours of children, either self-directed or enacted on others, can have immediate and long-term serious and detrimental impacts including adverse effects on psychological and physical health, development and interpersonal relationships.

The Department of Education (the department) has a strong focus on ensuring all students engage, grow and achieve, and is committed to provide education sites that:

- prevent serious sexual behaviours from occurring
- readily identify the broad spectrum of serious sexual behaviours
- intervene early when serious sexual behaviours first emerge
- provide support to the children/young people who are harmed or those who exhibit serious sexual behaviours
- respond efficiently and effectively to all disclosures and complaints about serious sexual behaviours.

These guidelines are designed to assist schools and education sites to identify and appropriately respond to sexual behaviours in children.

### 2. DEFINITIONS

**Approved education and care service** refers to long day care services, family day care services, out-of-school-hours care services, preschool programs and early childhood programs.

**Children** for the purposes of this document, are all children and young people enrolled at or attending the education sites as defined in this document. **Child** is defined in the *Care and Protection of Children Act* as:

- a) a person less than 18 years of age; or
- b) a person apparently less than 18 years of age if the person's age cannot be proved.

**Duty of care** in the education and care context, refers to the responsibility of school staff to take reasonable care to protect children and young people from all reasonably foreseeable risk of harm and/or injury.

**Educational sites** for the purpose of this document, refers to all NT government preschools, early childhood programs such as Families as First Teachers, primary, middle and secondary schools, colleges and associated boarding facilities, alternative education centres or off site learning programs, out of school hours care and vacation care services, extra-curricular activities such as excursions, camps and interstate trips, and sporting activities.

**Parent** signifies the child's father, mother or any other person who has parental responsibility for the child, including a person who is regarded as a parent of the child under Aboriginal customary law or Aboriginal tradition.

**Quality Education and Care NT (QECNT)** is the regulatory authority responsible for administering the Education and Care Services National Law and Regulations in the NT.

**Relationship and sexuality education** is a focus area of the Australian Curriculum: Health and Physical Education. This focus area addresses physical, social and emotional changes that occur over time and the significant role relationships and sexuality play in these changes.

**School staff** includes all adults at the education site, including volunteers, school council employees and other adults in the vicinity of children in the department's care, including Aboriginal Child and Family Centres and Families as First Teachers.

**Sexual behaviours** for the purposes of this document, can include any talk, touch, questions, conversations and interests which relate to sexuality and relationships. Sexual behaviours can range from developmentally appropriate, concerning or serious and serious in nature.

**Site leader** is the person who has responsibility for the welfare of children and young people at that educational site; for example, the principal, director, manager; or the person to whom the site leader has delegated relevant authorities.

[Traffic Lights® guide to sexual behaviours in children and young people](#) (Traffic Lights® guide) is a tool developed by Family Planning Queensland to assist adults to identify and respond to sexual behaviours in children to support the development of healthy sexuality and protect children and young people from harm and abuse. The Northern Territory Department of Education has copyright permission from Family Planning Queensland to publish this resource.

### 3. ROLES AND RESPONSIBILITIES

**Deputy Chief Executive Education NT will:**

- make determinations regarding the alternative education options for a child who is displaying ongoing serious sexual behaviour that has or may constitute unacceptable risk to other children or staff.

**Executive Director School Improvement and Leadership (SIL) will:**

- make recommendations regarding the alternative education options for a child who is displaying ongoing serious sexual behaviour that has or may constitute unacceptable risk to other children or staff.

**Senior Director School Improvement and Leadership (SIL) will:**

- liaise with the principal/site leader to determine whether the deployment of a critical response team is required for a serious sexual behaviour incident
- make recommendations regarding the alternative education options for a child who is displaying ongoing serious sexual behaviour that has or may constitute unacceptable risk to other children or staff.

**Principal or educational site leader will:**

- ensure duty of care obligations for school staff are understood and upheld
- ensure all staff have a sound understanding of healthy sexual development, as well as concerning and serious sexual behaviour
- ensure school staff are familiar with this document, the [Traffic Lights® guide](#) and their mandatory reporting obligations
- respond to and manage incidents or allegations of an incident of concerning or serious sexual behaviours by a child in accordance with these guidelines and mandatory reporting obligations
- engage with key stakeholders such as parents, Territory Families and police to manage the behaviour of children displaying concerning or serious sexual behaviour
- implement school-wide behaviour codes and sexuality education programs to promote a healthy and safe school environment
- ensure efforts are made to maintain confidentiality of all students and families involved in an incident or allegation.

**School staff will:**

- ensure they understand and uphold their duty of care obligations
- ensure they have a sound understanding of healthy sexual development, as well as concerning and serious sexual behaviour
- are familiar with this document, the [Traffic Lights® guide](#) and their mandatory reporting obligations
- respond to incidents or allegations of an incident of sexual behaviour by a child in accordance with these guidelines and mandatory reporting obligations
- notify the Principal/educational site leader of the incident or allegation as soon as possible.

Parents shall:

- support their child and the school through commitment to actions identified in the relevant student support plan.

#### 4. PREVENTION MEASURES

Although the purpose of these guidelines is to assist schools to identify and effectively respond to sexual behaviours in children, it is also important that schools employ measures that discourage behaviours that are concerning or serious. These measures include:

- promoting respectful school behaviour codes throughout the school community, including students, staff, volunteers, parents and visitors
- engaging in professional development regarding respectful relationships
- ensuring processes for reporting bullying, harassment and violent behaviour in the school community are understood and effective.
- ensuring teachers plan, deliver and assess comprehensive Relationship and Sexuality education programs across all years of schooling in line with the Australian Curriculum: Health and Physical Education - Relationships and Sexuality focus area
- ensuring parents are informed of the school's behaviour expectations and the processes it will follow to intervene in incidents or allegations of an incident of concerning or serious sexual behaviours
- managing interactions between children and young people of different age groups or developmental capacity.

#### 5. IDENTIFYING SEXUAL BEHAVIOUR

Sexual behaviours can range in nature from developmentally appropriate behaviours to concerning and serious behaviours that require a response.

To promote a consistent and appropriate approach to identifying and responding to sexual behaviours in children, the department has adopted the [Traffic Lights® guide](#) to sexual behaviours in children and young people (refer to [Attachment 1](#)).

The [Traffic Lights® guide](#) categorises sexual behaviours into three levels:

- red – serious
- orange – concerning
- green – age appropriate.

##### 5.1 Contextual information

To identify which category a behaviour falls into and determine the most appropriate response, a number of factors need to be considered. These include:

- age and developmental capacity of the child/children involved
- context in which the behaviour has taken place
- behavioural history of the child/children involved
- how the behaviour impacts the behaviour of the other child/children involved
- risk that the behaviour imposes on others.

These factors are important when determining whether the behaviour is age appropriate, concerning or serious (refer to [Attachment 2](#): Identification and Response to sexual behaviours scenarios).

## **5.2 Age appropriate sexual behaviour**

Sexual behaviours that are of an age appropriate nature are not included within the response processes outlined in these guidelines.

Generally, where an incident involving age appropriate sexual behaviour occurs in a school setting it can be addressed through:

- reinforcement of the social safety and health expectations of the school
- discussion about the impact of the behaviour on others
- contact with parents to advise of the school's response and to reinforce the age appropriate nature of the incident.

## **5.3 Considerations for students with disability**

When considering the sexual behaviour of students with disability, particularly students with cognitive and/or intellectual disability and/or special learning needs, what is considered 'age appropriate' may not apply.

Section 90 of the Education Act requires principals/educational site leaders to consider the following factors prior to making decisions relevant to the management of student behaviour:

- age of the student
- developmental stage of the student
- whether the student is a child with special learning needs
- mental health and wellbeing of the student
- physical health and wellbeing of the student
- any relevant religious or cultural considerations
- student's home environment and arrangements in place for the student's care.

## 6. IDENTIFYING SEXUAL BEHAVIOUR

### 6.1 Concerning sexual behaviours

<b>First staff member involved</b>	<p><b>Reassure and show care:</b></p> <ul style="list-style-type: none"><li>• respond calmly and control expressions so as not to portray feelings of alarm or shock</li><li>• provide appropriate reassurance and allow the child to decide what they would like to say</li><li>• do not make judgements or promises about what you hear but reinforce that you are there to help</li><li>• do not interview anyone.</li></ul> <p><b>Respond to information:</b></p> <ul style="list-style-type: none"><li>• using other staff, establish the whereabouts of any other student/s involved</li><li>• if necessary, separate students so they have staff supervision in a safe location away from each other and other students</li><li>• ensure staff helping with supervision do not ask any questions about the incident</li><li>• quarantine any material (including electronic) connected with the incident.</li></ul> <p><b>Handover:</b></p> <ul style="list-style-type: none"><li>• inform and handover to the principal or site leader</li><li>• immediately write down, sign and date what you have heard, observed and done and provide a copy to the principal or site leader.</li></ul>
<b>Initial assessment by principal or educational site leader</b>	<p>Using open questions, gather as much additional information as needed to make an initial assessment of the incident. Do not bring students together in this process.</p> <p>As outlined in section 5 of these guidelines, using the contextual information regarding the incident and the Traffic Lights® guide, determine the seriousness of the behaviour.</p> <p>If determined that a student has exhibited concerning sexual behaviours, the following response actions are to commence, considering both the:</p> <ul style="list-style-type: none"><li>• children who have engaged in the sexual behaviours</li><li>• children who have been affected by the sexual behaviours.</li></ul>

	Engaged in the behaviour	Affected by the behaviour
Response to the student	<ul style="list-style-type: none"> <li>Refer to section 8.1 to determine whether a report should be made to the <a href="#">Territory Families Child Protection Hotline on 1800 700 250</a>.</li> <li>Reinforce why the behaviour is unacceptable and the school's expectations of future behaviour.</li> <li>If the student is under the care of the Territory Families CEO, contact their case manager.</li> <li>Depending on the student's age and any previous incidents, consider the appropriateness of immediate responses such as:               <ul style="list-style-type: none"> <li>establishing prohibited areas/activities</li> <li>monitoring arrangements</li> <li>detention or internal suspension to enable close monitoring of child (refer to <a href="#">Detention Guidelines</a>)</li> <li>suspension to provide time for the school to put appropriate measures in place (refer to <a href="#">Suspension Guidelines</a>).</li> </ul> </li> <li>Inform other professionals who may already be providing counselling for the student's behaviours.</li> </ul>	<ul style="list-style-type: none"> <li>Assess and respond to the student's needs.</li> <li>Respect the student's preferences, wherever possible, about where he or she wishes to be – home (with parent contact and permission) or school.</li> <li>Positively reinforce the student's action in reporting the behaviour to adults (or through other peers).</li> <li>Advise the student about how to respond to questions from other students and which staff member will be supporting him/her.</li> <li>If the student is under the care of Territory Families CEO, contact their case manager.</li> </ul>
Contact parents of the student and establish student support plan	<ul style="list-style-type: none"> <li>Inform parents and arrange a meeting to discuss immediate responses and longer term behaviour support plan (Attachment A refers). If suspension is used this will be part of the re-entry process.</li> <li>Discuss health and counselling services as part of the behaviour support planning (<a href="#">Attachment C</a> refers).</li> </ul>	<ul style="list-style-type: none"> <li>Inform parents in consultation with the student.</li> <li>Discuss health and counselling services as part of the support planning, if required (<a href="#">Attachment C</a> refers).</li> <li>Arrange a meeting to discuss the support and safety plan for the student, if required (Attachment B refers).</li> </ul>
Advise education leadership management	<p>The principal is required to notify the Senior Director School Improvement and Leadership where the response involves a process that includes the notification of the Director/Manager QSSS. For example:</p> <ul style="list-style-type: none"> <li>if a student is suspended a copy of the <a href="#">Notice of Suspension</a> must be provided to the Director/Manager QSSS</li> <li>if the parents are not satisfied with the school's handling of the incident and wish to escalate a complaint (refer to <a href="#">Complaints management in schools policy and guidelines</a>).</li> </ul>	
Inform other parents and service providers	<p>Inform identified groups of parents if there is suspicion or knowledge that:</p> <ul style="list-style-type: none"> <li>another student may have been affected by the behaviour, currently or in the past</li> <li>another student witnessed the incident</li> <li>accounts of the incident will be circulated amongst the school community or on social media.</li> </ul> <p>Provide relevant information to school leaders/authorities who share a duty of care for any student involved. For example:</p> <ul style="list-style-type: none"> <li>out-of-school-hours care director</li> <li>family day care provider</li> <li>boarding house director.</li> </ul>	
Record	<p>Record the school's actions, any information sharing and the involvement of parents and/or other agencies.</p>	

## 6.2 Serious sexual behaviour

<p>First staff member involved</p>	<p><b>Consider the immediate safety needs of the student/s. Depending on the seriousness of the incident this may include:</b></p> <ul style="list-style-type: none"><li>• provide first aid and/or call 000 for ambulance to attend (112 if using a mobile)</li><li>• call 131 444 for police attendance for serious incidents requiring immediate response</li><li>• alert principal and other staff for assistance</li><li>• protect area from traffic.</li></ul> <p><b>Reassure and show care:</b></p> <ul style="list-style-type: none"><li>• respond calmly and control expressions so as not to portray feelings of alarm or shock</li><li>• provide appropriate reassurance and allow the child to decide what they would like to say</li><li>• do not make judgements or promises about what you hear but reinforce that you are there to help</li><li>• do not interview anyone.</li></ul> <p><b>Respond to information:</b></p> <ul style="list-style-type: none"><li>• using other staff, establish the whereabouts of any other student/s involved</li><li>• if necessary, separate students so they have staff supervision in a safe location away from each other and other students</li><li>• ensure staff helping with supervision do not ask any questions about the incident</li><li>• quarantine any material (including electronic) connected with the incident.</li></ul> <p><b>Handover:</b></p> <ul style="list-style-type: none"><li>• inform and handover to the principal or site leader</li><li>• immediately write down, sign and date what you have heard, observed and done and provide a copy to the principal or site leader.</li></ul>
<p>Initial assessment by principal or educational site leader</p>	<p>As outlined in section 5 of these guidelines, apply contextual information regarding the incident and professional judgement to the <a href="#">Traffic Lights® guide</a> to determine the seriousness of the behaviour.</p> <p>Once it has been established that the incident is of a serious nature, students should not be questioned any further. Formal interviewing will be undertaken by Department of Territory Families and/or police.</p> <p>If determined that a student has exhibited serious sexual behaviour, the following response actions are to commence, considering both the:</p> <ul style="list-style-type: none"><li>• children who have engaged in the sexual behaviour</li><li>• children who have been affected by the sexual behaviour.</li></ul>



	Engaged in the behaviour	Affected by the behaviour
Response to the student(s)	<ul style="list-style-type: none"> <li>Report the incident/allegation to <a href="#">Territory Families' Child Protection Hotline on 1800 700 250</a>.</li> <li>Keep the student supervised until other agencies provide advice or the care of the student is handed over to an appropriate parent or guardian.</li> <li>If electronic technologies are involved, quarantine (unopened) until further advice from Territory Families /police.</li> <li>If the student is under the care of Territory Families CEO, contact their case manager.</li> <li>Depending on the student's age and any previous incidents, consider the appropriateness of immediate responses such as:               <ul style="list-style-type: none"> <li>establishing prohibited areas/activities</li> <li>monitoring arrangements</li> <li>detention or internal suspension to enable close monitoring of child (refer to <a href="#">Detention Guidelines</a>)</li> <li>suspension to provide time for the school to put appropriate measures in place (refer to <a href="#">Suspension Guidelines</a>)</li> <li>alternative education options for high risk students (refer to section 9)</li> <li>expulsion (refer to <a href="#">Expulsion Guidelines</a>).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Report the incident/allegation to <a href="#">Territory Families' Child Protection Hotline on 1800 700 250</a>.</li> <li>Maintain adult supervision of the student but allow a non-involved friend to support him/her if this is requested / seen to be helpful.</li> <li>Positively reinforce the student's action in reporting the behaviour to adults (or through other peers).</li> <li>Do not allow the student to leave the site until parents have arrived or their permission is given. (Exception: If school staff believe that the student will be at increased risk by informing the parents take direction from Territory Families.)</li> <li>If the student is under the care of Territory Families CEO, contact their case manager.</li> <li>Advise the student about how to respond to questions and social media reports/comments from other students and which staff member will be supporting him or her.</li> </ul>
Contact parents of the student and establish student support plan	<ul style="list-style-type: none"> <li>Follow direction from Territory Families or police as to who contacts the parents, where and at what time. Ensure supervision / take home is also discussed.</li> <li>During initial contact with parents, arrange a meeting to discuss immediate responses and longer term response.</li> <li>Establish a behaviour support plan in consultation with the student and parents as soon as possible (Attachment A refers). If suspension is used this will be part of the re-entry process.</li> </ul>	<ul style="list-style-type: none"> <li>Confirm with Territory Families or police that this contact is advisable.</li> <li>Ensure parents are aware of the agencies that may be interviewing their child or involved in providing support.</li> <li>Discuss health and counselling services as part of the support planning, if required (<a href="#">Attachment C</a> refers).</li> <li>Arrange a meeting with parents to discuss the support and safety plan (Attachment B refers).</li> </ul>
Advise Education leadership management	<p>At the first practical opportunity the principal is required to advise the Director/Manager QSSS of the incident and provide details of the school's response so far.</p> <p>The Director/Manager QSSS will determine whether the deployment of a critical response team is warranted in the circumstances.</p> <p>If the principal considers that the child's presence at the school possesses an unacceptable risk to staff and students, approval for an alternative education option may be sought (refer to section 9).</p>	

<b>Inform other parents and service providers</b>	<p>Inform Territory Families or police if there is suspicion or knowledge that:</p> <ul style="list-style-type: none"><li>• another student may have been affected by the behaviour, currently or in the past</li><li>• another student witnessed the incident</li><li>• accounts of the incident will be circulated amongst the school community or on social media.</li></ul> <p>Confirm with Territory Families or police that contact with identified groups of parents is advisable.</p> <p>Provide relevant information to school leaders / authorities who share a duty of care for any student involved. For example:</p> <ul style="list-style-type: none"><li>• out-of-school-hours care director</li><li>• family day care provider</li><li>• boarding house director.</li></ul>
<b>Record</b>	<p>Record the school's actions, any information sharing and the involvement of parents and/or other agencies.</p>

## 7. STUDENT SUPPORT PLANS

### 7.1 Behaviour support plan

A behaviour support plan is to be developed in consultation with all stakeholders, including the child, where the child has exhibited concerning or serious sexual behaviour. The plan should outline actions, expectations and the responsibilities of the school, student, parents and any external agencies in ensuring that an incident of this nature does not occur again. The plan is to be reviewed regularly to ensure its effectiveness.

The consequences of a failure of the child and/or their parents to comply with the requirements of the plan are also to form part of the plan. These may include:

- a mandatory report to Territory Families
- suspension of the student from the school
- provision of alternative education arrangements such as enrolment at Northern Territory Open Education Centre or Alice Springs/Katherine School of the Air.

It should be noted that the effectiveness of a behaviour support plan relies on identifying the underlying causes of the student's behaviours. School staff should consult their student services support officer, the student's parents, school psychologist or other appropriate specialist/professional involved with the student. Failure to identify the underlying issue or issues can lead to the behaviours continuing, escalating or being replaced by other concerning or serious behaviours.

### 7.2 Support and safety plan

A support and safety plan is to be developed for the child who has been affected by an incident of serious sexual behaviours in consultation with all stakeholders, including the child. The purpose of the plan is to ensure that the child is protected from any further incidents of this nature through the implementation of actions, expectations and responsibilities of the school, student, parents and any external agencies that may be involved in supporting the student and family. The plan is to be reviewed regularly to ensure its effectiveness.

## 8. LEGAL OBLIGATIONS

### 8.1 Mandatory reporting

When responding to any incident of sexual behaviour, mandatory reporting obligations must also be considered and, where appropriate, form part of the response process. Any incident of serious sexual behaviour must be reported to the Territory Families [Child Protection Hotline on 1800 700 250](#).

School staff must report any sexual activity where a child under 18 years has suffered or is likely to suffer harm or exploitation. For further information, refer to the department's [Mandatory Reporting of Harm and Exploitation of Children Guidelines](#) and the [Mandatory Reporting Training PowerPoint](#).

### 8.2 Children enrolled in early childhood programs

If the matter involves a child enrolled in an early childhood education program, the matter must also be reported to Quality Education and Care Northern Territory (QECNT) as required by the [Education and Care Services \(National Uniform Legislation\) Act 2011 \(NT\) via the National Quality Agenda IT System \(NQAITS\)](#).

### 8.3 Protecting the identities of children

Part 5.3 section 301 of the [Care and Protection of Children Act](#) makes it an offence to publish any material that may identify a child who is involved (whether as a victim or offender) in a sexual offence or alleged sexual offence.

Even where an incident is not considered to be a sexual offence, schools shall not publish the identity of students involved when communicating an incident to the school community.

### 8.4 Information sharing

Part 5.1A of the [Care and Protection of Children Act](#) allows information sharing authorities to share information that relates to the safety and wellbeing of children. This includes information about a person, other than the child, that directly or indirectly relates to the safety and wellbeing of the child.

The [Care and Protection of Children Act](#) provides a comprehensive list of who is considered to be an information sharing authority. The Territory Families document [Information Sharing Guidelines also sets out](#) 'authorised information sharers' as per the [Care and Protection of Children Act](#). This includes:

- a Chief Executive Officer of an agency or a public sector employee who is acting under the law of the Territory in relation to a child
- an approved provider of an education and care service operated under the [Education and Care Services \(National Uniform Legislation\) Act](#)
- a principal of a government or non-government school
- a teacher registered under the [Teacher Registration \(Northern Territory\) Act 2004 \(NT\)](#)
- a person in charge of an organisation that receives funding from the Commonwealth or Territory to provide a service, or perform a function, for or in connection with children.

This legislation allows for principals and teachers to share information regarding the safety and wellbeing of a child with other government agencies and/or services that have a role in supporting the needs of a child. This provision should be used to develop and implement student support plans.

## **8.5 Information sharing with parents and other service providers**

A school's response to problem sexual behaviours will often require information sharing with other professionals who have a duty of care to the child and the parents of children who are suspected of having been affected.

Sharing information is not complex if you have permission to do so and this is the recommended approach; however, it is also recognised that:

- it is not always safe to seek consent
- people will not always give consent when asked.

For some parents the idea of sharing information about their child's sexual behaviours is uncomfortable and may contradict their views about fairness. Schools must be sensitive to these responses but they must also act to protect against risks to the safety and wellbeing of others.

[Attachment 3](#) provides a scenario of how a site leader should approach this type of situation and ensure that information is shared only in order for people to understand and protect against risk.

## **9. ALTERNATIVE EDUCATION OPTIONS**

Where a child is not responding to their behaviour support plan, and continues to exhibit serious sexual behaviours that poses a significant risk to the safety and wellbeing of staff and students, it may be appropriate to seek alternative education options for that student. This may include enrolment in distance education providers such as the Northern Territory School of Distance Education or Alice Springs/Katherine School of the Air.

### **9.1 Approval process for alternative education options**

Where a principal believes that this is an appropriate course of action, they should undertake the following steps.

1. Suspend the student for the maximum period of one calendar month to allow time to gain approval and make relevant arrangements (refer to [Suspension Guidelines](#)).
2. Advise the student and their parents (or, if the student is under the care of Territory Families CEO, their case manager) in writing of the intention to make alternative education arrangements for the student.
3. To ensure natural justice is afforded before a final decision is made, provide the student and their parent the opportunity to meet or make a submission to the principal within three working days.
4. Immediately consult the Director/Manager QSSS regarding the intentions to seek an alternative education option for the student.
5. Forward a recommendation to the Deputy Chief Executive – Education NT, through the Senior Director School Improvement and Leadership QSSS and General Manager QSSS via a submission that includes:

- i. a copy of the Notice of Suspension
- ii. the reasons for recommending an alternative education option, including a detailed account of the incident or incidents giving rise to the recommendation
- iii. all relevant supporting documentation relied upon by the principal in reaching their decision including statements and any other evidence to be relied upon by the Deputy Chief Executive – Education NT in making a decision
- iv. where the student has a medical or other relevant condition which may give rise to the child having special needs, full particulars of any such condition(s) and the associated special needs
- v. full particulars of the incident and copies of all correspondence and other details of communications with the student
- vi. evidence of contact and advice provided by relevant agencies and/or health professionals
- vii. all submissions, if any, made by or on behalf of the student.

The Director/Manager QSSS must carefully check the recommendation and liaise with the principal and Legal Services to ensure it is appropriate to seek an alternative education option.

The Director/Manager QSSS shall also identify the alternative education options that best suit the student's needs through liaising with the relevant principals and include this information with the recommendation to the General Manager QSSS.

The General Manger QSSS shall also carefully check the recommendation, supporting documentation and identified alternative education option prior to forwarding to the Deputy Chief Executive.

The Deputy Chief Executive shall consider the recommendation of the principal, recommended alternative education option of the General Manager and Director/Manager QSSS and all relevant documentation or further conversations to make an informed decision. The Deputy Chief Executive must advise the student and the parents of the decision in writing, including reasons for the decision.

Acknowledging that the Deputy Chief Executive must reach a decision and advise the student of decision before the period of suspension has expired, the steps outlined above must be carried out in a timely manner.

## **9.2 Children who have been convicted of a sex offence**

An alternative education option may also be sought to accommodate children who have been convicted of a sexual offence through the judicial system and the court charges the department with the responsibility to make provisions for their education.

It will often be the case that such children will not be engaged with a school and that it will be either the department's Court Liaison Officer or the child's Territory Families case manager who becomes aware of such students.

In such cases the Court Liaison Officer or the child's Territory Families case manager shall liaise with the General Manager Student Wellbeing and Inclusion to determine whether the most appropriate course of action is to seek an alternative education option. If so, the General Manager Student Wellbeing and Inclusion shall be responsible for providing recommendations to the Deputy Chief Executive.

## **10. LONG-TERM RESPONSE**

### **10.1 Children who have been convicted of a sex offence**

The school must continue to monitor the safety and wellbeing of children in accordance with the relevant behaviour support plan and support and safety plan. This shall include:

- continuing liaison with other agencies and professionals providing services
- maintaining and inviting regular communication with identified parents
- seeking support through the Student Wellbeing and Inclusion team, especially if a student has been placed in an alternative education option
- considering who else will need to understand the student support plans for all children involved
- initiating planning discussions with parents and agencies if behaviour does not improve
- continuing to record the school's actions.

### **10.2 Incident review**

The purpose of an incident review is to objectively analyse improvements to how the school managed the incident and what may help prevent another incident of the same kind.

A review process will vary from school to school and may:

- involve one or all of the following groups: school staff, children, parents, personnel from other agencies, regional staff
- be conducted via a written survey or through informal meetings
- be facilitated by the site leader, a nominated staff member or someone not employed at the site such as a critical incident response team member.

All review processes will have in common:

- documented summaries including proposed improvements
- how the result of the review will be communicated to school staff.

## **11. RECORDING INCIDENTS**

All incidents of concerning and serious sexual behaviour and the school's response actions are to be recorded and kept as confidential records in accordance with school processes. The principal is responsible for managing the documentation and providing records to the department executive, police, Territory Families or any other stakeholder in keeping with the [Care and Protection of Children Act](#).

Additionally, all incidents are to be recorded in Student Administration Management System (SAMS) against the records for each student involved in or affected by an incident, as outlined for staff in the SAMS G2 [Behaviour Module Training Manual](#).

Where records are created in the course of actions such as suspension, alternative education options and expulsion, where copies are to be provided to regional or corporate offices, staff must record these documents in TRM (NT government records management system) using the appropriate security caveats to ensure confidentiality.

## **12. ACKNOWLEDGEMENTS**

The department gratefully acknowledges:

- South Australian Department for Education and Child Development, Catholic Education South Australia and the Association of Independent Schools of South Australia (2013), [Responding to problem sexual behaviour in children and young people – guidelines for staff in education and care settings](#) South Australia: Government of South Australia, Department for Education and Child Development.
- Family Planning Queensland for granting copyright permission to utilise the [Traffic Lights® guide to sexual behaviours in children and young people](#)
- the support of Territory Families, the Department of Health and the Northern Territory Police with the drafting of this document.

## **13. LIST OF ATTACHMENTS**

[Attachment A: Traffic Lights® guide to identify sexual behaviours in children and young people](#)

[Attachment B: Identification and response to sexual behaviours scenarios](#)

[Attachment C: Information sharing scenario](#)

[Attachment D: Behaviour and support plan template](#)

[Attachment E: Support and Safety plan template](#)

[Attachment F: Services that can assist](#)