

Instructions

This form should be used to lodge a complaint to the ACT Regulatory Authority in circumstances where your complaint alleges possible offences and/or engage a risk to the safety, health and wellbeing of children or a child attending an education and care service.

The completed form should be forwarded to complaintsCECA@act.gov.au

The Authority is obligated to protect personal information in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles contained in the Privacy Amendment (Enhancing Privacy Protection) Act 2012. Information provided in this form would only be shared subject to the information sharing provisions under the relevant Legislation.

Direct Complaint Form - Online

Date completing form:	21 November 2023
Time completing form:	Morning
Your full name:	P01 P01 (nee: P01 P01)
Date of birth	P02
Contact details: (phone and email)	P01 mobile: P03
Service to which the complaint relates?	French Australian Preschool (FAPS)
Has the complaint been raised directly with the service? If <i>yes</i> what was the response? If <i>not</i> why?	Yes The preschool (FAPS) has implemented a number of measures to try to address the issue.
Complainant's relationship to the service (how long have you had an association <i>parent/educator</i> for)?	Parent of child who has been attending FAPS for 10 months (since January 2023)
Date/time of incident/ issue to which the complaint relates. If unknown, approximate timeframes?	Monday 06 November 2023
If delay in reporting, reasons for delay?	We found out about the incident on Tuesday 07 November 2023 when the child talked to a doctor (P01 P01) from Ochre Health Medical Centre in Kippax). The incident was reported to

	the school at a meeting on Wednesday 08 November 2023.
Name of children (in full if possible) involved in the incident/ issue to which the complaint relates?	<p>P01 P01 P01 P01 P01 P01</p>
Age of Children (DOB if possible and relevant?)	All children are aged four.
Name of educator(s), staff member(s) or other persons involved?	
<p>Details of the incident/issue:</p> <p><i>Consider details such as:</i> <i>What happened?</i> <i>Where did it happen?</i> <i>Has it ever happened before?</i> <i>Has it happened to anyone else?</i> <i>Who was present?</i> <i>Who was involved?</i> <i>Have you discussed the incident/issue with anyone else?</i> <i>Has any action been taken?</i></p>	<p>Details of incident</p> <p>On Monday 6 November 2023, P01 was injured by two boys from his class, P01 P01 and P01 P01, in the toilet adjacent to his classroom. One boy held him and the other one scratched his penis multiple times while he had his pants down. We noticed that his penis was red and bruised in the evening at bath time. He did not want to tell us (his parents) how it happened.</p> <p>We took him to see P01 P01 (General Practitioner at Ochre Health Medical Centre Kippax) the next morning (Tuesday 7 November 2023). P01 examined his penis and told us that it looked like there was an inflicted injury. When P01 asked P01 how he got injured, P01 replied that P01 and P01 caused the injury in the manner described above.</p> <p>Previous occurrences</p> <p>P01 told us that this incident on 6 November 2023 is not the only one that has happened but that P01 and P01 have been hurting him before in a similar manner on multiple occasions.</p> <p>Possibility of a wider issue</p> <p>He has been fearful of going to school for several months (since at least June 2023), saying that he did not want to go because P01 would hurt him. Recently (since September 2023), he has been worried about both P01 and P01 hurting him. Prior to this incident, he only mentioned that hitting, pushing and teasing were involved, which we reported to the educators on multiple occasions.</p> <p>Moreover, P01 mentioned that P01 and P01 are bullying other students in the class.</p> <p>He also brought up that there are five students from another class, all of whom are friends with P01 who are hurting children in the</p>

playground and touching them inappropriately.

People present

As far as we are aware, the three children were by themselves in the toilet. The educators did not see the incident. P01 said he was afraid to report the incident to his educators (and to his parents) because the perpetrators have threatened to cause more harm to him if he did.

People we have discussed this incident and underlying issue with

P01 P01 (mother of P01 P01)

I phoned P01 P01 (mother of P01 P01) on the evening of **Tuesday 7 November 2023** to let her know about the incident. She questioned P01 about it and he confirmed that it happened as P01 described.

P01 P01 (forensic psychologist)

We discussed the incident to P01 P01 (forensic psychologist) on **Tuesday 7 November 2023**. She advised us to immediately stop sending P01 to school until we have had a chance to talk to the school and discuss a suitable safety plan for P01.

We also saw P01 on **Tuesday 15 November as a follow-up**. She recommended that we talk to the school about requesting that P01 and P01 be kept away from the school while they see a suitable child psychologist who can work with them and determine when they are sufficiently ready to be allowed back around P01 and other children at school.

P01 P01 (teacher in charge of P01's class – Purple class) and P01 P01 (director of FAPS)

We had a meeting with P01 P01 and P01 P01 on **Wednesday 8 November 2023** where we reported the incident to them. We expressed our concerns about P01's well-being and safety in regards to sending him to school until we have a safety plan in place and can have sufficient confidence that he will be kept safe. We asked whether P01's enrolment could be paused in the meantime.

Actions taken

The director of FAPS called me on Friday 10 November advising that after discussion with relevant members of the school board, she agrees to pausing P01's enrolment until the end of the school year 2023. She also relayed that the school will have discussions with

	<p>P01 and P01 and their parents.</p> <p>We had a second meeting with the director on Wednesday 15 November 2023. She updated us on the measures the school has taken (program and tools to empower children, increased supervision and incident tracking in the classroom and closer monitoring of P01 and P01). A list of the measures, given to us by the school, is attached.</p> <p>Remaining concerns</p> <p>While it is good to see the measures taken by the school, we still have concerns about the well-being and safety of P01 at school. This is because increased supervision does not necessarily address the root causes of the behaviours exhibited by the children involved. The perpetrators seem to be acting opportunistically when teachers are not watching.</p> <p>Refusal by the school to implement the main recommendation made by psychologist</p> <p>We discussed with the school director whether the school could ask that the perpetrators be kept away from school and requested to see a suitable child psychologist before being allowed back around other children (a recommendation made by the psychologist P01a P01). This will allow them to receive appropriate behavioural support and address the root causes of the problem. The school director refused to take on board this suggestion.</p> <p>Unresolved concerns and recommended measures</p> <p>We have expressed to the FAPS director that we would like to work with the school and CECA to ensure such incidents are not repeated. We relayed that we thought the following measures would help:</p> <ol style="list-style-type: none"> 1. Getting the children involved in this particular incident to see a psychologist who can help them with their particular situations and provide suitable support, similar to what P01 is receiving. 2. Implementing a formal bullying policy for the school. 3. Ensuring appropriate training for staff in identifying and dealing with bullying. 4. Kindness training for children to mitigate bullying behaviours (in addition to the body safety training the school is implementing).
<p>Did you make any notes at</p>	<p>Yes Email correspondences with the school are attached.</p>

<p>the time, or send any emails? Are you prepared to provide a copy?</p>	
<p>If necessary would you be prepared to make a statement?</p>	<p>Yes</p>
<p>Is there any other information (documents, memos, emails etc) that you may have that would substantiate the allegation(s)?</p>	<p>We can ask P01, P01 (the General Practitioner who examined P01 on Tuesday 7 November 2023) to provide a statement. We can also ask P01, P01 (forensic psychologist), who saw P01 on Tuesday 7 November and is following up with him, to provide a statement. We also have email exchanges with the school as attached.</p>