



# St Teresa's School

## CHILD ABUSE-SEXUAL OFFENDERS POLICY

### Vision Statement

Rooted in Christ's teaching of love for God, self and others,  
the family of St Teresa's School  
is committed to developing the values of compassion, service, love and respect in our girls.  
We aim to nurture and inspire responsible, enquiring young women  
who strive for excellence in all facets of life.

### INTRODUCTION

The Child Protection Act, Children's Act 2005 and the *Sexual Offences (and Related Matters) Amendment Act, No. 32 of 2007 (SORMAA)*, all emphasise the need to vet all staff members who come into contact with children.

The National Register for Sex Offenders (NRSO) is used to record details of all offenders who have been convicted of a sexual offence against children and mentally disabled people.

Employers who have employed officials working with children in their course of employment may establish by way of application to the Registrar whether their employees are on the register, as required in terms of the Act.

Therefore St Teresa's School does not employ any member of staff that does not have a clearance certificate from the Sexual Offenders Register.

On employment, all staff are asked to produce a clearance certificate in terms of the Sexual Offenders Register. If this certificate is not available at time of employment, it must be obtained and any contract of employment will be terminated if a clearance certificate is not obtained.

### **St Teresa's is obliged to report sexual offences.**

The *Criminal Law (Sexual Offenders and Related Matters) Amendment Act 32 of 2007* stipulates that a person who has knowledge that a sexual offence has been committed against a child or a person who is mentally disabled must report such knowledge immediately to a police official.

### **Employees must disclose their criminal records.**

An employee must without delay disclose a conviction in terms of this legislation to the School, whether or not such an offence was committed during the course of her employment.

### **Procedure the school takes if an employee has failed to disclose their sexual offence conviction.**

The School will immediately terminate the employment of an employee who has failed to disclose a conviction of a sexual offence against a child or a person who is mentally disabled.

### **Procedure when a teacher or staff member is accused of sexual misconduct.**

In the case of a teacher or staff member accused of sexual misconduct, the school will immediately suspend that teacher or staff member pending the outcome of an investigation. In the case of a teacher,

she would be suspended with pay until a final decision that is informed by the results of the investigation. Due process in the form of a formal hearing, informed by the report of the investigation will take place.

**All staff members or prospective members of staff need to be cleared.**

The *Child Protection Act* and the *Sexual Offences (and Related Matters) Amendment Act, No. 32 of 2007* (SORMAA), all emphasise the need to vet all staff members who come into contact with children. It is the responsibility of the school to make sure that the person they are employing is clear of any previous sexual or criminal misconduct record which may have ended up in conviction.

**The purpose of the National Register for Sex Offenders (NRSO).**

The purpose of the NRSO is to protect children and persons who are mentally disabled against sexual offenders by establishing and maintaining a record of persons who:

- have been convicted of a sexual offence against a child or a person who is mentally disabled whether committed in or outside the Republic or
- alleged to have committed a sexual offence against a child or a person who is mentally disabled in respect of whom a court has made a finding and given direction that the offender is mentally unfit to stand trial.

**The sex offence clearance certificate from the Registrar.**

A clearance certificate can only be made available to the applicant by way of application to the Registrar in the prescribed manner. A clearance certificate is a certificate issued to an applicant confirming whether or not her particulars are contained in the Register. It is the responsibility of the employee to produce this certificate for the School.

**The School will not disclose or publish any information contained in the Register to members of the public.**

No-one, including the Registrar, is allowed to disclose or publish any information contained in the Register including the names of convicted offenders. Any unauthorised disclosure or publication amounts to a criminal offence.

The National Registrar or any other person assisting him or her in the exercise and performance of his or her powers may not disclose any information which he or she has acquired in the exercise of the powers, performance of the functions or carrying out of the duties and functions conferred upon, assigned to or imposed upon him or her.

It is a criminal offence to misuse data contained in the Register either by persons authorised to have access to it or by third parties who may acquire information from the Register.

**The obligations of an employee who is or was convicted of a sexual offence**

An employee (working with children or people who are mentally disabled) in the employ of an employer at the commencement of employment, who is or was convicted of a sexual offence against a child or a person who is mentally disabled, irrespective of whether or not such offence was committed or allegedly committed during the course of her employment, must without delay disclose such a conviction or finding to the School.

**The implications of having one's details added on the Register.**

The implications of having one's details included in the Register is that such a person may not be allowed work with children or people who are mentally disabled or have access to them. Therefore employment at St Teresa's School will be terminated or unavailable.