



Catholic Schools Office Diocese of Lismore

School Counsellor Expectations Policy

Including Role, Definitions, Acceptance of Responsibilities for Principal and Counsellor

Status:	SCEP3:8
Replaces:	Version 2 2012 Handbook
Date Issued:	May 2014
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Policy Contact Officer:	Assistant Director Education Services

Related Documentation:

CSO Records Management Policy
Health Records & Information Privacy Act 2002. Schedule 1
NSW Education Act
S25 Health Records & Privacy Information Act
The Children and Young Persons Act 1998' and 2010 'Keep Them Safe'
The Health Records and Information Privacy Information Act 2002
Part 5A legislation
Family Law Act

The Catholic Schools Office provides schools with a wellbeing allocation through the Staffing Establishment process. This allocation is intended primarily and substantially for the use of 'student counselling' as defined in this policy statement. While schools have some flexibility in the use of this allocation, other therapies such as sandplay, when conducted by persons not defined as a 'counsellor', are not encouraged if they use the bulk of the allocation.

This paper represents the Counsellor Policy and the Acceptance of Responsibilities (Principal and Counsellor).

The school's Wellbeing allocation is released when the Acceptance of Responsibilities (Principal and Counsellor) is signed.

The school principal and the counsellor must read this policy document based on advice from the CEC NSW and sign as required throughout the document indicating acceptance and understanding.

The grey sections indicate where specific information is required from the counsellor or where the principal and counsellor signature is needed to indicate acceptance.

A copy of this signed document is to be forwarded to the Assistant Director Education Services. A copy of this signed document is to be provided to the counsellor. A copy of this signed document is to be kept at the school.

This document is to be completed by mid-term 1.

Principals or counsellors who are unsure of any of the regulations, definitions or responsibilities in this document are to contact the Assistant Director Education Services for clarification.

I confirm the bulk of the Wellbeing allocation is used for the purposes of student counselling.

Principal Initial _____ Date _____ Principal Name _____

School Name _____ Town _____

Counsellor Name _____

1.0 Duty of Care

Principals, teachers and other staff members such as school counsellors have a duty to take reasonable care to protect students from a foreseeable risk of harm. School counsellors undertake an important role in minimising the risk of harm to students. School Counsellors often consult with students who are vulnerable, have significant issues or are at risk.

In order to discharge their duty of care, the school counsellor must not only listen to and counsel the student but must also communicate with the school principal about any issues identifying a risk of harm to that student. This communication is important because there may be other issues concerning that student that are known to the school principal but not to the school counsellor.

A school counsellor is administratively accountable (see later section: Counsellor Principal Involvement) to the school principal who has the overall responsibility to discharge the school's duty of care for all students enrolled at that school.

2.0 The Distinction between Pastoral Care and Student Wellbeing

Contemporary Catholic schools support initiatives that underpin student wellbeing through Pastoral Care. Pastoral care is the responsibility of each person. It is founded on the teaching of Jesus Christ that his followers are to 'love one another as I have loved you'. Pastoral care is fundamentally related to the daily relationships people have with each other and God. The Gospel of Matthew (25:31-45) reflects on pastoral care in terms of feeding the hungry, receiving strangers, clothing the naked, and visiting the imprisoned and Jesus taught "...Whenever you did this for one of the least important of these brothers of mine, you did it to me." (v.40)

In this context, each member of the school community (administrators, parents, students and teachers) is invited to further promote Catholic schooling as a holistic process focused on the integral formation and personal development of each student (The Catholic School pp 26 and 27). Pastoral Care therefore is a comprehensive concept inclusive of student wellbeing. Pastoral Care promotes the personal development of each student while also contributing to the proper functioning of each school.

Student Wellbeing is a student's level of satisfaction about the quality of their life at school. Optimal (or desirable) wellbeing is characterised by positive feelings and attitudes, positive relationships with other students and teachers, resilience, and satisfaction with self and learning experiences at school. (Noble, McGrath, Roffey and Rowling, 2008)

The centre of the task for both Pastoral Care and Student Wellbeing is the development of the human person, as a unique spiritual individual created in God's image and likeness. It also needs to be remembered that each school discharges this duty in the context of the role of its wider Church community, including Parish and Diocesan support structures.

2.1 Role of the Counsellor

The positions of school counsellor, year coordinator, chaplain and principal in respect of student wellbeing require definition at the school level so each person understands their position, responsibilities and relationships thus the school's duty of care can be properly discharged. School counselling is a specialisation closely related to, but separate from, pastoral care roles.

The person with ultimate responsibility for the wellbeing of all the students in the school is the school principal. In this context tensions can exist between the safety and wellbeing of any one individual student and the safety and wellbeing of the wider school community. This issue is often highlighted in schools through legal requirements such as Part 5A of the NSW Education Act. Part 5A of the NSW Education Act establishes legal duties relating to the management of students who exhibit violent behaviour, including self-harm.

Counselling is that professional activity which strengthens interpersonal relationships to enable individuals to develop self-understanding for the purpose of making positive changes in their lives. In the school context, the focus of counselling is on relationships, that is, on interactions between individual students and other members of their school community. The purpose is to mitigate those environmental and interpersonal barriers that impede student success at school. In this way, the role of school counselling is intended to serve the educational enterprise of the school by fostering conditions that maximise educational equity, access, and learning success for all students.

School counsellors in Catholic schools not only need to be qualified clinical practitioners who have a knowledge and appreciation of school environments, they also need to be fully supportive of the ethos and purpose of the Catholic school. Moreover they also need to be

mindful that each member of the school community is made in the image and likeness of God.

There are members of every school staff whose roles will relate to that of the school counsellor, such roles include: pastoral coordinators, year coordinators, chaplains, learning support coordinators and career advisors. The involvement of Parish Priests also needs to be considered. These staff members are able to listen to students and offer the student guidance, but it is not their role to 'counsel' in any therapeutic sense. Consequently the title student counsellor should not be extended to such staff. That is, the words 'counsel', 'counsellor' and 'counselling' should not appear in the role descriptions of any staff member other than a qualified and officially recognised school counsellor.

School counselling is a service in the Catholic school that complements the work of any designated pastoral team, and in doing so, upholds the distinctive nature of the Catholic school. The specific clinical skills required, however, are not to be seen as skills that other members of staff necessarily possess, no matter how student focused such staff may be.

The role of the counsellor in relation to other pastoral roles in the school has been made clear to the counsellor. The counsellor is fully supportive of the ethos of the school.

Counsellor Initial _____ Date _____ Principal Initial _____ Date _____

3.0 Counsellor Qualifications

To be called a counsellor in the Diocese of Lismore you must meet three requirements

- You must have a recognised university degree in an appropriate discipline
- You must be a member of a Professional Association and
- You must have a clinical supervisor

A recognised university degree in:

(i) Psychology or

(ii) Social Work/Welfare or

(iii) Counselling or

(iv) a relevant university degree with a major in counselling

Existing counsellors who are not so qualified must achieve one of these benchmark qualifications by 2018.

Counsellors must also be an active member of an accredited national or state based professional association for example the (i) Australian Psychological Society, the (ii) Australian Association of Social Workers or the (iii) Counsellors and Psychotherapists Association of NSW or the Australian Counsellors Association (ACA). The counsellor's association details are to be completed below. Approval to act as a counsellor in the Diocese will be dependent on evidence being provided that the professional maintenance requirements of the counsellor's relevant Association are being met.

In addition, each counsellor must be able to document evidence of on-going clinical supervision and annual professional development.

Counsellor Qualifications and Professional Membership

I believe I meet the criteria above to be called a counsellor (circle) Yes No

(If the response is NO, you can agree in writing to undertaking the required degree and complete the degree by 2018. This signed statement is to be attached to this return).

My degree title is: _____

The conferring university is: _____

Date conferred: _____

My Professional Association name is: _____

This association requires the following professional development hours: _____

A photocopy of my membership is attached to this return: YES NO

4.0 Counsellor: Supervision Clinical

Clinical supervision is a confidential and structured conversation between each counsellor and an appropriately qualified clinical supervisor. Each clinical supervisor is typically a qualified and experienced registered psychologist or member of AASW or they may be a clinical member of CAPA. Clinical supervision involves elements of debriefing, counselling, case management, guidance, reflection, leadership and review of work practices.

The aim of clinical supervision is to support each school counsellor to maintain a high level of professional practice. It provides an opportunity for the early detection of potential poor practice or counsellor stress or career fatigue.

It is essential that clinical supervision is only provided by a suitably qualified and trained person. A supervisor should be appropriately registered with one of the relevant professional associations, (such as the Australian Psychological Society (APS), the Australian Association of Social Workers (AASW) or the Counsellors and Psychotherapists Association of NSW (CAPA)). Each clinical supervisor must have demonstrated experience with the provision of supervision.

Due to school counsellors being frequently exposed to distressing information and vicarious traumatisation, the provision of formal clinical supervision is also a Work Health & Safety issue and, therefore, an essential practice for all school counsellors.

Access to an external clinical supervisor must be arranged by the counsellor and detailed on the Acceptance of Responsibility Form associated with this policy.

The supervision arrangement must be approved by the principal. If a circumstance develops where the clinical supervisor doubts the professional advice offered by the counsellor, the clinical supervisor will raise the doubts with the counsellor and if not addressed they notify the principal and the Assistant Director Education Services at the Catholic Schools Office.

My clinical supervisor is: _____

Clinical Supervisor qualifications: _____

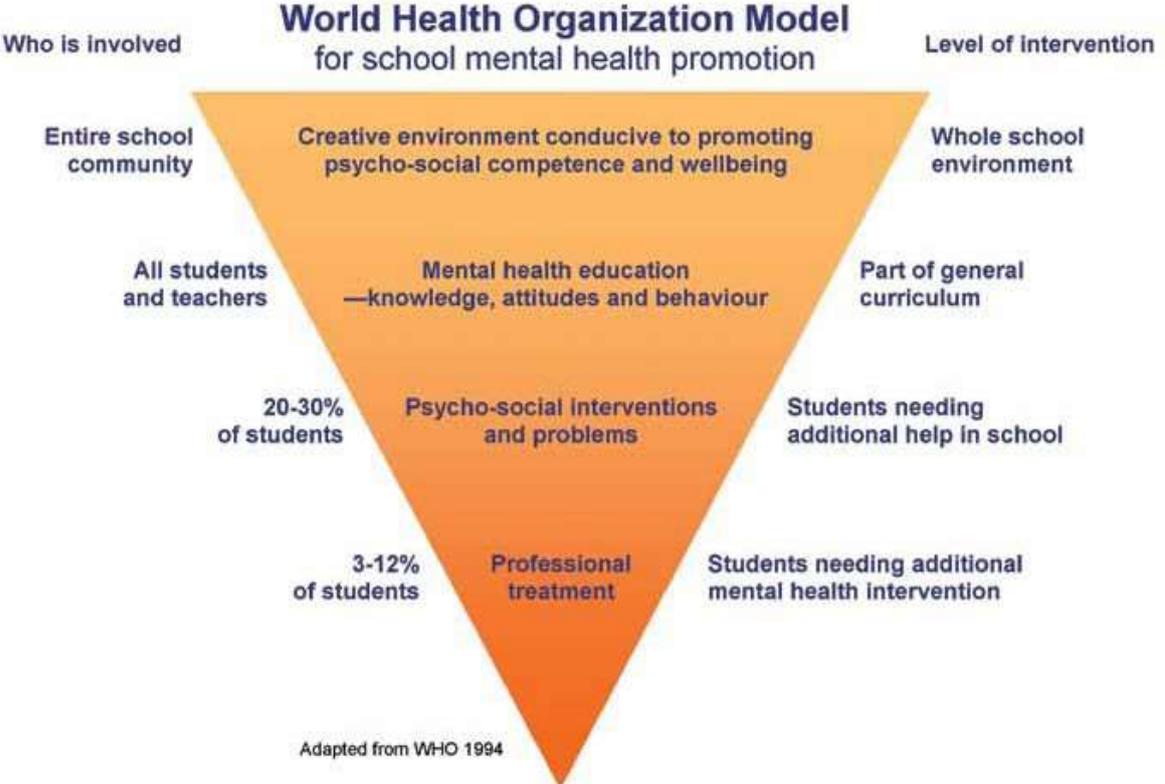
Clinical supervisor contact detail: _____

I meet this supervisor each: _____

Counsellor Initial _____ Date _____ Principal Initial _____ Date _____

(Contractors only) My professional indemnity insurance and certificate of currency (or professional maintenance log) is included in this return (circle) Yes No

5.0 Student Support Hierarchy



While some members of the school community, such as pastoral care coordinators and chaplains, may be able to engage with students at the entry level of the above cited model, students in stress or distress who require professional treatment need the clinical expertise of a qualified school counsellor. The professional discernment of the counsellor around such cases is very important. In many cases the school counsellor will provide case management support rather than any direct clinical ‘treatment’.

6.0 Counsellor: Accountability

Counsellors contracting to schools (invoicing the school directly for services provided) must hold professional indemnity insurance and produce a Certificate of Currency for the principal.

Be aware of the need to be professional in dress, actions and conduct in the school setting.

Procedures need to be in place at each school to clarify that the school counsellor is administratively responsible (section over) to their school principal while they are working in a school. School principals will be briefed on duty of care cases and issues by the school counsellor.

In order to support the school counsellor as a member of staff, the school principal must ensure that the school counsellor, whether full-time or part-time, participates in a full induction program in the same manner as every other member of staff. This is to ensure that the school counsellor understands and appreciates the culture of the particular Catholic school including its policies, procedures and practices. At a minimum counsellors need to know (i) who the school's WHS representatives are, (ii) the school's critical incidents procedures, and (iii) reporting and record keeping procedures.

The school counsellor's primary role is to provide a mental health counselling service to students. When providing this service it can become apparent to the counsellor that the severity of mental health issues is such that an individual student cannot function safely within a mainstream educational setting. It may also become evident that a student requires specialist support beyond the service capacity of the school counsellor. As a consequence, referral to and liaison with external support services is a key school counsellor responsibility.

School counsellors must ensure that the nature of the relationship they have with each student is kept strictly professional and objective. School developed counsellor duty statements need to address boundary issues specifically. The implementation of boundary requirements advice needs to be monitored in clinical supervision.

Other than in special circumstances, student homes are not to be visited by a school counsellor. If they are, it must only be done with the knowledge and approval of the school principal. The school counsellor should not undertake a home visit alone. For any home visit, the risk of the home visit must be assessed and all potential Work Health and Safety risks mitigated.

School counsellors need to be aware of and sensitive to student cultural factors. Similarly, special consideration needs to be given to students who are in Statutory Out-of-Home Care (OOHC). School counsellors need to be made aware of those students who are in out-of-home care and each school counsellor needs to be part of the school process by which the required Individual Educational and Health Care Plans are developed for these students.

6.1 Counsellor: Other School Duties

Given the nature of the therapeutic relationship which the school counsellor must have with students, it is not appropriate to require any school counsellor to be a homeroom teacher or equivalent or to undertake playground supervision or any other form of student supervision, such as bus duty. This set of restrictions is necessary given that these roles have the potential to compromise the nature of the relationship between school counsellor and students since such duties may draw the counsellor into the direct administration of the school's discipline policy. The therapeutic relationship can be compromised by direct involvement in student discipline processes and procedures.

Catholic schools seek to establish learning environments for their students that are intellectually stimulating, consistent with gospel values, imbued with the Church's teachings and mission, and which nurture the growth of each individual within a caring community. In this context, it is imperative that the school counsellor supports the ethos of the school.

The role of the school counsellor in the Catholic school context is to provide a service to a school for the mental health and wellbeing of the school's students. The role is unique due to its focus on the facilitation of successful learning outcomes through the relief of stress, distress and anxiety. The school counsellor is the member of a team with expertise in the related areas of mental health and personal wellbeing. In a Catholic school, wellbeing

includes spiritual wellbeing and therefore supporting teams may include Chaplains and Pastors.

The role of school counsellors should focus on personal counselling but may, depending on the qualifications and experience of any particular counsellor, include educational testing and assessment. School counsellors must demonstrate a clear understanding of the link between student wellbeing and learning. School counsellors should complement and enhance the work of class teachers by strengthening each school's student welfare provisions including by providing counselling and psychological assessment for students with specific needs. The work of school counsellors is intended to enhance student learning outcomes by reducing or eliminating barriers to learning caused by a variety of factors including disability, social and emotional difficulties, or family discord.

The school counsellor may be involved as an adviser to the school principal in cases where a student's enrolment status is being reviewed. Where a student with a history of violence, including self-harm, is seeking enrolment in a Catholic school the school counsellor must be involved in their enrolment process and also with the development of a student management plan.

6.2 Counsellor: Role Statement and the Scope of the Work

Each school will develop a Role Statement specific to that school but inclusive of this minimum standard. The duties of school counsellors could include the following:

- Providing counselling to students, individually and sometimes in groups, including appropriate short term therapeutic interventions undertaken within the constraints of counsellor training, experience and supervision; (Group counselling should only be undertaken with the approval of the Counsellor's Clinical supervisor).
- Working in consultation with each school principal, school executive, staff and Diocesan student support services and external agencies to improve student wellbeing and learning outcomes together with the implementation of school or system priorities.
- Working collaboratively with teachers, learning support staff, parents and caregivers, and other agencies to develop appropriate school based support for students.
- Coordinating intervention support planning for students deemed to be at risk.
- Implementing cognitive, social, emotional and behavioural assessments for referred students and reporting the results of assessments and interventions to parents and teachers, where appropriate (as required by their role description).
- Contributing to the social, emotional, and academic development of students by participating in school teams designed to enhance student wellbeing.
- Providing resources and consultancy to school staff to assist them in their pastoral role including assisting individual students within the confines of confidentiality.
- Responding, as part of a team, to critical incidents, including planning and responding to school critical incidents and emergencies.
- Assisting and supporting parents and caregivers to address the social, emotional, and educational development of their children (and linking students and families to Church and community resources).
- Referring students and/or their families and caregivers to other agencies that can support the development of positive student health and wellbeing outcomes.

- Providing reports to principals on aspects of student behaviour with recommendations for future management of students as well as advice to principals in cases of student suspensions and expulsions.
- Delivering personal or social skills education to groups of students.
- Contributing to the development of, and planning for, students with special needs by assisting in the design and or delivery of educational plans.
- Working collaboratively with school teams, parents and caregivers, and other agencies to develop appropriate school based support for students with assessed wellbeing needs.
- Providing parent education as well as professional development for school staff dealing with student wellbeing issues including spiritual wellbeing.
- Providing psychological assessment services for students with specific support needs.
- Contributing to school policy analysis and development.
- Monitoring relevant research and development, particularly in the emerging areas of neuroscience and neurobiology.

Situations can arise where a student will commence counselling without a full entry assessment. If the school counsellor determines that a student's condition is chronic, complex or in need of long term therapeutic intervention, an external referral is most likely required. It is crucial that school counsellors do not attempt to go beyond their level of professional competence. Where a case is referred for external support, school counselling may continue, using a case management approach. Students should only be referred for external support with the knowledge of both the school principal and the counsellor's clinical supervisor. Unless there are compelling reasons to the contrary, each student's parents should also be involved in the referral process.

A mental health diagnosis should not generally be made by a school counsellor. In cases where the counsellor has appropriate clinical training and experience, and where access to external services is limited, the counsellor, with the advice of the clinical supervisor, may determine the mental health disorder.

School counsellors should focus and structure their assessment and liaison work to enable the provision of advice to teachers. Such advice must be developed with the approval of the school principal. The advice needs to be as practical and classroom focused as possible. School counsellors should develop their personal expertise with respect to both behaviour programs and services suitable for schools.

School counsellors should, through training and or professional development, be skilled in addressing the following student behaviour questions:

- What is the problem behaviour (a description)?
- In what setting (or multiple settings) does the behaviour occur?
- With what frequency?
- With what intensity?
- What is the duration of the behaviour?
- Who regards the behaviour as disturbed (teacher only, teachers and parents or caregivers, others)?
- What is the behaviour's impact on the student's learning?

- What is the behaviour's impact on the learning of others?
- How appropriate is the student's current educational program?
- What steps have been taken by the school to modify the behaviour and limit the impact on the student's learning?
- What additional support is required and why?
- What, if any, student disability factors and required DDA Education Standards adjustments apply?

There is a Role Statement in the school for the counsellor based on this policy advice.

Counsellor Initial _____ Date _____ Principal Initial _____ Date _____

6.3 Counsellor: Parental Engagement

Catholic schools recognise that 'Families are the first educators of their children and they continue to influence their children's learning and development during the school years and long afterwards' (Family-School Partnership Framework). Parents engage in their children's education in many ways and in a Catholic school there is a presumption of shared responsibility between parents and schools for the common purpose of the realisation of the best outcomes (both in relation to learning and wellbeing) for each child.

When working with children and young people it is best Catholic school practice to involve parents. Because younger students lack both the capacity to be self-determining and the ability to change environmental influences impacting them, school counsellors should facilitate parent involvement in order to assist each child or young person to achieve a positive school experience. In this context, parents may become recipients of the service by virtue of the fact that the young person is unable to change their situation without significant parental engagement.

The role exercised by parents will change with the developmental stage of each student. There is an evolving community standard with regard to children and young people which indicates that parents will generally be notified that a child under 14 years of age is accessing a counselling service. As the young person moves further into adolescence, the role of the parents moves more to providing a health services 'safety net' for each young person. Striking the balance between affording the young person autonomy and involving the parents at this stage of the young person's life is complex and contestable. The school and the parents need to work collaboratively in the best interest of the young person. In order to avoid doubt and confusion about consent requirements, it is strongly recommended that each school's enrolment form specifies that parents give consent for their children to access the school's counselling service conditional on the parents right to withdraw their consent at a later date if they so decide for any child under 14 years of age.

Children between the ages of 14 and 18 may access counselling services on their own initiative subject to:

- An assessment by the counsellor of each child's capacity to consent. This assessment should be recorded and filed. Counsellors should discuss problematic consent issues with either the School Principal or their clinical supervisor.
- The terms and conditions of the school's enrolment agreement with parents.

The school's enrolment policy specifies that parents give consent for their children to access the school's counselling service conditional on the parents right to withdraw their consent at a later date if they so decide for any child under 14 years of age (secondary only).

Principal Initial _____ Date _____

6.4 Counsellor: Principal Involvement

School counsellors are required to provide timely and accurate information to principals to assist principals to effectively oversee student wellbeing issues. Similarly, principals have responsibility to share relevant information with school counsellors to optimise the best outcomes for students. Each school principal has overall responsibility for the discharge of each school's duty of care for its pupils. When a student's mental health condition is such that serious safety and or risk factors (for themselves or others) exist, the school counsellor's duties extend to the principal, who in fact becomes a service recipient of the school counsellor. The nature of the interaction with the principal in this capacity is one whereby the school counsellor needs to provide advice, consultation and support for the principal in relation to the nature of the serious concerns and preferred interventions or treatment options available for the student. This duality in the counsellor's role as between student and principal can sometimes be conflicting but, as the mental health expert within the school, the counsellor must not only assess the effects of mental health issues as they impact the particular student, but also how they may impact the health and safety of the total school community.

The principal has responsibility to negotiate the tasks which the school counsellor carries out within each school inclusive of reporting obligations.

The school counsellor duty statement should include a requirement regarding the regular provision of a written summary service report to the principal. The length and detail of any report is to be proportionate to the particular issues of concern. Regular reports also need to be provided to the counsellor's clinical supervisor.

The principal is entitled to be informed about any relevant matters impacting the safety of students or staff. The school counsellor has a duty to disclose such information to the school principal in order that the principal may discharge his or her duty of care. When providing this advice a school counsellor may need to determine both what clinical information is disclosed to a school principal and how it is disclosed. Such decision making will often require the counsellor to consult with their clinical supervisor.

The principal and the counsellor agree to meet regularly, exchange information and jointly discharge their duty of care.

Meeting frequency: _____

Counsellor Initial _____ Date _____ Principal Initial _____ Date _____

7.0 Counsellor: Record Keeping and Information Sharing

Record keeping and correct procedures on information sharing is a significant professional responsibility.

School counsellor records must:

- Provide details of the school counsellor's involvement with a particular student.

- Assist in providing appropriate assistance to students.
- Include any school counsellor case notes.
- Be signed and dated.
- Kept in chronological order, most recent first.
- Be factual, or be clearly ascribed as the counsellor's professional interpretation, or another person's opinion.
- Need to be kept private and secure while being subject to the access and correction rights as provided for by law (In particular school counsellors need to apply each school's Privacy Policy).
- Be managed to address the special protections for records relating to either victims of sexual assault or disclosures made in the course of Family Law Act family counselling.

A professionally competent record will:

- Serve as a reminder of the important details of the case.
- Provide a summary of what the counsellor has been told or observed, the advice or recommendations that have been made and the success of the intervention.
- Contain relevant technical data (such as psychometric test results).
- Provide a developmental history which can lead to new insights.
- Allow continuity of management when:
 - The counsellor goes on leave and is temporarily replaced
 - The counsellor is transferred
 - The student moves school
 - Referral to another school counsellor or agency is required.

Student counselling files are confidential records made by school counsellors capturing the needs of individual students. These records may include detailed psychological assessments as well as consultation notes and recommendations addressing student needs. Student records kept by school counsellors, including case notes, are to be maintained in a separate and locked student counselling file. This file and its contents remain the property of the school proprietor. School counsellors should be involved in decisions relating to access to and use of school counselling records.

While the files belong to the school and the school proprietor, there will be restrictions in relation to file access.

The usefulness and accessibility of student counselling files require that they be carefully maintained. Each entry must be legible, dated and signed and include the name and capacity of the writer. If the writer is a registered psychologist, their registration number is to be included.

When a student enrolls in a school and there is reason to believe a student counselling file exists, information may be sought by the receiving school counsellor from the school counsellor of the student's previous school. With respect to schools owned by a single proprietor, this can be done by telephoning, emailing or faxing the relevant school counsellor requesting that a student file transfer takes place. This action is required if the receiving school's counsellor knows or has grounds to believe that the student is in need of ongoing support. Where the new school is not related by ownership to the previous school of enrolment the transfer of counselling records requires either parent consent or statutory

authority, for example Part 5A of the *NSW Education Act* or Section 16A of the *NSW Children and Young Persons (Care and Protection) Act*.

Schools in the Diocese of Lismore must ensure that as students move from primary school to secondary school within the diocese all relevant student information files are copied and transferred. Protocols should be in place between Trinity Catholic College and local Catholic primary schools to ensure the required flow of student information.

In the case of students entering a new school from any school owned by another proprietor, information should be accessed either as a condition of enrolment or where relevant by application of statutory information exchange provisions including:

1. Section 16A of the *Children and Young Persons (Care and Protection) Act* (Child Protection: Students at risk of significant harm)
2. Part 5A of the *NSW Education Act* (Students who pose a risk by reason of violence, including self-harm, to themselves or others)
3. Section 22A of the *NSW Education Act* (Students with a history of school attendance problems)

When a student enrolls in a school outside of a normal enrolment period (that is, outside of the usual movement from early childhood centre to a kindergarten or primary school into high school or from year 10 into senior school for year 11), each school counsellor must be alert to any need to share relevant information from a student's counselling file with the relevant enrolment team of the new school.

Upon receipt of a student counselling file each school counsellor is required to review the student's counselling file to check for advice or incidents that suggest a need for intervention. Such indicators could include those relating to risk of harm to self or others. Each student's social needs, including any history of difficulty with peer relationships or other welfare needs, must be considered and addressed.

In cases where a student who is known to be at risk exits a Catholic school, it is vital that the relevant records are passed on in such a way that the staff of the receiving school who are preparing the student's education plan receive relevant information.

Regular file reviews should be undertaken to identify information relevant to student wellbeing. Where a school is aware of siblings, and it is considered clinically appropriate, consideration should be given to sharing records with the school counsellor and the school principal of any school which a sibling attends.

When a student leaves a school for an unknown destination and no immediate request is received for a student's counselling record, the school must maintain any records for any future use, including any future transfer to an enrolling school.

Student counselling files and case notes are to be stored securely in a locked filing cabinet located in a secure room within the school. A spare key should be kept in the school safe so that access can be gained in urgent circumstances in accordance with an access protocol agreed between the counsellor and the school principal. Records may be stored electronically subject to appropriate access and security provisions and protocols. Where counsellors serve multiple schools, a file management protocol must be developed. Such a protocol could be based on electronic file sharing supported by secure password access.

Apart from school principal-approved file movements, student counselling files must not be removed from any school. Any remote electronic access must only be undertaken if security can be assured consistent with privacy and confidentiality requirements.

Any student's counselling file can be destroyed only if the student concerned has completed schooling and has reached the age of 25. Files containing any record or allegation of a 'serious indictable offence' should never be destroyed. School counsellor record creation and maintenance can raise issues relevant to section 316 of the *NSW Crimes Act*, Concealing Serious Indictable offence.

School counsellors must report promptly to schools and parents or caregivers on the outcome of student assessments. It is a general requirement that a written report will be provided in respect of all significant interventions unless the parent or caregiver agrees otherwise in writing. As the intended audience for most reports is the parent or caregiver, together with each school's relevant teaching staff, it is important that reports avoid the use of jargon and highly technical language. All schools need to ensure that there are clear objective standards for report writing. Reports need to avoid subjective comments and observations.

School counsellors' records may lose the protection of confidentiality in the following circumstances:

- Threat of harm by student to self or other
- Suspected child abuse or neglect
- Pregnancy of a student under 16 years of age
- Improper conduct by a school staff member
- Use and/or possession of illegal substances at school or at a school related activity
- Evidence or belief that a serious criminal offence has been committed
- Receipt of a subpoena issued by a civil or criminal court.

The matter of counsellor records and files has been addressed, is mutually understood and reflects the statements in this policy.

Counsellor Initial _____ Date _____ Principal Initial _____ Date _____

8.0 Counsellor: Related Legislation

School counsellors need to work within the scope of each school's policies relating to:

- Privacy
- Child Protection – Keep Them Safe (including Section 16A Information Exchange), Working with Children Check
- Family law
- Education Act Part 5A and section 22A.

Counsellors sometimes find that students disclose information that the counsellor may be obliged under section 316 of the *NSW Crimes Act* to report. As a consequence, cases of sexual assault, drug dealing and serious domestic violence must be reported to the school principal who is then bound to inform the police or other relevant authority such as the Department of Family and Community Services (FACS). When such situations arise the advice of the counsellor's clinical supervisor should be sought. School counsellors, as other staff, may report child abuse direct to the Department of Family and Community Services but, as a matter of practice, should report to FACS through the principal of each school.

It is important that school counsellors are familiar with school protocols governing the management of incidents involving illegal drugs, alcohol, tobacco, prescribed medications, and inhalants. There are significant legislative provisions governing the supply and use of drugs. Guidance on these issues is available in the CSO policy on Substance Management.

School counsellors can provide appropriate support for students who have been reported to the Department of Family and Community Services as being suspected of being at risk of significant harm (RoSH).

Sexual abuse therapy must not be provided by a school counsellor, but a counsellor may still provide support to a student through case management or by identifying strategies to help a student to self- manage at school.

Special protections apply to student records relating to communications in confidence between counsellors and victims of sexual assault; these are known as 'protected confidences'. These special protections arise from the *NSW Criminal Procedure Amendment (Sexual Assault Communications Privilege) Acts 1999 and 2002*. Counsellors need to be aware of these special provisions. In essence, a protected confidence is a counselling communication made in confidence by a victim of sexual assault to a counsellor who is counselling the person in relation to any harm the person may have suffered.

Before a school counsellor responds to a victim of sexual assault, they must seek the advice and guidance of their clinical supervisor. In addition, the requirements of the school's Child Protection policy must be followed.

Family Court counselling is not provided by school counsellors.

9.0 Complaints and Grievance

Each school's Complaints and Grievance procedure needs to be capable of application to incidents involving a school counsellor.

I have read, understood and acknowledge the contents of the diocesan policy School Counsellor Expectations.

School Principal signature: _____ Date _____

School Counsellor signature: _____ Date _____