

2 June 2014

Ms Megan Mitchell  
National Children's Commissioner  
Australian Human Rights Commission

**Submission: Intentional self-harm and suicidal behaviour in children**

Area of Interest: Point 3. "The barriers which prevent children and young people from seeking help."

Dear Ms Mitchell

I am making this submission on behalf of the Professional Practice Committee of the School Counsellors Forum, NSW Non-Government Schools. School Counsellors have ongoing concerns regarding the policies and practices of a number of non-government schools, particularly those who are members of the NSW Association of Independent Schools.

The Australian Psychological Society has met with the NSW AIS in an attempt to resolve those concerns but the two parties could not agree. The Independent Schools Council of Australia and the National Catholic Education Commission subsequently published their Privacy Compliance Manual at the start of 2014.

Relevant pages of the Manual are provided as an attachment.

Of particular concern are the two highlighted sections on pages 89 and 106 respectively.

Section 26.4.1

"the School Principal is able to call for those records (School Counsellor's) which directly pertain to a pupil of the school in the same way as he or she may call for the records made by any other School employee which relate to school matters."

Annexure 4

"... if a student is not prepared to use the counselling services on the basis set out above the student will need to obtain counselling services from outside the school."

Whilst the statements above may seem reasonable to school executive and education bureaucrats, those statements in combination are very likely to create a significant barrier to care for students who are seeking help and who may be at risk.

There is a substantial body of research regarding “help seeking” and “barriers to care” which has been ignored by the authors of the Privacy Manual. That body of research also recognises the importance of confidentiality for adolescents and young people who are at risk of self-harm and seeking support.

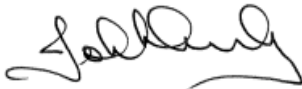
We understand that the Privacy Manual was written by legal and employment relations staff without any consultation with professionals trained in adolescent behaviour or mental health. It would be reasonable to conclude from the statements above that the Manual is written for schools or school systems as an entity, rather than for the safety and wellbeing of students.

We have made this submission, and drawn attention to the ISCA and NCEC Privacy Compliance Manual as one example of how policy and procedures fail to take account of the mental health needs of children and young people.

It is hoped that your investigation into Intentional self-harm and suicidal behaviour in children will result in policies and procedures in schools that encourage and facilitate help seeking, rather than continue to entrench barriers to care.

I would be happy to provide further information if that would be helpful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Hensley', with a stylized flourish at the end.

John Hensley MAPS

cc NSW Parents Council  
Australian Psychological Society  
National Children's and Youth Law Centre