

Child Protection Policy	Version No:	5
	Review Frequency	Annually
	Last Review:	Feb-21
	Reviewed by:	Board
	Approved:	
	Approved by:	Board
	Next Review date:	Oct-21

PURPOSE:	The purpose of this policy is to provide written processes about – (a) how the College will respond to harm, or allegations of harm, to students under 18 years; and (b) the appropriate conduct of the College’s staff and students to comply with accreditation requirements.
SCOPE:	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Caloundra Christian College and covers information about the reporting of harm and abuse.
REFERENCES:	<ul style="list-style-type: none"> ▪ Child Protection Act 1999 (Qld) ▪ Education (General Provisions) Act 2006 (Qld) ▪ Education (General Provisions) Regulation 2017 (Qld) ▪ Education (Accreditation of Non-State Schools) Act 2017 (Qld) ▪ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) ▪ Working with Children (Risk Management and Screening) Act 2000 (Qld) ▪ Working with Children (Risk Management and Screening) Regulations 2020 (Qld)
RELATED DOCUMENTS AND ADVICE:	<ul style="list-style-type: none"> ▪ Caloundra Christian College Complaints Handling Policy ▪ Caloundra Christian College Complaints Resolution Procedure ▪ Caloundra Christian College Child Risk Management Strategy (for the <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>) ▪ Caloundra Christian College Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011 (Qld)</i>) ▪ Caloundra Christian College Report of Suspected Harm or Sexual Abuse Form (Child Protection Reporting Form) ▪ Independent Schools Queensland’s Child Protection Decision Support Trees
TERMS:	<ul style="list-style-type: none"> ▪ School and College are interchangeable for the purposes of this policy.
ADDITIONAL INFORMATION:	<ul style="list-style-type: none"> ▪ This policy explains the requirement of both Acts of Legislation separately.

Appendices	<ul style="list-style-type: none"> ▪ Appendix 1 – Summary of Reporting Harm ▪ Appendix 2 – Report of Suspected Harm or Sexual Abuse (Child Protection Reporting Form) ▪ Appendix 3 – ISQ Child Protection Decision Tree – Principal & Board Directors ▪ Appendix 4 – ISQ Child Protection Decision Tree - Teachers ▪ Appendix 5 – ISQ Child Protection Decision Tree – Non Teaching Staff
-------------------	--

1. DEFINITIONS

- **Section 9 of the *Child Protection Act 1999* - “Harm”**, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
 1. It is immaterial how the harm is caused.
 2. Harm can be caused by—
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
 3. Harm can be caused by—
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.

- **Section 10 of the *Child Protection Act 1999* - A “child in need of protection”** 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.

- **Section 364 of the *Education (General Provisions) Act 2006* - “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; or
 - (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

2. HEALTH AND SAFETY

The College has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

3. RESPONDING TO REPORTS OF HARM

When the College receives any information alleging 'harm'¹ to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(7)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*

minimise any likely harm to the extent it reasonably can. This is set out in the College's Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy².

4. CONDUCT OF STAFF AND STUDENTS

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students³.

5. REPORTING INAPPROPRIATE BEHAVIOUR

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to one of the following⁴: -

- the Principal;
- Deputy Principal;
- Director of Studies;
- College Counsellor; or
- Child Protection Safety Officer (as shown on the College website).

6. DEALING WITH REPORT OF INAPPROPRIATE BEHAVIOUR

A staff member who receives a report of inappropriate behaviour must report it to the principal. Where the principal is the subject of the report of inappropriate behaviour, the staff member must inform a member of the College's governing body⁵. Reports will be dealt with under the College's Complaints Handling Policy.

7. REPORTING SEXUAL ABUSE⁶

Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member becomes aware, or reasonably suspects, in the course of their employment at the school, that any of the following has been sexually abused by another person:

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who: -
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school.

then the staff member must give a written report about the abuse or suspected abuse to the principal or to a director of the school's governing body immediately.

The school's principal or the director must immediately give a copy of the report to a police officer.

² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

(Under section 366B of the Education (General Provisions) Act 2006 the directors of a school's governing body may delegate the directors' function under section 366 to an appropriately qualified individual (this cannot be the principal or any other staff member of the school). Directors should ensure they are well briefed about the requirements of section 366B before delegating this function, including identifying the delegation in this policy and informing the school community of the delegate/s name/s their contacts, and their role in the school's processes.)

If the first person who becomes aware or reasonably suspects sexual abuse is the school's principal, the principal must **immediately** give a written report about the abuse, or suspected abuse to a police officer and a copy of the report to a director of the school's governing body **immediately**.

A report under this section must include the following particulars: -

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware: -
 - i. the student's age;
 - ii. the identity of the person who has abused, or is suspected to have abused, the student;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse⁷.

8. REPORTING LIKELY SEXUAL ABUSE ⁸

Section 366A of the *Education (General Provisions) Act 2006* states that if a staff member reasonably suspects in the course of their employment at the school, that any of the following is likely to be sexually abused by another person: -

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who: -
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school.

then the staff member must give a written report about the suspicion to the principal or to a director of the school's governing body immediately.

The school's principal or the director must immediately give a copy of the report to a police officer.

(Under section 366B of the Education (General Provisions) Act 2006 the directors of a school's governing body may delegate the directors' function under section 366 to an appropriately qualified individual (this cannot be the principal or any other staff member of the school). Directors should ensure they are well briefed about the requirements of section 366B before delegating this function, including identifying the delegation in this policy

⁷ *Education (General Provisions) Regulation 2017 (Qld) s.68*

⁸ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

and informing the school community of the delegate/s name/s, their contacts and their role in the school's processes.)

If the first person who reasonably suspects likely sexual abuse is the school's principal, the principal must **immediately** give a written report about the suspicion to a police officer and a copy of the report to a director of the school's governing body **immediately**.

A report under this section must include the following particulars: -

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware: -
 - i. the student's age;
 - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse⁹.

9. REPORTING PHYSICAL AND SEXUAL ABUSE¹⁰

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

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.

The doctor, nurse, teacher or early education and care professional must give a written report to the Chief Executive of the Department of Child Safety, Youth and Women (or other department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars: -

- a) state the basis on which the person has formed the reportable suspicion; and
- b) include the information prescribed by regulation, to the extent of the person's knowledge¹¹.

10. AWARENESS

The College will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website¹². Staff, students and parents will be made aware of the College's child protection processes through

⁹ *Education (General Provisions) Regulation 2017 (Qld) s.69*

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

¹¹ See *Child Protection Regulation 2011 (Qld) s.10 "Information to be included in report to chief executive"*

¹² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)*

- a) the College website;
- b) staff induction;
- c) student assembly;
- d) available from College office.

11. TRAINING

The College will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually¹³.

12. EVIDENCE OF STAFF TRAINING WILL INCLUDE:

- a) attendance register from annual training;
- b) Annual discussion at staff meetings with printed staff meeting agendas; and
- c) Staff induction with induction checklist.

13. IMPLEMENTING THE PROCESSES

The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually¹⁴.

14. ACCESSIBILITY OF PROCESSES

Processes relating to the health, safety and conduct of staff and students are accessible on the College website and will be available on request from the College administration¹⁵.

15. COMPLAINTS PROCEDURE

Suggestions of non-compliance with the College's processes may be submitted as complaints under the Complaints Handling Policy¹⁶.

END OF POLICY

¹³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)*

¹⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)*

¹⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)*

¹⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)*

POLICY CHANGES

DATE:	POLICY CHANGES
23 June 2016	Legislative update
04 May 2017	Text changed on page 4 to: if the staff member who becomes aware or reasonably suspects sexual abuse involves the SCHOOL'S Principal, the staff member must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report a director of the school's governing body, in the first instance, the school's Board Chair.
26/06/2018	Updated legislation for Education Accreditation and Working With Children Acts and Regulations.
19/02/2019	Added Caloundra Christian College in front of CCC Policies and version update The Reporting of behaviour. Change to the following The student should report the behaviour to one of the following. Head of Senior School, Head of Middle School, Head of Primary, College Counsellor. The next review date to be changed to 19/02/2020.
29/05/2019	Updated to current ISQ Policy to ensure compliance with Accreditation Standards. i.e. (a) references only current legislation; (b) clarifies the wording of the processes for the reporting of suspected sexual or likely sexual abuse under the Education (General Provisions) Act 2006 sections 366 (2A) and 366A (3), specifically stating 'However, if the first person is the school's principal' rather than 'However, if the first person involves the school's principal'; (c) clarifies the delegation of a director's child protection reporting function under the Education (General Provisions) Act 2006, section 366B; and (d) provides awareness of and access to the child protection processes for the College via posting on the College website, as stated in the policy.
14/02/2020/ 20/02/2020	Updated format. Updated the list of who to report inappropriate behavior to ie replaced Head of Senior School, Middle School & Primary School with Deputy Principal and Director of Studies. Added "Additional Information" to clarify that the policy explains the requirements for both Acts of Legislation.
07/01/2021	The following changes were made in prep for February Board Meeting: <ul style="list-style-type: none"> - Aligned to ISQ Sep 2020 updated version and in line with Non-State Schools Accreditation Board directives. - Changed reference to <i>Working with Children (Risk Management and Screening) Regulations 2011 (Qld)</i> to 2020 as 2011 was repealed. - Added reference to "Child Protection Reporting Form" under the "Related Documents and Advice section on page 1. - Under reference to "Section 10 of the Child Protection Act 1999" (number 1 page 2), there was an "and" added between a) & b) subsections. As well as number 9, page 5 "Reporting Physical and Sexual Abuse – "and" added between a) & b) subsections. - Added ";" etc under point "Section 364 of the Education (General Provisions) Act 2006 – "Sexual Abuse". - Change some references from "school" to "college. Any extracts from legislation etc that referenced "school" remain as "school" to keep exact definitions. - Added ";" to "Reporting Inappropriate Behaviour" section. - Under point 6 & 8 changed definition from "a pre-preparatory aged child registered in a pre-preparatory learning program at the school" to "a kindergarten aged child registered in a kindergarten learning program at the school" to keep in line with ISQ/Non-Accreditation Board directives.

	<ul style="list-style-type: none">- Under point 8 removed “becomes aware or” from paragraph “If the first person who...”- Under point 9, changed reference to Department from “Department of Communities, Child Safety and Disability Services” to “Department of Child Safety, Youth & Women”.- Added hyperlinks to Act and Regulation references.- Updated general formatting as needed.- Added Decision Trees as Appendices.
--	---

Appendix 1

Summary of Reporting Harm

Child Protection

SUMMARY OF REPORTING HARM

WHO	ABUSE TYPE	TEST	REPORT TO	LEGISLATION
All staff	Sexual	Awareness or a reasonable suspicion Sexually abused or likely to be sexually abused	Principal, through to Police	EGPA, sections 366 and 366A
Teacher	Sexual and physical	Significant harm Parent may not be willing and able	Confer with Principal, report to Child Safety	CPA, sections 13E and 13G
All staff	Physical, psychological, emotional, neglect, exploitation	Significant harm Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulations, section 16
All staff	Any	Not of a level that is otherwise reportable to Child Safety, refer with consent	Principal, through to Family and Child Connect	CPA, sections 13B and 159M
Principal	Any	Not of a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA, sections 13B and 159M
Any member of the public	Any	Significant harm Parent may not be willing and able	Child Safety	CPA, section 13A
Any adult*	A child sexual offence against a child by another adult	Reasonable belief and, at the relevant time, the child is or was: – under 16 years; or – a person with an impairment of the mind	Police	Criminal Code section 229BC (not yet in force)

* This obligation is fulfilled if the adult has already reported the information under any of the previous provisions, or believes on reasonable grounds that another person has done or will do so.

OTHER RESOURCES TO SUPPORT YOUR DECISION MAKING

- [Online Child Protection Guide](#)
- [Traffic Light Resource for sexual behaviour in children and young people](#)
- [eSafety Commissioner – Toolkit for Schools](#)
- [Be You](#)
- [Headspace Schools](#)
- [National Association for Prevention of Child abuse and Neglect \(NAPCAN\)](#)
- [Queensland Family & Child Commission](#)
- [National Principles for Child Safe Organisations](#)

FURTHER INFORMATION
School Services
07 3228 1593 | office@isq.qld.edu.au



Appendix 2

Report of Suspected Harm or Sexual Abuse (Child Protection Reporting Form)

Date:
School:
School Phone:
School Email and/or Fax:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
Primary language spoken:	
Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander <input type="checkbox"/>	
Does the student have a disability verified under EAP: Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability Category:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS	
Parent/caregiver 1:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Parent/caregiver 2:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Is the student in out of home care? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE		
<input type="checkbox"/> Adult family member	<input type="checkbox"/> Child family member	<input type="checkbox"/> Other adult
<input type="checkbox"/> Student/other child	<input type="checkbox"/> Unknown	

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).

Details of any harm and/or sexual abuse to the student – please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.

Please indicate the identity of anyone else who may have information about the harm or abuse

Additional information provided as an attachment YES NO

Name of staff member making report if not the Principal:

Position:	Signature:	Date:
Principal:	Signature:	Date:
Principal's email address:		
Response requested by school:		

ACTION TAKEN

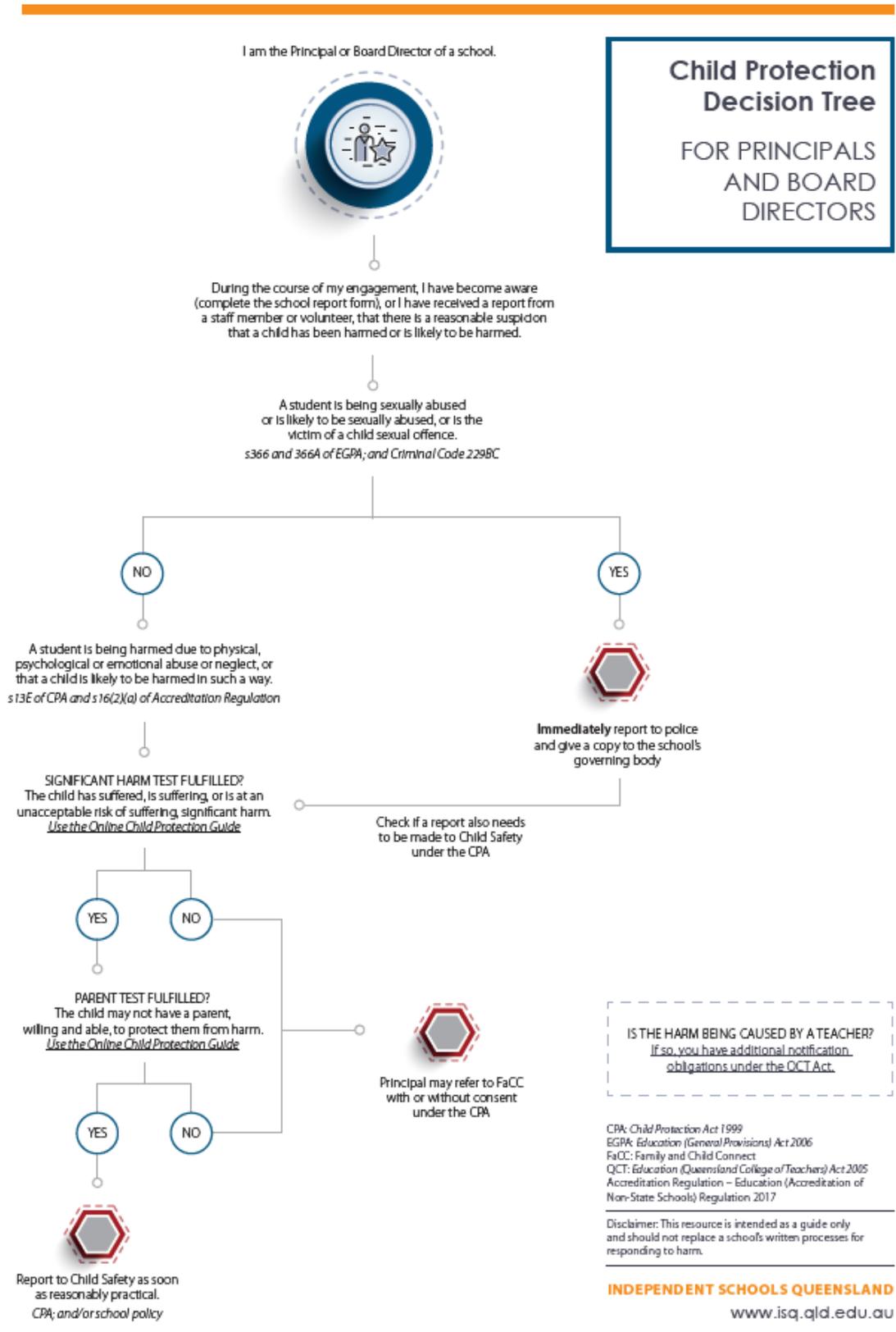
Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS) Maroochydore Police Station CAIU.sunshinecoast@police.qld.gov.au (07) 5475 2438
	<input type="checkbox"/>	Child Safety Qld ceintake@csyw.qld.gov.au 1300 679 849
	<input type="checkbox"/>	Family and Child Connect 13 32 64 https://familychildconnect.org.au/

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

Confirm receipt of emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.

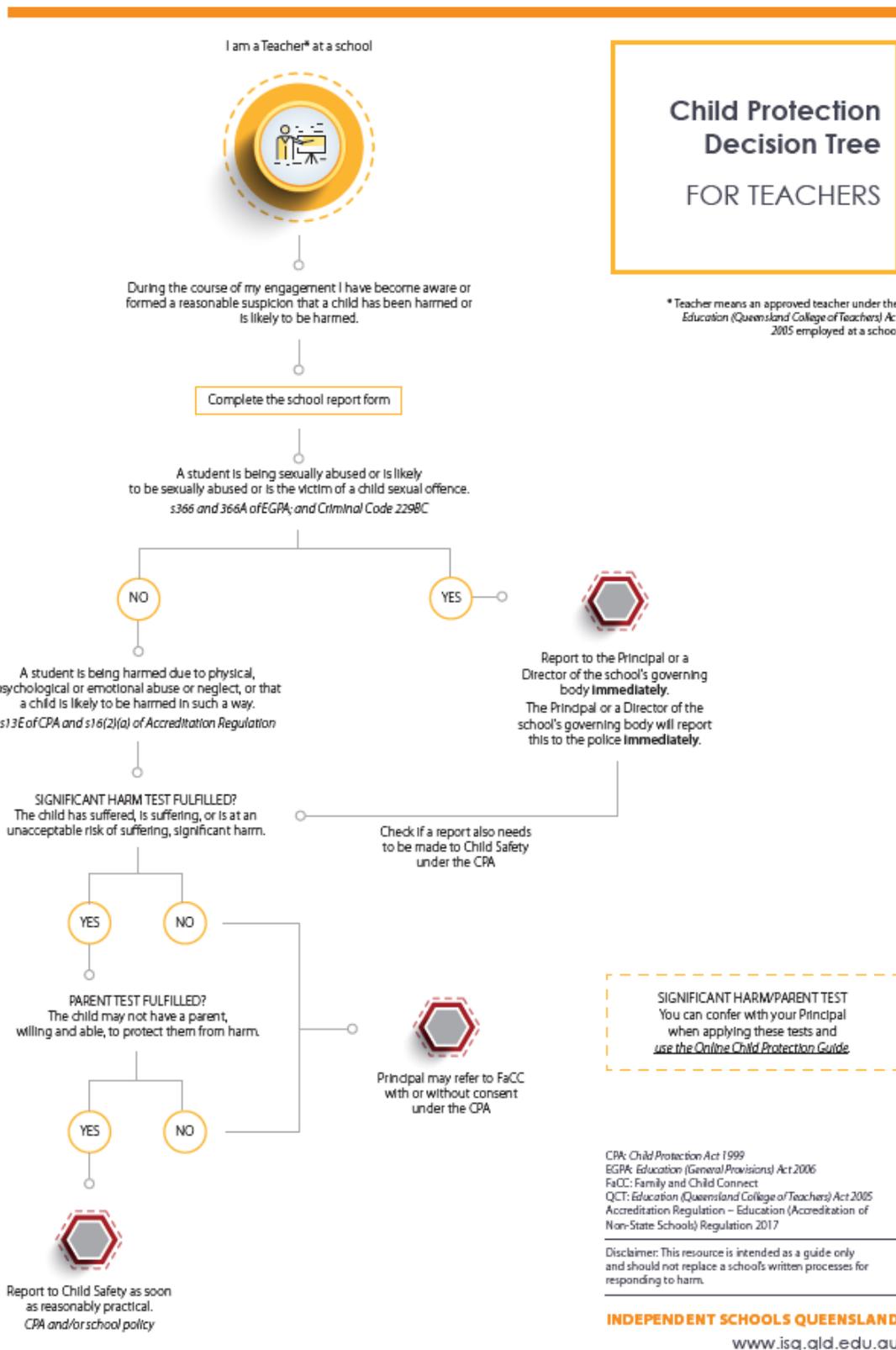
Appendix 3

ISQ Child Protection Decision Tree – Principals and Board Directors



Appendix 4

ISQ Child Protection Decision Tree – Teachers



Appendix 5

ISQ Child Protection Decision Tree – Non Teaching Staff

I am a staff member at a school, other than a teacher*



During the course of my engagement I have become aware or formed a reasonable suspicion that a child has been harmed or is likely to be harmed.

A student is being harmed, or is likely to be harmed due to:

- Sexual abuse
- Physical abuse
- Psychological/emotional abuse
- Neglect

Or is the victim of a child sexual offence.
s366 and 366A of EGPA; Criminal Code 229BCs;
13E of CPA; and s 16(2)(a) of Accreditation Regulation

Complete the school report form



Immediately give the report to the Principal or a Director of the school's governing body.

If the report relates to sexual abuse or likely sexual abuse the Principal or a Director of the school's governing body will report this to the police immediately under the EGPA

They will also assess if a report to Child Safety or a referral to FaCC is required, as soon as is reasonably practicable, under the CPA and/or School Policy

Child Protection Decision Tree

FOR
NON-TEACHING
STAFF

*Teacher means an approved teacher under the Education (Queensland College of Teachers) Act 2005 employed at a school

CPA: Child Protection Act 1999
EGPA: Education (General Provisions) Act 2006
FaCC: Family and Child Connect
QCT: Education (Queensland College of Teachers) Act 2005
Accreditation Regulation – Education (Accreditation of Non-State Schools) Regulation 2017

Disclaimer: This resource is intended as a guide only and should not replace a school's written processes for responding to harm.

INDEPENDENT SCHOOLS QUEENSLAND
www.isq.qld.edu.au