

# Student Protection at Central Queensland Christian College

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## **Policy and Procedures 2016**

Adopted from the 'Student Protection in Anglican Schools Policy and Procedures' published by the Anglican Church of Southern Queensland.

# Table of Contents

## Foreword

## Policy

1. Scope
2. Statement of Commitment
3. Compliance
4. Policy Review
5. References and Related Documents
6. Abbreviations
7. Definitions and Key Terms
8. Principles
9. Policy Statement
10. Obligations
11. Management Practices for a Safe Environment
12. Support
13. Complaints

## Procedures

1. Adoption of Policy and Procedures
2. Responding to Student Protection Concerns
3. Reporting/Referral Processes
  - 3.1 Forms
  - 3.2 Legislative obligations
  - 3.3 Policy obligations
  - 3.4 Anonymity and protection from liability
4. Student Protection Records
5. Responsibilities
  - 5.1 School Board
  - 5.2 Principal
  - 5.3 Employees
  - 5.4 Volunteers and visitors
  - 5.5 Student
6. Management Practices for a Safe Environment
  - 6.1 Child and youth risk management strategy
  - 6.2 Recruitment and selection (employees)
  - 6.3 Screening – National Register
  - 6.4 Screening - Blue Cards
7. Building Knowledge and Understanding

## Appendices

# Foreword

Central Queensland Christian College is committed to the wellbeing and holistic development of students attending our school.

This policy and procedures encourages and supports our school in its commitment to providing a safe and supportive living and learning environment for students.

This Policy is based on the following principles:

- The safety, wellbeing and best interests of a student are paramount.
- Every student has inherent rights, including dignity, privacy, respect and safety.
- A child has a right to be protected from harm or risk of harm.
- The value of the family unit is to be respected but not to the detriment of the wellbeing and best interests of the student.
- All appropriate measures will be taken to protect students from all forms of harm.
- In every preventative or protective action relating to harm, the total wellbeing and best interests of the student are the primary concerns.
- Harmful acts by anyone in authority over a student are a breach of trust and professional misconduct – in addition to any breach of law.
- Any form of sexual behaviour by an adult employee to, or with a student or students who comes under his/her care is always sexual abuse.
- Child sexual abuse is a serious criminal offence and will always be reported to the police.
- All employees have a responsibility to care for students who come under their care and to promote their best interest and wellbeing.
- All persons belonging to or associated with Central Queensland Christian College will be treated openly and transparently in accordance with this Policy.

All employees in our school are expected to respect the ethos and Biblical Christian values of Central Queensland Christian College and share in our responsibility to promote and strive to provide a safe environment for students. This responsibility is placed on them by the teachings of Jesus and His epistles, as well as the law of Queensland.

Appropriate employment selection procedures have been implemented to engage employees and others who will have responsibility for students; and for those persons whose work brings them into contact with students at Central Queensland Christian College.

All employees are expected to conduct themselves with the professionalism implied by their position, training and/ or as stated in their employment contract. Employees are expected to behave at all times in the best interests of students.

Behaviour of a sexual, physical or psychological nature, which exploits the special position of trust and authority between employees and students, is a breach of this Policy and associated procedures and may constitute a criminal offence.

This policy specifically applies to students under 18 years of age. It is also recognised that at times young adults [that is, persons aged over 18 but less than 25] participating in Central Queensland Christian College activities may be vulnerable. Accordingly our school will take care to promote the welfare and best interests of young adults.

Reporting information or allegations of harm concerning a child within a school is mandatory. Legal and school consequences will apply to any employee or other person where such allegations are made and are not reported as required.

Regular monitoring and auditing procedures will facilitate and affirm compliance. Monitoring and auditing the implementation and practise of the policy will be the responsibility of the Board.

The school Board in consultation will review this policy 12 months from the effective date.

Rev John Alley  
Senior Minister of Peace Christian Church,  
Director and Founder of Central Queensland Christian College  
August 2016

# Application of this Policy

This policy replaces the Child Protection Policy. The policy relates to students who are under 18 years of age and considered to be a child as defined by the Child Protection Act 1999 and a student under the Education (General Provisions) Act 2006.

The policy outlines the obligations, roles and responsibilities of employees (staff members), volunteers and visitors to Central Queensland Christian College to appropriately respond to and report all allegations or suspicions of:

- sexual abuse or likely sexual abuse by another person of<sup>1</sup>:
  - (a) a student under 18 years attending the school;
  - (b) a pre-preparatory age child registered in a pre-preparatory learning program at the school;
  - (c) a person with a disability who—
    - (i) under section 420(2), is being provided with special education at the school; and
    - (ii) is not enrolled in the preparatory year at the school
- significant harm or unacceptable risk of significant harm of a student (child under 18 years of age) or an unborn child, after his or her birth<sup>2</sup>;  
or
- inappropriate behaviour by an employee or volunteer towards a student.

<sup>1</sup> ss.366 – 366A Education (General Provisions) Act 2006

<sup>2</sup> s.8 and s.13A Child Protection Act 1999

# 1. Scope

This policy and associated procedures applies to all matters concerning the protection, care and safety of students; and to all employees, volunteers and visitors associated with Central Queensland Christian College.

# 2. Statement of Commitment

Central Queensland Christian College supports the rights of children and young people and is committed to ensuring the safety, welfare and wellbeing of students. Central Queensland Christian College is therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees.

This commitment includes the provision of a safe and supportive living and learning environment for all students and requires all employees, volunteers and visitors to model and encourage behaviour that upholds the dignity and protection of students from harm.

In support of this commitment, Central Queensland Christian College is dedicated to their Child and Youth Risk Management strategy which includes having relevant policies, procedures and training in place to effectively address the safety and wellbeing of students in their care.

# 3. Compliance

Central Queensland Christian College requires compliance with this policy and associated procedures. Regular monitoring and other auditing procedures will be set in place to facilitate this. Oversight of this process will emanate from the school Board. Compliance requirements and responsibilities of the school's Board, Principal, employees, volunteers and visitors are identified in Section 10 Obligations and Procedure Section 5 Responsibilities.

This policy and associated procedures will be made readily available by Central Queensland Christian College and to all persons belonging to and/or associated with that school.

## 4. Policy Review

The school Board will review this policy and associated procedures one (1) year from the effective date or as required by amendments to legislation.

## 5. References and Related Documents

### Relevant Legislation

- Criminal Code Act 1899
- Child Protection Act 1999
- Education (Accreditation of Non-State Schools) Act 2001
- Education (Accreditation of Non-State Schools) Regulation 2001
- Education (General Provisions) Act 2006
- Education (General Provisions) Regulation 2006
- Education (Queensland College of Teachers) Act 2005
- Working with Children (Risk Management and Screening) Act 2000
- Working with Children (Risk Management and Screening) Regulation 2011

### Related documents / references

- Child Protection Resource Sheets
- Code of Conduct – Central Queensland Christian College
- Code of Ethics for Teachers in Queensland – Queensland College of Teachers
- Complaints Procedure - Central Queensland Christian College
- Central Queensland Christian College Limited Constitution
- Privacy Policy – Central Queensland Christian College
- Sexual Harassment Policy
- Professional Standards for Queensland Teachers – Queensland College of Teachers
- Requirements for Blue Cards [Suitability Cards] or Exemption Notices
- Codes of Conduct (Staff) / (Students) / (School Community)

## 6. Abbreviations

- CQCC                      Central Queensland Christian College
- CC                              Criminal Code Act 1899
- Child Safety              Department of Communities, Child Safety and Disability Services

- CPA Child Protection Act 1999
- CPG Child Protection Guide
- CPIU Child Protection Investigation Unit
- EGPA Education (General Provisions) Act 2006
- EGPA Reg Education (General Provisions) Regulation 2006
- E(ANSS) Education (Accreditation of Non-State Schools) Act 2001
- E(ANSS) Reg Education (Accreditation of Non-State Schools) Regulation 2001
- FaCC Family and Child Connect
- PSBA Public Safety Business Agency
- EQCoT Education (Queensland College of Teachers) Act 2005
- QPS Queensland Police Service
- SPO Student Protection Officer
- Working with children Working with Children (Risk Management and Screening) Act 2000  
Working with Children (Risk Management and Screening) Regulation 2011

## 7. Definitions and Key Terms

**Allegation:** means information or an assertion which is still to be proved.

**Assault:** (s.245 CC) defined as:

‘Any person who strikes, touches or moves, or otherwise applies force of any kind to, the person of another, either directly or indirectly without the other person’s consent, or with the other person’s consent if the consent is obtained by fraud, or who by any bodily act or gesture attempts or threatens to apply force of any kind to the person of another without the other person’s consent, under such circumstances that the person making the attempt or threat has actually or apparently a present ability to effect the person’s purpose, is said to assault that other person, and the act is called an assault.’

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CriminCode.pdf>

**Child:** (s.8 CPA) means an individual under 18 years

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Child exploitation material:** (s.207A CC) means material that, in a way likely to cause offence to a reasonable adult, describes or depicts a person, or a representation of a person, who is, or apparently is, a child under 16 years—

- (a) in a sexual context, including for example, engaging in a sexual activity; or
- (b) in an offensive or demeaning context; or

(c) being subjected to abuse, cruelty or torture.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CriminCode.pdf>

**Child in need of protection:** (s.10 CPA) is a child who –

(a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and

(b) does not have a parent able and willing to protect the child from the harm.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Child Protection Guide (Qld):** An online tool to support professionals in making decisions about where to refer or report their concerns. This tool is provided by the Department of Communities, Child Safety and Disabilities Services.

<http://www.communities.qld.gov.au/childsafety/partners/our-government-partners/queensland-child-protection-guide>

**Colleague:** (s.13H (2) CPA) means a person working in or for the same entity as the ‘relevant person’ (as defined in the CPA).

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Director:** (s.364 EGPA) means in Part 10 Reporting Sexual Abuse

In this part—director, of a non-State school’s Governing Body, means—

(a) if the Governing Body is a company under the Corporations Act—a person appointed as a director of the Governing Body; or

(b) otherwise—a person who is, or is a member of, the executive or management entity, by whatever name called, of the Governing Body.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf>

**Director:** (s.7AA E (ANSS)): A director, of a school’s Governing Body, is—

(a) if the Governing Body is a company under the Corporations Act—a person appointed as a director of the Governing Body; or

(b) if the Governing Body is a RECI Act corporation—

i. a declared director of the Governing Body; and

ii. if all declared directors of the Governing Body, for the time being, nominate a person as a director of the Governing Body—the person; or

(c) otherwise—a person who is, or is a member of, the executive or management entity, by whatever name called, of the Governing Body.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducAccNSSA01.pdf>

**Employees:** means office holders and staff members who work in a paid [full time / part time / casual] or voluntary capacity at CQCC. This term may include a 'church worker'.

**Employing authority** (Sch 3 EQCoT), for a school, means the person or entity responsible for the appointment of teachers to the educational staff of the school.  
<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducQCTA05.pdf>

**First person:** (ss.366 – 366A EGPA) means the staff member who becomes aware or reasonably suspects in the course of their employment at the school that a student (relevant person) under the age of 18 years has been or is likely to be sexually abused by another person.  
<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf>

**Harm:** (s.9 CPA)

1. Harm to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
2. It is immaterial how the harm is caused.
3. Harm can be caused by –
  - (a) physical, psychological or emotional abuse or neglect; or
  - (b) sexual abuse or exploitation.
4. Harm can be caused by –
  - (a) a single act, omission or circumstance; or
  - (b) a series or combination of acts, omissions or circumstances.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Inappropriate behaviour:** means any behaviour of an employee of the school including words, towards a student, regardless of age, which is inconsistent with the relevant Professional Standards, Code of Conduct and policies of the school and is considered to be 'inappropriate behaviour' by the person making the complaint.

**Investigate:** means carrying out a systematic or formal inquiry into a student protection matter, including interviewing relevant persons; examining the facts of a student protection report; or making a determination about whether a child is in need of protection.

**Natural Justice:** The principles of natural justice will apply to all decisions made under this policy and procedures document. As the consequences of any decision (that is, the effect/s on a person's rights, interests or legitimate expectations) for any individual become more severe, so the importance of demonstrably acting fairly increases. The fundamental principles of natural justice are:

- the right to be given a fair hearing and the opportunity to present one's case;

- the right to have a decision made by an unbiased decision-maker; and
- the right to have that decision based on logically probative evidence.

**Parent:** (s.10 EGPA)

1. A parent, of a child, is any of the following persons—
  - (a) the child’s mother;
  - (b) the child’s father;
  - (c) a person who exercises parental responsibility for the child.
2. However, a person standing in the place of a parent of a child on a temporary basis is not a parent of the child.
3. A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child.
4. A parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a parent of the child.
5. Despite subsections (1), (3) and (4), if—
  - (a) a person is granted guardianship of a child under the Child Protection Act 1999; or
  - (b) a person otherwise exercises parental responsibility for a child under a decision or order of a federal court or a court of a State;

then a reference in this Act to a parent of a child is a reference only to a person mentioned in paragraph (a) or (b).

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf>

**Parent able and willing to protect the child from harm:** means a person may reasonably suspect that a parent is able and willing to protect their child from harm when the person believes the parent has both the ability and the willingness to ensure the safety, wellbeing and best interests of the child. The parent’s ability and willingness may be evident in their statements and direct or indirect actions.

**Prescribed entity:** (s.159M CPA)

For non-state schools the prescribed entity is the principal of that school.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Principal:** (in relation to a school) includes head of school.

**Privacy:** Privacy legislation applies to records generated under this Policy and under the Diocesan Protocol for Dealing with Complaints of Sexual Harassment, Assault or Sexually Inappropriate Behaviour. The complainant, the alleged victim and the alleged perpetrator may exercise their rights under the Diocesan Privacy Policy. Proper notice under the Privacy Act 1988 (Cth) must be given before collecting personal information.

**Reasonably suspects:** (Sch. 3 Dictionary CPA)

Suspects on grounds that are reasonable in the circumstances.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Reasonable suspicion:** (s.13C CPA)

A reasonable suspicion is a suspicion formed on grounds that are reasonable in the circumstances, s.13C CPA also states that –

- a reasonable suspicion may have been informed by observation of the child, other knowledge of the child or any other relevant knowledge, training or experience the person forming the suspicion may have;
- matters that may be considered when forming a reasonable suspicion, include; detrimental effects on the child’s body or psychological or emotional state that are evident or likely to become evident in the future; the nature and severity of the detrimental effects and the likelihood they will continue; and the child’s age.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Registered nurse:** (Sch. 3 Dictionary CPA)

A person registered under the Health Practitioner Regulation National Law –

- (a) to practise in the nursing and midwifery profession as a nurse, other than as a student; and
- (b) in the registered nurses division of that profession.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Relevant information** (s.159C CPA) – includes information about a child, the child’s family, someone else, a pregnant woman or an unborn child which is given to –

- the chief executive, Department of Communities, Child Safety and Disability Services or an authorised officer under the CPA; or
  - a service provider, as defined in s. 159D of the CPA.
- <https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Relevant person:** (s.364 EGPA) – means a person mentioned in s. 366(1) (a) to (c) or s. 366A (1) (a) to (c). As provided below–

- (a) a student under 18 years attending the school;
- (b) a pre-preparatory age child registered in a pre-preparatory learning program at the school;
- (c) a person with a disability who–

- (i) under s. 420(2) is being provided with special education at the school;  
and
- (ii) is not enrolled in the preparatory at the school.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf>

**Relevant person:** (s.13E CPA) – includes a teacher and a registered nurse.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Relevant State Authority:** means –

Queensland Police Service or the Department of Communities, Child Safety and Disability Services

**Reportable suspicion:** (s.13E (2) CPA) means – a reportable suspicion about a child is a reasonable suspicion that the child –

- (a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
- (b) may not have a parent able and willing to protect the child from the harm.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**School:** (Sch. 3 Dictionary CPA) means –

- (a) a State school under the Education (General Provisions) Act 2006; or
- (b) a school that is provisionally accredited, or accredited, under the Education (Accreditation of Non- State Schools) Act 2001.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Self-harm:** means harm that requires immediate medical or psychological intervention. Self-harm includes self-inflicted injuries, OR other self-inflicted physical or psychological damage.

**Sexual abuse:** (s.364 of the EGPA)

Sexual abuse in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances –

- (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
- (b) the relevant person has less power than the other person;
- (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf>

**Significant harm:** (s.13C CPA) means – any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing. Harm can be caused by physical, psychological or emotional abuse or neglect, or sexual abuse or exploitation, and it is immaterial how the harm is caused. s.13C CPA provides further considerations for guidance in this regard. A professional may use their knowledge, training and expertise in identifying significant harm, which recognises that professionals may detect an impact of harm that non- professional people may not.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Student:** means for the purposes of this document a person enrolled in a school and is under 18 years of age. A person of this nature is considered to be a ‘child’ under the provisions of the Child Protection Act 1999. A student over the age of 18 years is considered to be an adult person and will be referred to in this policy as an ‘adult student’.

**Student Protection Officer:** means – a person within a school designated by the Principal as a contact person to whom students may refer or report if they have concerns for their or another student’s safety, or to make a complaint of sexual abuse, likely sexual abuse, harm or risk of harm or inappropriate behaviour of a staff member. The Principal may fulfil this role. This in part is a requirement under s.10 E (ANSS) Reg.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducAccN SSR01.pdf>

**Suitability Notice:** a notice issued by the PSBA under the Working with Children (Risk Management and Screening) Act 2000 prior to issuing a Blue Card (BC).

**Teacher:** (Sch. 3 Dictionary CPA) means - an approved teacher under the Education (Queensland College of Teachers) Act 2005, employed at a school.

<https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>

**Visitor:** any person who visits the school on a one off or regular basis to provide services [paid or unpaid] to the school. This includes contractors, consultants and presenters of one-off programs.

**Volunteer:** means a person involved in ‘formal volunteering’. Formal volunteering is an activity which takes place in not for profit organisations or projects and is undertaken:

- to be of benefit to the community and the volunteer;
- of the volunteer’s own free will and without coercion;
- for no financial payment; and
- in designated volunteer positions only.

## 8. Principles

All employees, volunteers and visitors of Central Queensland Christian College share in the responsibility to promote and strive to provide a safe and supportive living and learning environment for students within our school. This responsibility is placed upon them by the Gospel teachings of Jesus, legislation and policy requirement. This Policy is based on the following principles:

- Every student has inherent rights, including dignity, privacy, respect and safety.
- The welfare and best interests of each student is paramount.
- In every preventive or protective action relating to harm, the total wellbeing and best interests of the student is the primary concern.
- The value of the family unit is to be respected but not to the detriment of the wellbeing and best interests of the student.
- Each student has a right to protection from sexual abuse, likely sexual abuse, harm or risk of harm and inappropriate behaviour by employees or volunteers.
- All appropriate measures will be taken to protect students from all forms of harm.
- All employees have a responsibility to care for students to positively promote their welfare, and to protect them from any kind of harm.
- Harmful acts by anyone who has authority in relation to students are a breach of trust and professional misconduct – in addition to any possible criminal act.
- Any form of sexual behaviour by an employee with a student who is under their care is always sexual abuse.
- Child sexual abuse is a serious criminal offence and will always be reported to the police.
- Students are expected to show respect to employees and to other students and to comply with safe practices.
- Behaviour, both by the student and towards the student that can be reasonably considered to indicate harm or an unacceptable risk of harm occurring, must be reported.
- Where, on the basis of all information available, it is believed that there is an unacceptable risk, an employee will not be permitted to continue to work in their position.
- Following the reporting of the information/allegation, each employee who has access to information has an obligation to observe appropriate confidentiality and privacy with respect to that information.
- The complainant and respondent (where appropriate) will be kept informed of progress in resolving the complaint.

- All employees involved in situations where harm or inappropriate behaviour is disclosed or suspected must be treated with natural justice, dignity, sensitivity and respect, including the alleged perpetrator.
- Proactive and reactive pastoral care structures will be in place at CQCC.
- CQCC will cooperate with relevant State authorities in matters regarding the protection of students.
- Disciplinary action may be taken against any employee who harms a student.

## 9. Policy Statement

Protection of students is of paramount importance and Central Queensland Christian College (CQCC) is required to adhere to relevant legislative provisions and this policy and associated procedures to provide and promote a transparent and consistent approach to responding and reporting student protection concerns across its school.

All school staff, volunteers and visitors to CQCC have an obligation and responsibility to report all reasonable suspicions of sexual abuse or likely sexual abuse of a student by another person.

All employees and volunteers of CQCC and visitors to the school have a responsibility to report when it is reasonably suspected that a student, or an unborn child (if upon his or her birth), has been harmed or is at risk of harm. Harm is defined in the Child Protection Act 1999 (see Definitions and Key Terms –in Section 7).

Responding and reporting of information about a reasonable suspicion of harm or risk of harm (including sexual abuse or likely sexual abuse) of a student is mandatory for all employees, volunteers and visitors associated with CQCC by virtue of legislation or policy requirement.

This policy and associated procedures will be applied to all behaviours that jeopardise CQCC's commitment to promoting and striving to provide a safe and supportive living and learning environment for students.

CQCC will have a minimum of two appropriate staff members designated as Student Protection Officers (SPO), for students, parents and staff (unless mandated by a legislative responsibility) to report allegations or concerns of harm, risk of harm of a student and inappropriate behaviour of a staff member or volunteer towards a student<sup>3</sup>. These positions will be clearly communicated to the student, parent and staff communities.

Any behaviour which exploits the special position of trust and authority between the employee or volunteer and the student is a breach of Christian and professional obligations. There may be consequences under law, school regulations or policies where such behaviours occur.

Students are to be encouraged to report all concerns of inappropriate behaviour of an employee or volunteer of the school to a Student Protection Officer, or to the Principal.

All employees and volunteers of CQCC will as soon as practicable report all allegations of inappropriate behaviour of an employee or volunteer towards a student to a Student Protection Officer (SPO), the Principal or if warranted to the Chair of the School Board.

CQCC will ensure that a range of management practices focused on student protection have been developed and implemented to assist with creating a safe environment for all students.

*3 s.10 Education (Accreditation of Non-State Schools) Regulation 2001*

## **10. Obligations**

### **10.1 Christian Obligations**

Employees must respect the Gospel values and ethos of Peace Christian Church.

*“Children are a gift from the Lord; they are a real blessing.” ~ Psalm 127:3-5*

*“If anyone should cause one of these little ones to lose faith in me, it would be better for that person to have a large millstone tied around his neck and be drowned in the deep sea. How terrible for the world that there are things that will make people lose their faith! Such things will always happen - but how terrible for the one who causes them.” ~ Matthew 18:6-7*

## **10.2 Legal / Policy Obligations**

### **10.2.1 Mandated reporting of harm (legislative requirement)**

Relevant school staff will comply with the following mandatory reporting requirements as specified in legislation –

#### **All school staff**

- Under s.366 and s.366A of the Education (General Provisions) Act 2006 a school staff member in the course of their employment must immediately make a written report when they become aware or reasonably suspect the sexual abuse or likely sexual abuse of a student under 18 years by another person. This report is to be immediately given to a police officer as outlined in legislation.<sup>4</sup>

#### **Relevant person (teachers and registered nurses)**

- Under s.13E of the Child Protection Act 1999 a teacher or registered nurse (relevant person)<sup>5</sup> must make a written report to the Department of Communities, Child Safety and Disability Services when they reasonably and honestly suspect a child has suffered, is suffering or is at risk of suffering significant harm caused by physical or sexual abuse and may not have a parent able and willing to protect the child from harm.

### **10.2.2 Mandated reporting of harm (policy obligation)**

Under s.13A of the Child Protection Act 1999 any person may make a report when they reasonably suspect:

- a child may be in need of protection; or
- an unborn child may be in need of protection after he or she is born.

#### **Teachers and Registered Nurses (as a 'relevant person' s. 13E CPA)**

- must make a written report to the Department of Communities, Child Safety and Disability Services when they reasonably and honestly suspect a child has suffered, is suffering or is at risk of suffering significant harm caused by other forms of abuse (psychological/emotional or neglect) and may not have a parent able and willing to protect the child from harm.

#### **Student Protection Officers (if not a 'relevant person')**

- must make a written report to the Department of Communities, Child Safety and Disability Services when they reasonably and honestly suspect a child has

suffered, is suffering or is at risk of suffering significant harm (regardless of abuse type) and may not have a parent able and willing to protect the child from harm.

### **All employees, volunteers and visitors**

All employees, volunteers and visitors to the school will immediately report all concerns and suspicions of harm or risk of harm of a student to a Student Protection Officer (SPO) or the Principal. The SPO or the Principal will determine if the concern is 'reportable' i.e. meets the threshold or a referral to a community based support service would be of benefit to the child and/or family.

### **10.2.3 Reporting inappropriate behaviour of staff or a volunteer towards a student**

Section 10 Health, safety and conduct of staff and students – Education (Accreditation of Non-State Schools) Regulation 2001 requires schools to have a written process in place for the reporting and responding of inappropriate behaviour of a staff member towards a student.

This policy has been broadened to include reporting of inappropriate behaviour of a volunteer towards a student.

### **Employees and volunteers**

All employees and volunteers of CQCC will as soon as practicable report all allegations of inappropriate behaviour of an employee or volunteer towards a student to a Student Protection Officer (SPO), the Principal or if warranted to the Chair or the nominated delegate of the school Board.

## **10.3 Professional Obligations**

All employees are expected to conduct themselves with the professionalism implied by their position, Professional Standards and/or Codes of Conduct (staff), training and/or as stated in their employment contract. Employees are expected to behave at all times in a manner supportive of the welfare and best interests of all students.

Volunteers and visitors are also expected to behave at all times in a manner supportive of the welfare and best interests of all students.

4 ss. 366–366A Education (General Provisions) Act 2006 5 s.13E Child Protection Act 1999

## 10.4 Behavioural Obligations

Behaviour of a sexual, physical or psychological nature which exploits the special position of trust and authority between an employee or volunteer and a student, regardless of age, is a breach of obligations and of this policy. Such behaviours may include:

- transporting a student, regardless of age without seeking the consent of a parent or caregiver or without informing the Principal;
- seeking to visit a student, regardless of age at his/her home without the consent or knowledge of the parent or caregiver and/or Principal;
- inviting a student, regardless of age, to the employee's home unaccompanied without the consent of a parent or caregiver or without informing the Principal;
- sending or receiving correspondence of an inappropriate nature;
- inappropriate giving of gifts;
- physical or emotional aggression, violence or bullying;
- sexual exhibitionism;
- development of an intimate relationship incompatible with the professional relationship, initiated by either party;
- exposing to a student, regardless of age, pornographic material in any medium;
- inappropriate discussion of matters of sexual behaviour;
- obscene language, especially of a sexual nature;
- gestures or actions of a suggestive or obscene nature;
- jokes of a sexual nature told in the presence of student/s;
- voyeurism (gaining pleasure from secret watching of another);
- repeatedly seeking to be alone with a student; or
- detaining a student in locked facilities or facilities that do not have immediate access to relevant staff members.

This is not an exhaustive list, any behaviour which exploits a student is unacceptable.

# 11. Management Practices for a Safe Environment

## 11.1 Written Processes

CQCC by legislative requirement<sup>6</sup> must have written processes for responding to harm or allegations of harm of students and the appropriate conduct of school staff and students. The written processes must also include a process for reporting the allegations. CQCC is to have a written complaints procedure to address allegations of non-compliance of these processes. These requirements are the responsibility of the Principal.

The School Board must ensure that:

- staff, students and parents are made aware of the processes;
- staff are trained in implementing the processes;
- the school is implementing the processes; and
- the processes are readily accessible by staff, students and parents<sup>7</sup>.

## 11.2 Child and Youth Risk Management Strategy

CQCC will comply with the development, implementation and annual review of a school specific Child and Youth Risk Management strategy.<sup>8</sup> Each of the following eight mandatory components will be included in the strategy:

### Commitment

1. A statement of commitment to the principles of safe and supportive service environments
2. A code of conduct

6 s.10 Education (Accreditation of Non-State Schools) Regulation 2001 7 s.10 Education (Accreditation of Non-State Schools) Regulation 2001

8 ss. 171 and 172 Working with Children (Risk Management and Screening) Act 2000

s. 3 Working with Children (Risk Management and Screening) Regulation 2011

## **Capability**

3. Recruitment, selection, training and management strategies that encourage best practice and enhance the safety and well-being of children and young people

## **Concerns**

4. Policies and procedures for handling disclosures and suspicions of harm
5. Policies and procedures for the occasions where there might be a breach of the organisation's child and youth risk management strategy
6. A planning process for high risk activities and special events

## **Consistency**

7. Policies and procedures for compliance with Chapter 8 of the Working with Children Act
8. Strategies for communication and support for all stakeholders including children and young people

## **11.3 Recruitment and Screening**

### **Employees**

School and legislative screening requirements and appropriate employment selection procedures must be adopted for the recruitment and selection of all employees to CQCC schools.

### **Volunteers and Visitors**

Legislative screening requirements will apply to all volunteers (in a formal volunteer role) and visitors (including contractors) whose work brings them into contact with students at CQCC.

No volunteer or visitor can commence work until a positive Suitability Notice (Blue Card) is received

## **11.4 Building Knowledge and Understanding**

The School Board must ensure that staff are trained in student protection and safety policies and related processes. The school Principal must ensure that relevant training and information sources are provided as required by this policy.

### **Students and Parents**

CQCC will as part of their annual Child and Youth Risk Management strategy have developed a 'communication strategy' for the sharing of relevant information to the student and parent community.

Schools must have in place published and readily accessible procedures for all students to contact a designated Student Protection Officer to report matters of harm or risk of harm (including sexual abuse or likely sexual abuse) of a student by another person and inappropriate behaviour of a staff member or volunteer towards a student.

Schools must have in place published and readily accessible procedures for parents to report matters of harm or risk of harm (including sexual abuse or likely sexual abuse) of a student by another person and inappropriate behaviour of a staff member or volunteer towards a student.

Table 2 in Procedure Section 7 provides as a minimum a range of activities that are to be utilised by CQCC to build knowledge and understanding.

### **Employees**

All staff members, as a minimum level will be provided with relevant training and/or information sessions in this policy and procedures and other associated protective policies annually. Employees must attend relevant training as provided and required by this policy or the school Principal.

### **Student Protection Officers**

Designated Student Protection Officers will be provided with appropriate training as determined by the Principal.

### **Volunteers and Visitors**

Volunteers and visitors will be made aware of relevant information including their specific obligations and responsibilities under this policy and associated procedures.

## **12. Support**

Persons affected by student protection matters will react and respond differently. It is imperative that all appropriate support is provided to those concerned. The Principal is to ensure that any student or staff member involved in any student protection incident is provided with opportunities for support and debriefing as appropriate.

In circumstances where it may be suspected or apparent that other students may have been involved or exposed to a student protection matter or concern, the Principal may seek guidance from the school's Board in this regard.

## **13. Complaints**

In the event that a person, for example a parent, has a concern that the processes within this Student Protection Policy and associated procedures have not been complied with, then the person is able to make a complaint pursuant to the Complaints Policy in the School's Policy and Procedures. This policy is available on CQCC's website.

# Procedure

## Purpose of This Procedure

This procedure supports the Student Protection Policy 15 July 2016 and is to be read and applied in conjunction with the policy.

The purpose of these procedures is to provide guidance and direction to CQCC staff in the implementation of written processes and safe management practices for responding and reporting to allegations of sexual abuse, likely sexual abuse, harm or an unacceptable risk of harm of a student (under 18 years of age) and inappropriate behaviour of a staff member or volunteer of CQCC towards a student. The procedures aim to ensure consistency in behaviour and practice across CQCC.

## 1. Appointment of Student Protection Officers

Student Protection Officers will be appointed by the Principal using the form in Appendix A

## 2. Responding to Student Concerns

All employees, volunteers and visitors will respond in an appropriate timely manner as outlined in this policy and procedures to all student safety concerns. The welfare and safety of the student is paramount in all circumstances.

Where there is any doubt about an allegation, suspicion or report of harm of a student by any person the decision must be in favour of reporting the allegation.

Employees and volunteers can speak with a Student Protection Officer about any concerns. The SPO may work through the information using the Child Protection Guide (Qld). 'Relevant persons' under the CPA are able to confer/consult with another employee working within the 'same entity' on relevant matters to assist in the forming of a reasonable suspicion of harm or risk of unacceptable harm (sexual or physical) of a student.

The Child Protection Guide (Qld) should be considered as a tool to assist prior to making a report or referral. The CPG provides recommendations ONLY which are to be considered with all of the available information, knowledge and experience held by the SPO. The CPG can be accessed on the Child Safety Services website at:

<http://www.communities.qld.gov.au/childsafety/partners/our-government-partners/queensland-child-protection-guide/online-child-protection-guide>

### 3. Reporting / Referral Processes

Students and parents who have concerns or information relating to the safety of a student of CQCC are encouraged to report the information to a Student Protection Officer or to the Principal. Students can also report concerns to any trusted adult at CQCC.

Employees are bound by a number of obligations including those as prescribed by legislation and policy to report reasonable suspicions of sexual abuse, likely sexual abuse, significant harm or an unacceptable risk of significant harm of a student or inappropriate behaviour towards a student. The following Resource Sheets provide further guidance on the reporting processes:

- Child Protection Resource Sheet: Guide for reporting or referring 'harm' to a child (see Appendix B)
- Child Protection Resource Sheet: Principal's reporting process (see Appendix C)

#### 3.1 Forms

The following reporting forms and templates have been developed or provided by the Department of Communities (Child Safety Services) for use by CQCC in the reporting or referral of relevant matters to a State authority, or a community based support service:

- **FORM 1:** Suspected Sexual Abuse or Likely Sexual Abuse Report
- **E-Report FORM:** Available from Child Safety Services internet site
- **FORM 2:** Notification of Reportable Suspicion of Sexual Abuse / Likely Sexual Abuse or Harm to the School Board
- **FORM 3:** Inappropriate Behaviour Report – reporting allegation or incident involving a staff member or volunteer
- **E-Referral FORM:** Available from Child Safety Services internet site
- **REQUEST FOR INTERVIEW FORM:** Interview request of students by State Authority
- **QCoT: Notice under s. 76** (Investigation) template
- **QCoT: Notice under s. 77** (Resignation) template
- **QCoT: Notice under s. 78** (Dismissal) template

See Appendices D and E for samples of these forms and templates.

## 3.2 Legislative Obligations

The relevant legislative reporting obligations are as outlined below:

### 3.2.1 Education (General Provisions) Act 2006 [Sexual Abuse]

Section 366 (Obligation to report sexual abuse of person under 18 years at non-State school) and s.366A (Obligation to report likely sexual abuse of person under 18 years at non-State school) requires that a school staff member (first person) must immediately make a written report when they become aware or reasonably suspect the sexual abuse or likely sexual abuse of a student (relevant person EGPA) under 18 years of age by another person.

#### **If a staff member is the 'first person':**

**All staff members:** as the 'first person' must immediately report. A written report (FORM 1) is to be completed by the staff member with support if required by a Student Protection Officer and provided to the school Principal.

If the allegation made relates to the Principal, the report (FORM 1) must be made directly to the Chair of the School Board or the nominated delegate.

**Principal:** Will include all other relevant known information into the FORM 1 and immediately give the report to a police officer (relevant CPIU, QPS).

**Principal:** Will complete and provide a relevant FORM 2 to the School Board.

**The Chair of School Board:** If a written report (FORM 1) (regarding an allegation made relating to the Principal) has been provided to the Chair of the School Board or the nominated delegate, the FORM 1 must immediately be given to a police officer (relevant CPIU, QPS).

**The Chair of School Board:** Will complete and provide a relevant FORM 2 to the School Board (when an allegation is made relating to the Principal).

#### **If the Principal is the 'first person':**

**Principal:** as the 'first person' must immediately give a written report (FORM 1) to a police officer (relevant CPIU, QPS) and provide a copy of the report (FORM 1) to the Chair of the School Board or the nominated delegate.

**Principal:** Will complete and provide a FORM 2 to the Chair of the School

Board or the nominated delegate.

A maximum penalty of 20 penalty units may apply to persons who do not comply with the provisions of s.366 EGPA. No penalty exists for breaches of s.366A EGPA.

**NOTE: Director's delegation of legislative 'function' (EGPA)**

Section 366B, EGPA provides that if a non-State school's Governing Body (Board) has more than one director then all of the directors may by unanimous resolution, delegate the director's function to an appropriately qualified individual. This 'function' must not be delegated to the Principal or any other staff member of the non-State school.

'Function' means the director's function of receiving a report and giving a copy of the report to a police officer under ss 366 or 366A EGPA.

### **3.2.2 Child Protection Act 1999 [Physical or Sexual Abuse]**

Section 13E requires that 'relevant persons' must make a report when they reasonably and honestly suspect a child has suffered, is suffering or is at risk of suffering significant harm caused by physical or sexual abuse and may not have a parent able and willing to protect the child from harm.

**Teachers / Registered nurses:** as a 'relevant person' must report to Child Safety when they have formed a reasonable suspicion under s13E CPA. A 'relevant person' may confer with other colleagues at the same entity to assist in the forming of a reasonable suspicion.

An E-Report FORM is to be completed and submitted after consultation with the Principal by the 'relevant person'. The E-Report FORM may be completed with guidance from a SPO.

**Note: the legislative responsibility is on the 'relevant person' to directly report to Child Safety.**

**Principal:** Will complete and provide a FORM 2 to the Chair of the School Board.

If the allegation made relates to the Principal, a copy of the E-Report FORM is to be provided to the Chair of the School Board.

No legislative penalties apply to persons who do not comply with the provisions of s.13E CPA. If a 'relevant person', as an employee of CQCC, is found to be in breach of this reporting provision of the CPA, internal disciplinary processes will apply.

Section 13B provides the sharing of information to a relevant service provider if there are concerns that the child is likely to become a child in need of protection if no preventative support is given.

**Principal:** Will if appropriate arrange for the child and/or family to be referred (with consent or without consent) to a relevant community based support service e.g. Family and Child Connect (FaCC) service. A SPO may refer a child and/or their family with consent to a relevant community based support service. A family can self-refer to a FaCC.

**Note: ONLY the Principal as the 'prescribed entity' can refer without consent.**

### 3.2.3 Education (Queensland College of Teachers) Act 2005 [Harm]

Section 76 requires that if the employing authority for a prescribed school investigates an allegation of harm caused or likely to be caused to a child because of the conduct of a relevant teacher of the prescribed school, the employing authority must as soon as practicable after the investigation starts give notice to the Queensland College of Teachers in accordance with s.76 (3).

A maximum penalty of 40 penalty units apply for breaches of s.76 E(QCoT) Act 2005.

Section 77 requires that if the employing authority starts an investigation (s.76) the employing authority must as soon as practicable after the investigation ends for any reason, give notice to the Queensland College of Teachers of the outcome of the investigation. The notice must include the information required in s.77 (3).

A maximum penalty of 40 penalty units apply for breaches of s.77 E(QCoT) Act 2005.

If, after a written report for sexual abuse or likely sexual abuse (ss.366 or 366A EGPA) involving a teacher has been given to a police officer, and the teacher resigns from the school, the employing authority is to inform the Queensland College of Teachers by way of an interim notice under the requirements of s.76.

If the employing authority dismisses a teacher of the school in circumstances that, in the opinion of the school, call into question the teacher's competency to be employed as a teacher and a notice is not required in accordance with ss.76 and 77 of the EQCoT as outlined above, the school must give notice (completed in accordance with

s.78 of EQCoT) to the Queensland College of Teachers within 14 days after the dismissal was given to the teacher. A maximum penalty of 40 penalty units apply for breaches of s.78 E(QCoT) Act 2005.

Copies of templates for these notices can be found in Appendix E and are available from the ASO website: <http://ascqld.org.au/> in the Student Protection folder.

**Principal:** Will ensure as required that a relevant notice is provided to the Queensland College of Teachers and a copy is provided to the School Board.

### **3.2.4 Education (Accreditation of Non-State Schools) Regulation 2001 [Inappropriate Behaviour]**

Section 10 Health, safety and conduct of staff and students, requires schools to have written processes in place for the reporting and responding of inappropriate behaviour of a staff member towards a student. The Student Protection Policy has been broadened to include volunteers.

#### **Employees**

All employees will as soon as practicable report (FORM 3) all allegations of inappropriate behaviour of an employee or volunteer towards a student, to a SPO, the Principal or if warranted to the Chair or the nominated delegate of the relevant school/college council.

If a SPO receives the allegation, they are to ensure that a FORM 3 is completed and the form immediately provided to the Principal.

#### **Volunteers**

All volunteers will report as soon as practicable all allegations of inappropriate behaviour of an employee or volunteer towards a student to a SPO. The SPO is to complete FORM 3 based on the information provided by the volunteer.

The SPO will immediately provide the completed FORM 3 to the Principal. If the allegation relates to the Principal the SPO will provide the Form 3 to the Chair of the School Board.

#### **Principal**

Upon receiving a FORM 3, the Principal will allocate the investigation to an SPO or an appropriate staff member as determined by the Principal.

A copy of the FORM 3 will be forwarded to the Chair of the School Board.

If relevant, a Notice (s.76 EQCoT Act) will be forwarded to the QCoT.

The Principal upon receipt of the written investigation report will implement the recommendations as made in the final report.

#### **Designated SPO / staff member**

The SPO or designated staff member will undertake a thorough investigation of the allegation of inappropriate behaviour and provide a written report with recommendations to the Principal within the timeframe provided by the Principal.

#### **Allegation relating to the Principal**

If the allegation relates to the Principal, the report (FORM 3) is to be provided to the Chair of the School Board.

**Chair or nominated Delegate** is to commence an investigation process.

### **3.2.5 Working with Children (Risk Management and Screening) Act 2000 Working with Children (Risk Management and Screening) Regulation 2011 [Strategy]**

Sections 171 and 172 (the Act) and s.3 (the Regulation) require that a person who carries out a 'regulated business', must for each year develop and implement a written strategy to be known as a Child and Youth Risk Management Strategy. This strategy has eight (8) mandatory requirements, refer to Section 6.1 for more information.

**Principal:** Will ensure that the school has developed and implemented a school specific Child and Youth Risk Management Strategy in accordance with legislative requirements and that such strategy is reviewed annually.

A maximum penalty of 20 penalty units may apply for non-compliance of ss. 171 and 172 of the Working with Children Legislation.

### 3.3 Policy Obligations

Section 13A of the Child Protection Act 1999 allows that any person *may* make a report when they reasonably suspect:

- a) a child may be in need of protection, or
- b) an unborn child may be in need of protection after he or she is born.

However, the following obligations have been adopted in the Student Protection Policy and are considered additional to those required by law.

#### **Teachers and Registered nurses**

Policy requires that teachers and registered nurses (as a 'relevant person' s.13E CPA) **must** make a written report (E-Report FORM) to Child Safety Services when they have formed a reasonable suspicion that a student has suffered, is suffering or is at risk of suffering significant harm caused by **other forms of abuse (psychological/emotional or neglect)** and may not have a parent able and willing to protect the student.

An E-Report FORM is to be completed and submitted after consultation by the 'relevant person' with the Principal.

If the allegation relates to the Principal, a copy of the E-Report FORM is to be provided to the Chair of the School Board or the nominated delegate.

#### **Student Protection Officer (if not a 'relevant person')**

Policy requires that a SPO **must** make a written report (E-Report FORM) to Child Safety Services when they have formed a reasonable suspicion that a student has suffered, is suffering or is at risk of suffering significant harm (regardless of abuse type) and may not have a parent able and willing to protect the student.

An E-Report FORM is to be completed and submitted after consultation by the SPO with the Principal.

If the allegation relates to the Principal, a copy of the E-Report FORM is to be provided to the Chair of the School Board or the nominated delegate.

### **Other school employees**

Policy requires that all employees of CQCC **will** immediately report all concerns or allegations of actual or unacceptable risk of harm (other than sexual abuse or likely sexual abuse) of a child or unborn child to a SPO or the Principal.

If a SPO receives this information they are to inform the Principal as soon as practicable unless such advice is deemed to be of an urgent nature.

If the allegation relates to the Principal, a copy of the E-Report FORM is to be completed by the SPO and provided to the Chair of the School Board.

### **Volunteers and visitors**

Policy requires that all volunteers and visitors to CQCC **will** immediately report all concerns or allegations of actual or unacceptable risk of harm (all forms of abuse including sexual abuse or likely sexual abuse) to the Principal.

This reporting may be via the staff member responsible for the volunteer or visitor or to a SPO. If a staff member or SPO receives this information they are to immediately inform the Principal.

### **Principal**

Will consider the nature of the information and if considered necessary will report (FORM 1 or E-Report FORM) to a relevant State authority or if appropriate arrange for the child and/or family to be referred (with consent or without consent) to a relevant community based support service. A SPO may refer a child and/or family with their consent to a relevant community based support service.

An E-Referral FORM is to be used for referrals to a Family and Child Connect (FaCC) service.

**Principal:** If the matter has been reported to a State authority for investigation, the Principal will complete and provide FORM 2 to the Chair of the School Board.

No legislative penalties apply to persons who do not comply with the provisions of s.13A CPA. If an employee of CQCC is found to be in breach of this policy obligation, internal disciplinary processes will apply.

If a volunteer or visitor is found to have breached this policy obligation the Principal will consider appropriate action which may include excluding the person from continuing in their role as a school volunteer or visitor.

## **3.4 Anonymity and Protection from Liability**

Section 186 of the CPA provides confidentiality for notifiers of harm or risk of harm. The identity of a person who has made a student protection report is not to be revealed to any individual without that persons consent unless permitted or required by law.

Section 197A affords any person acting honestly and reasonably, protection from liability in civil, criminal and administrative processes available under the CPA. Further, they will be entitled to the confidentiality protections afforded to notifiers under the CPA.

An employee who makes a voluntary report to Child Safety or the QPS outside the Student Protection Policy reporting processes will also be entitled to seek the protections afforded by the CPA provided they have complied with s.197A CPA.

## **4. Student Protection Records**

### **4.1 Making Student Protection Records**

The notes, records and reports staff members make about student protection concerns are important documents containing important information. Staff members could be interviewed as part of an investigation, or required to attend court. They may need to refer to their notes later. These notes could be subpoenaed and become the subject of court proceedings. In making any record of concerns about any student protection issue staff members are encouraged to keep in mind the following:

#### **Do**

- be as objective as you can and record factual information as soon as possible
- write down exactly what has been observed or heard, noting the date and time

- record statements made by the student, parent or other notifier verbatim and in quotation ( ‘ ’ ) marks
- always sign and date the record. It should be clear whether the record was made on the same day as the incident, or after
- add supplementary notes/records if there is insufficient space on the relevant Student Protection Reporting Form
- record any observations that has been noticed in student’s behaviour

## **Do not**

- express an opinion about what was observed or heard
- record judgements
- interpret what was observed or heard
- use emotive terms

## **4.2 Use of Reporting Forms**

All Student Protection Reporting forms as listed in Section 3.1 are to be electronically completed with all available detail provided to assist the relevant State authority with their assessment and investigation. Forms are to be e-mailed to the relevant recipient.

**UNDER NO CIRCUMSTANCES ARE REPORTING FORMS TO BE FAXED OR HAND WRITTEN.**

## **4.3 Storing Student Protection Records**

Student protection information will be stored in a secure, central confidential file apart from individual student files to ensure accountability and to assist in the continuity of information from year to year. These records may be the subject of a subpoena in future court or inquiry proceedings.

# **5. Responsibilities**

## **5.1 School Board of CQCC Must:**

- be fully conversant with the Student Protection in policy and procedures and all specific school related policies;
- ensure that the school has in place relevant written processes as required in s.10 (Health, safety and conduct of staff and students) of the *Education (Accreditation of Non-State Schools) Regulation 2001*;
- ensure that staff, students and parents are made aware of the schools related processes;

- ensure that staff are trained in implementing the processes and that the school is implementing the processes;
- ensure that the processes are readily accessible by staff, students and parents;
- ensure that the school has a written complaints procedure to address allegations of non-compliance of related written processes;
- be fully conversant with and adhere to all applicable child/student protection related legislative provisions, including Working with Children provisions;
- ensure that the school has developed a Child and Youth Risk Management Strategy as required by legislation
  - ss 171 – 172 Working with Children (Risk Management and Screening) Act 2000 and s.3 Working with Children (Risk Management and Screening) Regulation 2011;
- ensure that the school's Child and Youth Risk Management Strategy is reviewed annually;
- provide all necessary assistance to the relevant State authority as requested; and
- maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.

## **5.2 Principal of CQCC Must:**

- adopt and implement the Student Protection policy and procedures as approved by the Board and required by legislation;
- be fully conversant with the Student Protection policy and procedures and all related specific school related policies;
- adhere to this policy and procedures and relevant school procedures in all activities and behaviours;
- ensure that all employees are trained in implementing legislative and policy requirements relating to protecting students from harm or the risk of harm;
- ensure that all volunteers and visitors to the school who have regular contact with students are made aware of their obligations under this policy;
- be fully conversant with and adhere to all applicable child/student protection related legislative obligations and provisions, including Working with Children legislation;
- ensure through selection, appointment and training that each employee for whom they are responsible understands and fulfils the requirements of this policy and procedures;
- ensure that employees, volunteers and visitors involved with students know that they must refrain from any behaviour which is inappropriate or could lead to harm of those student/s;
- ensure that their school has written processes about the health, safety and conduct of its students and employees which are consistent with relevant legislation;

- ensure that their school has nominated appropriate staff members (a minimum of two staff members required) to fulfil the role of a SPO;
- ensure that the name and contact details of SPOs are advertised to the student, parent and staff school communities;
- ensure that all staff members are aware of and comply with the reporting provisions of ss. 366 and 366A (sexual abuse or likely sexual abuse) of the EGPA;
- ensure that a copy of the written report (FORM 1) is immediately prepared by the 'first person' on any matter of sexual abuse, suspected sexual abuse or where it is reasonably suspected that a student is likely to be sexually abused by any person. And that is provided to the Principal or to the Chair, school council or delegate (if appropriate) and is immediately provided to a police officer;
- if, after a written report about sexual abuse relating to a teacher has been provided to a police officer, and the teacher resigns, ensure that the Queensland College of Teachers is informed by way of notice;
- ensure that their school has written processes about the reporting of significant harm or the unacceptable risk of significant harm of a student. Such written processes, are to include information about how the school will respond to such reports;
- ensure that all students and parents / carers are aware of and have access to the processes for the reporting of harm or risk of harm of a student to an identified SPO or the Principal;
- only confer with a colleague (working within the same entity) to assist in the forming of a 'reasonable suspicion';
- in accordance with the CPA ensure that all 'reportable suspicions' of harm of a student are immediately reported (E-Report FORM) to Child Safety Services;
- in accordance with the CPA and where deemed appropriate, ensure that a referral (E-Referral FORM) is made (with or without consent) to a community based support service e.g. FaCC;
- protect the identity of the notifier of the harm unless that person consents otherwise;
- ensure that their school has written processes about the appropriate conduct of its students and staff which are consistent with State legislation regarding the protection and safety of students. Such written processes to include a process for students to report inappropriate behaviour by a staff member and a process for responding;
- ensure that all students and parents/carers are aware of and have access to the processes for the reporting (FORM 3) by a student to an identified SPO, the behaviour of a staff member that a student considers to be inappropriate;
- ensure that the school has a written complaints procedure to address allegations of non-compliance of related written processes;

- ensure that the school has developed a Child and Youth Risk Management Strategy and that such strategy is reviewed annually;
- ensure that the School Board receives written notification (FORM 2) of all allegations of sexual abuse, likely sexual abuse, sexually inappropriate behaviour or harm of/to a student by another person including any employee. This notification is only to be provided for allegations that have been reported to a relevant State authority or involving an employee even if from an anonymous source;
- apply appropriate protocol for dealing with complaints of sexual harassment, sexual assault and sexually inappropriate behaviour. If the alleged perpetrator is an employee, the Principal will consult with the Board Chair to determine if they should be stood aside;
- ensure compliance with all legislative and school screening requirements for all employees;
- ensure that a register of legislative screening is maintained, ensuring that an automated alert process is in place for managing the renewal process of Blue Cards (Working with Children check);
- maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation;
- provide all necessary assistance to the investigative State authority as requested;
- liaise with the chairman of the board and Independent Schools Queensland to prepare a media briefing if required; and
- ensure that where necessary appropriate support is provided to students and staff if related to a student protection allegation or concern, for example pastoral care and/or counselling services.

### **5.3 Employees of CQCC Must:**

- be fully conversant with child protection related legislative obligations and provisions, including Working with Children legislation;
- be fully conversant with the Student Protection policy and procedures and all related and specific school related policies;
- adhere to this policy and procedures and relevant school procedures e.g. Code of Conduct in all activities and behaviours;
- ensure that they attend and/or complete relevant training and information sessions as required;
- ensure that their behaviour neither encourages nor supports behaviours in others that undermine the purpose of this policy;
- refrain from any behaviour which is inappropriate or could lead to harm of a student;
- at all times during the course of their employment, practise safe behaviours;

- when becoming aware of or reasonably suspecting sexual abuse or likely sexual abuse of a student (relevant person EGPA) by any person, immediately prepare a written report (FORM 1).
- if they are a 'relevant person' under the provisions of the CPA immediately provide a written report (E-Report FORM) of a 'reportable suspicion' of harm of a student to the Child Safety Services after consultation with the Principal;
- If the alleged harm relates to the Principal a FORM 2 is to be completed and provided to the Chair, School/ College Council or the nominated delegate;
- as a 'relevant person' only confer with a colleague (working within the same entity) to assist in the forming of a 'reportable suspicion';
- report to the Principal or a SPO all reasonable suspicion/s, information or allegations of significant harm (other than sexual abuse by any person) or non-significant harm of a student. If they are a SPO and another employee makes them aware of concerns as outlined above they are to report as soon as practicable to the Principal for consideration.
- report all concerns of inappropriate behaviour of another employee or volunteer towards a student, to the Principal;
- protect the identity of the notifier of the harm unless that person consents otherwise; and
- maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.

## **5.4 Volunteers and Visitors to CQCC Must:**

- acknowledge their understanding of the Student Protection policy and reporting requirements relating to their position in the school prior to commencing their particular role within the school;
- ensure that their behaviour neither encourages nor supports behaviours in others that undermine the purpose of this policy;
- refrain from any behaviour which is inappropriate or could lead to harm of a student;
- at all times during the course of their voluntary role or visit to the school, practise safe behaviours;
- understand that school staff have certain reporting obligations by virtue of legislation and policy to report all suspicions, information or allegations of sexual abuse, risk of sexual abuse and likely sexual abuse and other forms of harm and inappropriate behaviour of/to a student/s;
- immediately report to either their supervising staff member, SPO or to the Principal all suspicions or concerns they may have or have formed about any form of harm of a student; and
- maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.

## **5.5 Students of CQCC:**

Students are encouraged to seek assistance, advice and/or support, where they are concerned for their safety or the safety of others, from a SPO or the school Principal where appropriate.

Students are required to consider the rights and safety of others. These include:

- respect for their peers;
- respect for all school staff, volunteers and visitors; and
- respect for safe practices including the following of reasonable directions and practices

Students are not to be prevented from discussing any concern of this nature with any school staff member or person they identify as a trusted adult.

# **6. Management Practices for a Safe Environment**

## **6.1 Child and Youth Risk Management Strategy**

The Working with Children (Risk Management and Screening) Act 2000 and the Working with Children (Risk Management and Screening) Regulation 2011 require schools to develop, implement and review annually a Child and Youth Risk Management strategy which aims to keep children and young people safe. The Principal is responsible for ensuring that this strategy is developed, implemented and reviewed annually.

To comply with the legislative provisions a Child and Youth Risk Management strategy must include eight (8) minimum mandatory requirements, being:

### **Commitment**

1. A statement of commitment to the principles of safe and supportive service environments
2. A code of conduct

### **Capability**

3. Recruitment, selection, training and management strategies that encourage best practice and enhance the safety and well-being of children and young people

## **Concerns**

4. Policies and procedures for handling disclosures and suspicions of harm
5. Policies and procedures for the occasions where there might be a breach of the organisation's child and youth risk management strategy
6. A planning process for high risk activities and special events

## **Consistency**

7. Policies and procedures for compliance with Chapter 8 of the Working with Children Act
8. Strategies for communication and support for all stakeholders including children and young people

The Public Safety Business Agency (PSBA): Blue Card Services has a Child and Youth Risk Management Strategy Toolkit available to assist with the development of a strategy of this nature. This toolkit can be located on their website:

<https://www.bluecard.qld.gov.au/risk-management.html>

This strategy is to reflect a school academic year, reviewed at the end of each school year with a new school year strategy developed.

## **6.2 Recruitment and Selection (Employees)**

The Principal will ensure that a school specific recruitment and selection policy and procedures document is developed and current for assessing the appropriateness of employees responsible for the care of students.

This will include careful interviewing and reference checking of employment history. A staff recruitment and selection policy will form part of mandatory requirement 3 as outlined in 6.1.

All successful appointees to a position within CQCC must receive a copy of this policy and procedures and be provided with relevant information and/or training upon commencement of their employment.

## 6.4 Screening - Blue Cards

All potential employees and volunteers (including parents involved in formal volunteering) must undergo legislative screening and receive a positive Suitability Notice (Blue Card) or an Exemption Card before commencing work.

Formal volunteering is an activity in designated volunteer positions e.g. sports coach or manager, reading support, tuckshop, support groups, the executive of the Parents and Friends Association and school Board .

Parents performing volunteer work in a role other than formal volunteering, at the discretion of the Principal are to be considered for a Working with Children check.

There is no cost involved to the school or to the volunteer for the Suitability Notice for a 'Volunteer' Blue Card.

If an employee or a volunteer already holds a Suitability Notice (blue card) obtained through another organisation, the school is to submit an Authorisation to confirm a valid card/application form to Blue Card Services, PSBA to ensure that the Suitability Notice is linked to the new organisation (CQCC).

Schools are to record all positive Suitability Notice holders and expiry dates of Blue Cards in a register as required by the PSBA with an automated alert in place to manage the renewal process. Schools are required to have a Working with Children Check Management policy and procedures in place, refer to mandatory requirement 7 outlined in 6.1.

## 7. Building Knowledge and Understanding

**Student and Parents** will be able to access relevant information including this policy and procedures on the school's internet.

**Employees** will be provided with training and/or information sessions relating to this policy and procedures and other associated protective policies on an annual basis.

**Student Protection Officers** will be provided with a minimum of one (1) day additional training each calendar year.

**Volunteers and Visitors** will be provided with information relating to this policy and procedures prior to their commencement in their particular role. This information is to be provided upon induction with updates annually.

### **Knowledge Building Activities**

**Table 2** lists some of the training and knowledge building activities that are to be used to provide employees, volunteers and visitors and students and parents with information about student protection policies and procedures.

| <b>STUDENTS</b>  |
|--|
| <ul style="list-style-type: none"> <li>• Information about reporting and SPO's in student handbook</li> <li>• Reference made at school assemblies at least once per year</li> <li>• Presentations during class</li> <li>• Posters displayed on school grounds identifying SPO's</li> </ul>   |
| <b>PARENTS</b>   |
| <ul style="list-style-type: none"> <li>• References made in a school newsletter at least once per year</li> <li>• Student Protection Information Handbook for Parents made available electronically</li> <li>• Student Protection Information Handbook for Parents: Hardcopies in reception areas</li> <li>• Presentation at parent information evenings</li> <li>• Information flyer in enrolment pack</li> <li>• Policy and procedures available on school website (intranet and internet)</li> </ul>  |
| <b>EMPLOYEES</b>   |
| <ul style="list-style-type: none"> <li>• Annual student protection in-service training for employees (policy and procedures)</li> <li>• Relief teachers and work placement students: Induction training</li> <li>• Induction programs for newly appointed staff members – Student Protection Policy and Procedures and Code of Conduct (Staff) prior to commencement</li> <li>• Information package and session for part-time staff / volunteers e.g. sporting coaches and music tutors</li> <li>• Policy and procedures placed on Staff Website</li> <li>• Training for school based Student Protection Officers</li> <li>• Regular staff meetings</li> <li>• Other relevant training as determined by the Principal</li> </ul> |
| <b>VOLUNTEERS AND VISITORS</b>   |
| <ul style="list-style-type: none"> <li>• Induction programs for newly appointed volunteers – Student Protection Policy and Procedures and Code of Conduct (Volunteer) prior to commencement</li> <li>• Volunteer Handbook to include relevant information relating to this policy and procedures</li> <li>• Policy and procedures placed on school website and intranet</li> <li>• Visitor Induction to be provided to all visitors (including contractors) prior to commencement of role</li> <li>• Instruction provided by supervising / responsible staff member</li> </ul>   |

Table 2: Knowledge building activities

# Declaration

I \_\_\_\_\_ declare that I have read this policy, understand my obligations under the CQCC Student Protection policy and procedure and will adhere to it.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

# Appendices

## **Appendix A**

### **Form for Appointment of Student Protection Officers**

<<<<INSERT HERE>>>>

## Appendix B: Guide for Reporting or Referring “harm” to a Child

Principals are to consider this information in conjunction with the Principal report / referral table.

| WHO   | ABUSE TYPE  | THRESHOLD   | REPORT / REFER  | WHOM<br>As determined by legislation  | AUTHORITY   |
|---|---|---|---|---|---|
| <b>All school staff</b>   | Sexual  | Awareness or a reasonable suspicion of sexual abuse or likely sexual abuse  | <b>MUST REPORT</b><br>↓<br><b>Principal or Chair</b>                            | Confer with SPO and prepare written report;<br><ul style="list-style-type: none"> <li>• Principal/ Chair of School Board</li> <li>• recipient of form to immediately <b>give</b> to police</li> </ul>   | E (GP) Act (s.366 & 366A)<br>CQCC SP  |
| <b>School staff other than mandated staff (teachers / registered nurses)</b>  | Sexual  | As above + Significant harm and Parent not able and willing to protect  | <b>MUST REPORT</b><br>↓<br><b>Principal/ SPO</b>                                | SPO / Principal:<br><ul style="list-style-type: none"> <li>• prepare written report; and</li> <li>• immediately provide report to Child Safety</li> </ul>   | CP Act (s. 13E)<br>CQCC SP policy   |
| <b>Mandatory reporter:</b><br><ul style="list-style-type: none"> <li>• <b>Teacher</b></li> <li>• <b>Registered Nurse</b></li> </ul> | Sexual/Physical<br>Psychological / Emotional<br>Neglect | Significant harm and Parent not able and willing to protect   | <b>MUST REPORT</b><br>↓<br><b>Child Safety</b>                                  | Mandated reporter (legislation);<br><ul style="list-style-type: none"> <li>• confer with SPO;</li> <li>• consult with Principal;</li> <li>• prepare written report; and</li> <li>• immediately provide report to Child Safety</li> </ul>                      | CP Act (s. 13E)<br><ul style="list-style-type: none"> <li>• sexual / physical</li> </ul><br>CQCC SP policy<br><ul style="list-style-type: none"> <li>• other forms of harm</li> </ul> |
| <b>School staff other than mandated staff (teachers / registered nurses)</b>  | Physical<br>Psychological / Emotional<br>Neglect        | Significant harm and Parent not able and willing to protect   | <b>MUST REPORT</b><br>↓<br><b>Child Safety</b>                                  | SPO / Principal:<br><ul style="list-style-type: none"> <li>• to consult with Principal and SPO (as delegated);</li> <li>• SPO and staff member to prepare written report;</li> <li>• Principal / SPO to immediately provide report to Child Safety</li> </ul> | CP Act (s. 13A)<br><br>CQCC SP policy   |
| <b>All staff</b>  | Any   | Reporting threshold not met.<br><b>HOWEVER</b><br>Support service would be beneficial to the child and family to prevent future CP concerns | <b>MUST REFER</b>   | Principal or SPO<br><br>SPO can refer with consent to FaCC/ IFS or other service<br><br><b>ONLY</b> Principal can refer without consent to FaCC   | CP Act (s. 13B)<br><br>CQCC SP policy   |
| <b>All school staff</b>   | Any   | Suspicion that a child has been, is being or is likely to be harmed.  | <b>MUST REPORT</b><br>↓<br><b>Principal</b>                                     | Report to Principal<br><br>Principal to report to Child Safety, police or refer to FaCC / IFS   | CP Act (s. 13A)<br>CQCC SP policy   |
| <b>E (GP) Act – Education (General Provisions) Act 2006</b><br><b>CP Act – Child Protection Act 1999</b>                            |   |   | <b>FaCC – Family and Child Connect</b><br><b>IFS – Intensive Family Support</b> |   |   |

## REPORTING / REFERRAL PROCESS

| 1<br>Form a suspicion   | 2<br>Consult / Confer   | 3<br>Complete a Student Protection Report form  | 4<br>Submission of SP report  | 5<br>After you submit a report   |
|---|---|---|---|--|
| <p>You may form a reasonable suspicion that a child or unborn child may be in need of protection from harm based on:</p> <ul style="list-style-type: none"> <li>• something you have observed</li> <li>• something the child told you</li> <li>• something another child, adult or staff member has told you</li> <li>• a change in the child's behaviour or functioning at school</li> <li>• a pattern of concerning behaviours or incidents that you have noted over time</li> </ul> <p>Ensure that you record in writing your observations and conversations with the child of concern and/or their families</p> | <p>Before commencing a relevant Student Protection Report form:</p> <ul style="list-style-type: none"> <li>• confer with the principal, Student Protection Officer, nurse, other</li> <li>• staff as appropriate</li> <li>• review the Child Protection Resource Sheets</li> <li>• consult the Qld Child Protection Guide (internet).</li> </ul> <p>If a reasonable suspicion is formed and the matter is one of a reportable suspicion (sexual or physical abuse) you are required to complete a report form to be forwarded to Child Safety and/or the police.</p> <p>If not a reportable suspicion (other forms of abuse) you are still to report to Child Safety if the reporting threshold is met.</p> <p>If a reasonable suspicion is not formed but concerns still exist and additional support may be needed, discuss the option of a referral with a Student Protection Officer and/or Principal.</p> <p>A referral can be made with consent (SPO) or without consent (Principal) to a FaCC or IFS if available or to a relevant community based service.</p> <p>A Child Safety E- Referral form will be required on most occasions.</p> | <p>Complete the relevant Student Protection Report form:</p> <ul style="list-style-type: none"> <li>• E-Report (other than sexual abuse)</li> <li>• Form 1 - Sexual Abuse Report (sexual / likely sexual abuse ONLY)</li> <li>• E-Referral form</li> </ul> <p>Determine if report is to go to Child Safety and/or to the police (QPS).</p> <p>To report to police use Form 1 - Sexual Abuse Report. If there is not a parent able and willing to protect you are to also report to Child Safety. The same Form 1 is to be provided to both State authorities:</p> <ul style="list-style-type: none"> <li>• record information in each of the fields in relation to the child, the concerns, the child's family and other relevant information;</li> </ul> <p>Use the E-Referral form for referrals to support services including FaCC and IFS services. Referral to other services are by telephone and/or e- mail.</p> <p><b>Note: ONLY the Principal can refer without consent.</b></p> | <p>Sexual abuse: Immediately after you have included all of the relevant information in each of the screens in the relevant reporting form (Form 1) save and submit your report electronically to your principal/director (or delegate) as required. Recipient of this form, <b>MUST IMMEDIATELY</b> give the report to the police (QPS).</p> <p>Physical / sexual abuse to Child Safety: For E-Reports (physical abuse) to Child Safety you will receive an ID token number. This token will allow you to re-enter an unfinished form if required prior to submitting. Use Form 1 to report sexual abuse to both the QPS and to Child Safety (if reporting threshold is met).</p> <p>Other forms of harm: Report as outlined on Page 1 of this resource sheet. E-Report form to be used</p> <p>Note: if you are mandated to report the onus is on you to provide the written report directly to Child Safety (relevant RIS).</p> <p><b>Remember to consult first with your principal</b></p> | <p>After you have submitted the relevant Student Protection Report form:</p> <ul style="list-style-type: none"> <li>• if your report has been made via your principal or director (or delegate) you will receive</li> <li>• e-mail advice advising that the report has been given to police (QPS).</li> <li>• keep a copy of this e-mail as your verification that you have met your mandated obligation.</li> <li>• if required, ask to speak further with the Principal about your report and the likely outcome.</li> <li>• provide your original report (hardcopy) and all notes to principal for secure storage.</li> <li>• continue to monitor and support the student if / as appropriate.</li> <li>• as required, collaborate with Child Safety, the QPS or other agencies.</li> <li>• maintain strict confidentiality and security of any notes or documents relating to the report.</li> <li>• seek assistance if required from your schools SPO, counsellor or your direct supervisor.</li> </ul> <p><b>Principal: to complete Form 2 Notification of Report to</b></p> |

## Appendix C: Principal’s Reporting Process

| Abuse type  | Authority             | Pre reporting  | Reporting / Referral  |
|---|-----------------------|--|---|
| <b>Sexual abuse</b><br><ul style="list-style-type: none"> <li>• aware</li> <li>• suspects</li> <li>• likely sexual abuse</li> </ul> | EGPA ss. 366 and 366A | <ol style="list-style-type: none"> <li>1. Staff member (first person) becomes aware or suspects.</li> <li>2. If a ‘relevant person’ (CPA) (teacher / RN*) may confer with a colleague</li> </ol>   | <ol style="list-style-type: none"> <li>9. Immediately upon receipt Principal or Chair of the School Board is to give the Form 1: Sexual Abuse Report to a police officer (e-mail to CPIU).</li> <li>10. Principal to ensure the original form is stored securely and kept confidential.</li> <li>11. Principal / Chair (where relevant) to complete a Form 2 Notification of Report to State Authority.</li> <li>12. Form 2 to be provided to School Board</li> </ol>   |
|   | CP Act                | <ol style="list-style-type: none"> <li>e.g. SPO**. Refer to mandatory reporter processes below.</li> <li>3. Consult with Principal prior to completing written form.</li> <li>4. Complete written report: Form 1: Sexual Abuse Report.</li> <li>5. Attach relevant documents (e.g. notes).</li> <li>6. Provide written report to Principal or a director of the School Board (or delegate) (if the concern relates to the Principal).</li> <li>7. Additional information to be included if known or available.</li> <li>8. Both reporting staff member and Principal / director (or delegate) co- sign Form 1: Sexual Abuse Report.</li> </ol> <p style="text-align: center; margin-top: 10px;">*RN: Registered Nurse    **SPO: Student Protection Officer</p> | <p style="margin-top: 10px;"><b>In this circumstance, the original reporting form is not to be disseminated or shared to anyone else other than as described above. ALL copies to be stored securely.</b></p>   |
| <b>Sexual abuse</b><br><ul style="list-style-type: none"> <li>• aware</li> <li>• suspects</li> <li>• likely sexual abuse</li> </ul> | EGPA ss. 366 and 366A | <ol style="list-style-type: none"> <li>1. Principal (first person) becomes aware or suspects.</li> <li>2. ‘Relevant person’ (CPA) may confer with a colleague.</li> <li>3. Complete written report: Form 1: Sexual Abuse Report with relevant attachments (e.g. notes).</li> </ol>   | <ol style="list-style-type: none"> <li>4. Principal is to immediately give the report form to a police officer (e-mail to CPIU).</li> <li>5. Give a copy of the Form 1 to a director (or delegate) of the School Board.</li> <li>6. Principal to ensure the original form is stored securely and kept confidential.</li> <li>7. Principal to complete Form 2: Notification of Report to State Authority.</li> <li>8. Provide a copy of Form 2 to School Board.</li> </ol>   |
|   | CP Act                |  | <p style="margin-top: 10px;"><b>In this circumstance, the original Form 1 is not to be disseminated or shared to anyone else other than as described above. ALL copies to be stored securely.</b></p>   |
| <b>Sexual or physical abuse</b>   | CP Act                | <ol style="list-style-type: none"> <li>1. Mandatory reporter forms a ‘<b>reasonable suspicion</b>’.</li> <li>2. Confer with other colleagues if appropriate</li> <li>3. Consult with principal.</li> <li>4. If the concern is a ‘reportable suspicion’: complete: <ul style="list-style-type: none"> <li>• <b>physical abuse</b>: Child Safety E-Report; or</li> <li>• <b>sexual / likely sexual abuse</b>: Form 1: Sexual Abuse Report.</li> </ul> </li> <li>5. Relevant attachments (e.g. notes) included with form.</li> </ol>  | <ol style="list-style-type: none"> <li>6. Physical abuse: Mandated reporter to submit E-Report to Child Safety.</li> <li>7. Sexual abuse: Form 1 e-mailed to relevant CPIU (police) and to Child Safety RIS if reporting threshold met.</li> <li>8. Principal to complete Form 2 Notification of Report to State Authority.</li> <li>9. Provide a copy of Form 2 to School Board</li> </ol> <p style="margin-top: 10px;"><b>Original reporting form is not to be disseminated or shared to anyone else other than as described above. ALL copies to be stored securely.</b></p> |
| <b>Physical</b>   | CP Act and            | <ol style="list-style-type: none"> <li>1. If any staff member (not a ‘relevant person’ – CP Act)</li> </ol>  | Principal to follow appropriate reporting or referral process.  |

|  |  |  |   |
|--|--|--|---|
|  | CQCC SP policy                           | <p>becomes aware or suspects physical abuse.</p> <ol style="list-style-type: none"> <li>Report to SPO or principal. SPO to advise principal.</li> <li>Principal to consider nature of concern and report / refer accordingly.</li> </ol>   |   |
| <b>Other forms of harm: Psychological / emotional or neglect</b> | CP Act and CQCC SP policy                | <ol style="list-style-type: none"> <li>Any staff member becomes aware or suspects other forms of harm.</li> </ol> <p><b>No authority exists to confer with a colleague in this circumstance</b></p> <ol style="list-style-type: none"> <li>Report to SPO or Principal. SPO to advise Principal.</li> <li>If harm meets the reporting threshold, SPO / Principal complete E-Report form or if doesn't meet reporting threshold may refer to appropriate support service – E-Referral form.</li> <li>Relevant attachments (e.g. notes) included in form.</li> <li>Provide relevant E-Report form to a director of the School Board (or delegate) if the concern relates to the principal.</li> <li>Additional information included if known or available.</li> </ol> | <ol style="list-style-type: none"> <li>E-Report to Child Safety on-line; or E-Referral form to FaCC / IFS or referral to other relevant community based agency.</li> </ol> <p><b>Original reporting form is not to be disseminated or shared to anyone else other than as described above.</b><br/><b>ALL copies to be stored securely.</b></p> |
| <b>All forms of abuse</b>  | CP Act and CQCC SP policy                | <ol style="list-style-type: none"> <li>Volunteer or visitor to the school e.g. contractors / consultants becomes aware or suspects any form of harm or likely harm to a student by another person.</li> <li>Report concern and/or information immediately to Principal.</li> <li>Principal to consider the appropriate reporting / referral process.</li> </ol>  | <ol style="list-style-type: none"> <li>Principal to follow appropriate reporting or referral process.</li> </ol> <p><b>Original reporting form is not to be disseminated or shared to anyone else other than as described above.</b><br/><b>ALL copies to be stored securely.</b></p>   |
| <b>EGPA: Education (General Provisions) Act 2006</b>             | <b>CP Act: Child Protection Act 1999</b> | <b>CQCC SP: CQCC Student Protection Policy</b>   |   |

## Appendix D: Forms

- FORM 1: Suspected Sexual Abuse or Likely Sexual Abuse Report
- E-Report FORM: [Report of Suspected Child in Need of Protection Available from Child Safety Services internet site](#)
- FORM 2: Notification of Reportable Suspicion of Sexual Abuse / Likely Sexual Abuse or Harm to a State Authority
- FORM 3: Inappropriate Behaviour Report – reporting allegation or incident involving a staff member or volunteer
- E-Referral FORM: [Refer a Family to a Family Support Service Available from Child Safety Services internet site](#)
- REQUEST FOR INTERVIEW FORM: Interview request of students by State authority

## **Appendix E**

- QCoT:Notice under s. 76 (Investigation) template
- QCoT:Notice under s. 77 (Resignation) template
- QCoT:Notice under s. 78 (Dismissal) template