



# Child Protection Risk Management Strategy for Education Services

<b>Governing Body</b>	The Baptist Union of Queensland Carinity	
<b>Responsible Persons</b>	Chief Executive Officer Executive Manager Education Services	
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## **1 PURPOSE**

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This purpose of this strategy is to:

- Eliminate and minimise risk to student safety to ensure the safety and wellbeing of all students;
- Create a safe and supportive school environment for students attending a Carinity School;
- Set out written accountabilities and processes to be undertaken for the purpose of student protection;
- Protect sensitive information in relation to students; and
- Comply with legislative requirements.

## **2 SCOPE**

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This strategy applies to students, staff members, volunteers, contractors and people undertaking work or vocational placements at a Carinity School and visitors.

This strategy and should be read in conjunction with the *Carinity Child Protection Policy, Code of Conduct, Employee Guidelines, Volunteer Guidelines and Appropriate Interactions with Young People Procedure*.

### 3 DEFINITIONS (for the purposes of this strategy)

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**Allegation:** Means a claim or assertion, without definitive proof that a wrongdoing (i.e. abuse or grooming of a child) has happened or is likely to happen.

**Child:** (Section 8 of the *Child Protection Act 1999*) A person under 18 years of age.

**Child abuse:** Is physical abuse, sexual abuse, emotional abuse and/or neglect of a child.

**Child in Need of Protection:** (Section 10 of the *Child Protection Act 1999*) A "child in need of protection" is a child who:

- has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
- does not have a parent able and willing to protect the child from the harm.

A parent may be unable to protect the child from harm due to ill health or being a victim of domestic violence.

A parent may be unwilling to protect the child from harm due to choosing an ongoing relationship with a person who is harming their child.

**Child Protection** is an activity or strategy for the purpose of preventing or responding to a specific incident of child abuse.

**Child sexual abuse:** Occurs when an adult or stronger child uses their power or authority to involve a child in a sexual activity. Sexual abuse can be physical, verbal, or emotional and can include but is not limited to the following:

- kissing or holding a child in a sexual manner
- exposing a sexual body part to a child
- having sexual relations with a child
- talking in a sexually explicit way that is not age or developmentally appropriate
- making obscene phone calls or remarks to a child
- sending obscene mobile text messages or emails to a child
- fondling a child in a sexual manner
- persistently intruding on a child's privacy
- penetrating the child's vagina or anus
- oral sex
- rape
- incest
- showing pornographic films, magazines, internet sites or photographs to a child
- having a child pose or perform in a sexual manner
- forcing a child to watch a sexual act
- child prostitution

Child sexual abuse may also be suspected based on a child displaying sexualised behaviour which is considered outside the range of age-appropriate sexualised behaviours.

Section 364 of the *Education (General Provisions) Act 2006*, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances:

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

**Disclosure:** When someone, including a child, tells another person about child abuse that has happened or is likely to happen.

**First Person:** The staff member who reasonably suspects, in the course of the staff member's employment at the school, that a student under 18 years attending the school has been sexually abused by another person or is likely to be sexually abused by another person.

**Harm:** (Section 9 of the *Child Protection Act 1999*) 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.

**Immediately:** Without unreasonable delay.

**Inappropriate behaviour:** includes but is not limited to any behaviour of an unacceptable or unprofessional nature, between students and staff or volunteers, including words, that is contrary to what is required by the Carinity Code of Conduct, Appropriate Interactions with Young People Procedure and contractual obligations.

**Mandatory Reporter:** Sections 13E of the *Child Protection Act 1999 (Qld)* specify certain professionals who must report a reasonable suspicion that a child may be in need of protection as a result of significant physical or sexual abuse. Mandatory reporters include teachers employed at the school, an early childhood education and care professional, a doctor and a registered nurse under the *Education (Queensland College of Teachers) Act 2005*.

**Parent of a child:** Means each of the following persons:

- (a) the child's mother or father;
- (b) a person in whose favour a residence order or contact order for the child is in operation under the *Family Law Act 1975 (Cwlth)*;
- (c) a person, other than the chief executive, having custody or guardianship of the child under—
  - (i) a law of the State, other than this Act; or
  - (ii) a law of another State;
- (d) a long-term guardian of the child;
- (e) a permanent guardian of the child. (*Child Protection Act 1999*).

**Reasonable Suspicion:** Means a suspicion that would be formed by a reasonable person based on evidence (specific facts or circumstances) available to them. Child abuse may be reasonably suspected if:

- observations or reports of behaviour of another person, or material related to another person, are consistent with the definition of child abuse; and/or
- observations of the behaviour of a particular child, or knowledge of the child, generally lead them to suspect that abuse may be occurring; and/or
- physical injuries are observed, which could be reasonably attributed to abuse.

**Reportable Suspicion:** (Section 13E of the *Child Protection Act 1999*) about a child is a reasonable suspicion that the child:

- has suffered, is suffering, or is at unacceptable 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 the harm.

**Respondent:** is a staff member, volunteer, other member of the school community or student who is the subject of an allegation or reasonable suspicion of causing harm to a student.

**Sexual Abuse:** (Section 364 of the Education (General Provisions) Act (2006) in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances:

1. The other person bribes, coerces, exploits, threatens or is violent toward the relevant person.
2. The relevant person has less power than the other person.
3. There is significant disparity between the relevant person and the other person in intellectual capacity or maturity.

**Staff Member:** A Carinity employee.

**Student:** Is any person who is enrolled at a Carinity School and includes a "relevant person" for the purposes of mandatory reporting under sections 366 and 366A of the Education (General Provisions) Act 2006.

**Student Protection Contact (SPC):** Person nominated in each school in compliance with the Education (Accreditation of Non-State Schools) Regulation 2017 (section 16[3]) to whom a student can report behaviour by a staff member that the student considers inappropriate.

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

**Visitor:** Any person other than a staff member or student, who, on a one-off or regular basis visits a Carinity school or has contact with students off-site or online to provide services to a Carinity School (e.g. volunteers, external contractors, guest speakers).

**Worker:** Refers to all members of the Carinity workforce, that is employees, volunteers, students, trainees, independents contractors and subcontractors.

## **4 RESPONSIBILITIES**

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### **4.1. The Baptist Union of Queensland**

Is responsible for:

- Delegation of functions in relation to this strategy.

### **4.2. Carinity Chief Executive Officer and Executive Manager Education Services**

Are responsible for:

- Oversight of the development and implementation of this strategy; and
- Undertaking and ensuring required reporting in relation to this strategy is undertaken.

### **4.3. School Principals**

Are responsible for:

- Day to day implementation of this strategy;
- Collaborating with other agencies where this is in the best interests of the student;
- Advising staff members affected by their involvement in a child protection matter that they can access the Employee Assistance Program; and
- Ensuring all staff complete annual training in child protection and participate each term in scenario discussion during staff meetings.

### **4.4. Workers**

Are responsible for:

- Creating and maintaining a student safe environment; and
- Acting in compliance with this strategy and related policies and procedures.

## 5 PROCEDURE: IMPLEMENTATION

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### 5.1. Statement of Commitment

Carinity is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at Carinity schools and their protection from foreseeable harm.

In practice, Carinity is committed to act in accordance with the *Working with Children (Risk Management and Screening) Act 2000 (Qld)* and *Working with Children (Risk Management and Screening) Regulation 2020 (Qld)*- includes "Schedule 1" to promote the safety and wellbeing of students means that it will implement the measures outlined in below points.

See the *Carinity Statement of Commitment to Protect Children*.

### 5.2. Code of Conduct

Staff members are expected to always behave in ways that promotes the safety, welfare and well-being of students. They must actively seek to prevent harm to students, and to support those who have been harmed.

Specific responsibilities include:

- Staff members should avoid situations where they are alone in an enclosed space with a student;
- When physical contact with a student is a necessary part of the teaching/learning experience, staff members must exercise caution to ensure that the contact is appropriate and acceptable;
- When physical contact is required, staff members must always advise the student of what they intend doing and seek their consent prior to initiating contact, unless physical restraint is essential for safety and Therapeutic Crisis Intervention (TCI) restraints are being employed staff trained in TCI;
- For guidance of incidental or other types of physical contact, staff members are required to comply with Carinity's *Appropriate Interactions with Young People Procedure*;
- Staff members must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student. Students should not be 'friends' on personal social media sites; and
- Staff members must not have a romantic or sexual relationship with a student.

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

This commitment is evidence of Carinity's fulfilment of the requirements of *Schedule 1s.2(2)*.

### 5.3. Recruitment, selection, training and management

Carinity recognises that risk management for child protection begins with the recruiting, screening and selection of the right people to work in Schools, and continues by having consistent procedures in place for staff members and others to follow, with adequate management and supervision to ensure they comply with these procedures.

Carinity, therefore, has written policy, procedure and processes on the recruitment, selection, training and management of staff members. Refer to:

- Recruitment and Selection Policy
- Recruitment and Selection Procedure
- Position Descriptions
- General Employment Policy
- Appropriate Interactions with Young People Procedure
- Carinity Criminal History and Screening Checks Procedure
- Blue Card Services Application Procedure

- Disciplinary Procedure
- Employee Performance Review and Future Development Procedure
- Learning and Development Procedure
- Maintaining Professional Boundaries Procedure
- Volunteer Management Policy
- Volunteer Management Procedure

### Induction

Carinity has a written induction process which applies to all staff members during the first twelve months following their appointment, and includes procedures for making staff members aware of the legislation on child protection and the *Carinity Code of Conduct*.

The induction process for new staff members includes, but is not limited to:

- working through policies and procedures related to student protection;
- identifying, assessing and minimising risk to students;
- identifying and reporting harm or suspected harm and sexual abuse; and
- making staff members aware of the processes in place for the protection of students.

### Professional Development

All staff members are required, on an annual basis, to:

- undertake professional development in relation to child protection; and
- read and acknowledge they have understood Carinity's *Child Protection Policy* and the *Carinity Child Protection Risk Management Strategy for Education Services* by signing a register.

A record of student protection training provided to staff members, and successful completion of this training, is maintained.

At least one staff meeting per term includes discussion of a child protection case study. See *Quarterly Child Protection Meeting minutes*

This commitment is evidence of Carinity's fulfilment of the requirements of Schedule 1s.2 (3).

## 5.4. Handling disclosures or suspicions of harm

Any of the types of concerns or reports below should be reported and managed under the *Carinity Child Protection Policy* the *Carinity Child Protection Risk Management for Education Services Strategy*, as follows:

- all staff with concerns about sexual abuse or likely sexual abuse or child sexual offence committed by an adult;
- teachers, nurses and early childhood education and care professionals with concerns of sexual or physical abuse; and
- all staff who have received a report of inappropriate behaviour by another staff member.

To report any type of harm, all staff members should use the *Child Protection Reporting Form Education Services*. See Appendix 2. of this document.

Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the Principal of a Carinity School will report to the Queensland College of Teachers any investigations into allegations of harm caused, or likely to be caused, to a student because of the conduct of a relevant teacher at the School.

This commitment is evidence of Carinity's fulfilment of the requirements of the Schedule 1s.2(4).

### **5.5. Managing breaches of this Child Protection Risk Management Strategy for Education Services**

Carinity is committed to appropriately managing breaches of the *Child Protection Risk Management Strategy for Education Services* in accordance with its other relevant policies as appropriate in the circumstances, such as its *Child Protection Policy*, *Employee Code of Conduct*, *Feedback and Complaints Handling Policy and Procedure* and *Enterprise Bargaining Agreement* or equivalent, and this is evidence of fulfilment of the requirements of Schedule 1s.2(5).

### **5.6. Implementing and reviewing the Child Protection Risk Management Strategy for Education Services**

This strategy in its entirety and its related policies and procedures are evidence of fulfilment of the requirements of Schedule 1s.2(6)(a) relating to implementation.

The purpose and commitment set out in the *Child Protection Risk Management Strategy for Education Services* and *Section 5.10: Compliance and Monitoring* state Carinity's commitment to reviewing the strategy annually and are evidence of fulfilment of the requirements of Schedule 1s.2(6)(a) relating to review.

### **5.7. Blue Card policy and procedures**

In accordance with the *Carinity Criminal History and Screening Checks Procedure* and *Carinity Blue Card Services Application Procedure* all staff members, Board members, volunteers, and people undertaking work or vocational placements must have current prescribed notices (Blue Card) where required by legislation.

Each School maintains a register of:

- all teacher registration numbers; and
- all Blue Card numbers and Exemption Notices and dates of expiry of non-registered teacher staff members and the dates for renewal.

Head Office maintains a register of:

- all Blue Card numbers and dates of expiry of Board members.

This commitment is evidence of Carinity's fulfilment of the requirements Schedule 1s(6)(b).

### **5.8. High risk management plans**

Carinity will;

- identify risks, assess risks, eliminate and minimise risks and the monitor risk to the safety of students on an ongoing basis;
- utilise various risk management tools to assist it in this process; and
- keep appropriate records of decisions made and actions taken in relation to risks to children.

This commitment is evidence of Carinity's fulfilment of the requirements of the Schedule 1s.2 (7).

### **5.9. Strategies of communication and support**

The Principal will ensure that the *Carinity Child Protection Policy* and this document are made available:

- to staff members via the Carinity intranet;
- in hard copy form, to each new staff member, on induction;
- to students and parents by its display on the School website, via the enrolment package, School newsletters and through training;
- to agreed contractors, volunteers, people undertaking work or vocational placement at the School; and
- on request, to staff members, students, parents and visitors from the School reception.

The Principal will ensure that all staff members acknowledge that they have received training in the Carinity *Child Protection Policy* and *Child Protection Risk Management Strategy for Education Services* (refer to *Agreement to Comply with Child Protection Risk Management Strategy for Education Services*).

The Principal of each School will appoint at least two School staff members (Student Protection Contacts) to whom students may report inappropriate conduct. The photographs of these staff members with names identifying them will be displayed in the respective School's main reception area and in each classroom. Students and parents will be made aware of the names of these staff members during the initial enrolment interview and at least annually via the School newsletter.

Carinity's policy, strategy and attitude towards child protection is conveyed via the School newsletter on a regular basis, including details about how to report harm or suspected harm. Students are also informed at assembly and in regular classroom meetings about how to protect themselves and who to report to if they are concerned about their safety.

This commitment evidences Carinity's fulfilment of the requirements of Schedule 1s.2(8)(a) and Schedule 1s.2(8)(b).

### **5.10. Compliance and Monitoring**

Carinity is committed to the annual review of this Strategy.

Carinity schools will also record, monitor and report to, the Executive Manager Education Services or Chief Executive Officer and others as appropriate regarding any breaches of this Strategy.

In addition, Carinity is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

### **5.11. Confidentiality**

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. Carinity is unable to promise absolute confidentiality since applicable legislation and its policies will require disclosing, internally and externally, certain details involved in responding to disclosures.

### **5.12. Criminal law**

Where there are allegations of criminal misconduct, the allegations should be referred to the police.

### **5.13. Defamation**

A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability in any civil, criminal or administrative proceedings.

### **5.14. Delegation**

The Baptist Union of Queensland Board, by unanimous resolution, have delegated the Directors' functions outlined in the Education (General Provisions Act) 2006 Section 366b to the Executive Manager Education Services and the Chief Executive Officer of Carinity obligations.

### **5.15. Feedback and complaints**

Concerns or suspicions of non-compliance with the School's processes may be submitted as complaints under the Carinity *Feedback and Complaint Management Policy and Procedure*.

### **5.16. Harassment, discrimination and victimisation**

Carinity has processes in place to assist in the management of an appropriate learning environment.

### **5.17. Helpful links**

[Queensland Child Protection Guide - Department of Children, Youth Justice and Multicultural Affairs \(cyjma.qld.gov.au\)](http://www.cyjma.qld.gov.au)

[Blue Card Services | Your rights, crime and the law | Queensland Government \(www.qld.gov.au\)](http://www.qld.gov.au)

Access Independent Schools Queensland's - Child Protection Decision Support Trees

### **5.18. Police action and internal investigations**

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing an internal investigation or disciplinary proceedings.

This does not preclude the Executive Manager Education Services or the Chief Executive Officer or the Principal (where the Principal is not the subject of an allegation) from seeking advice from police regarding the duty of care to existing students which may involve the standing down of a staff member during a police investigation. The police are not required to inform the School about their investigation.

## **6 PROCEDURE: REPORTING PROCESS**

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### **6.1. Overview**

The staff member who receives any information alleging harm to a student will:

- report the concerns according to the processes outlined;
- seek guidance and support (if necessary) to determine whether there is a reasonable suspicion of abuse, harm or inappropriate behaviour; and
- focus on the support needs of the student.

### **6.2. Reporting sexual abuse**

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

then the staff member must immediately provide a written report about the abuse or suspected abuse using the Carinity *Child Protection Reporting Form – Education Services* to the Principal or Executive Manager Education Services (See Section 5.14. Delegation).

On receipt of this report from a staff member the Principal or Executive Manager Education Services must immediately provide a copy of this report to a police officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the School's Principal, the Principal 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 to the Executive Manager Education Services or Chief Executive Officer immediately.

Where the reasonable suspicion of sexual abuse is against the Principal then the staff member must immediately submit this report to the Executive Manager Education Services or Chief Executive Officer, not the Principal.

On receipt of this report from a staff member the Executive Manager Education Services or Chief Executive Officer must immediately submit a copy of this report to a police officer and will provide overall case management.

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 the anyone else who may have information about the abuse or suspected abuse.

If a reasonable suspicion of sexual abuse is formed, a report to a police officer is to be made even if there is a parent able and willing to protect the child from harm.

Whilst the legislation relating to mandatory reporting of sexual abuse of a student relates to students under the age of 18, these processes are extended to all students.

### **6.3. Reporting likely sexual abuse**

*Section 366A 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 is likely to be sexually abused by another person:

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

then the staff member must immediately provide a written report about the suspicion using the *Carinity Child Protection Reporting Form – Education Services* to the Principal or Executive Manager Education Services (See Section 5.14. Delegation).

On receipt of this report from a staff member the Principal or Executive Manager Education Services must immediately provide a copy of this report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the School's Principal, the Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Executive Manager Education Services or Chief Executive Officer immediately.

Where the reasonable suspicion of likely sexual abuse is against the Principal then the staff member must immediately submit this report to the Executive Manager Education Services or Chief Executive Officer, not the Principal.

On receipt of this report from a staff member the Executive Manager Education Services or Chief Executive Officer must immediately submit a copy of this report to a police officer and will provide overall case management.

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) 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 is suspected to be likely to abuse the student;
  - iii. the identity of the anyone else who may have information about the suspected likelihood of abuse.

If a reasonable suspicion of likely sexual abuse is formed, a report to a police officer is to be made even if there is a parent able and willing to protect the child from harm.

Whilst the legislation relating to mandatory reporting of likely sexual abuse of a student relates to students under the age of 18, these processes are extended to all students.

#### **6.4. Reporting physical and sexual abuse**

Under Section 13E (3) of the *Child Protection Act 1999*, a teacher (includes approved teachers) employed at the school, an early childhood education and care professional, a doctor and a registered nurse has a mandatory reporting obligation where they form a 'reportable suspicion' about a child in the course or engagement in their profession.

A reportable suspicion about a child is a reasonable suspicion that the child:

- has suffered, is suffering, or is at unacceptable 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 the harm.

Teachers may access the Queensland 'Child Protection Guide' online tool and confer with colleagues when making decisions about whether suspicions of harm reach the reporting threshold for reporting or where to refer or report child protection concerns.

The teacher, early childhood education and care professional, doctor or registered nurse must give a written report to the 'Department of Children, Youth Justice and Multicultural Affairs' (or other department administering the *Child Protection Act 1999*). The teacher should give a copy of the report to the Principal.

A report under this section must include the following particulars:

- (a) the child's name and sex;
- (b) the child's age;
- (c) details of how to contact the child;
- (d) details of the harm to which the reportable suspicion relates;
- (e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- (f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

Under s.13A of the *Child Protection Act 1999(Qld)*, any person is lawfully entitled to make a voluntary (non-mandated) report even if they are not required to do so as a mandatory reporter where they reasonably suspect:

- a child may be in need of protection because the child has suffered, is suffering or is at unacceptable risk of suffering significant harm, and may not have a parent able and willing to protect them; or
- an unborn child may be in need of protection after he or she is born because the child will be at risk of suffering significant harm after birth and may not have a parent able and willing to protect the child from harm.

### **6.5. Requirement to report allegations of inappropriate behaviour of a staff member**

How a student reports inappropriate behaviour of a staff member.

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to any of the following staff:

- The School Principal; or
- School Counsellor; or
- Health and Well Being Coordinator; or
- nominated staff members (Student Protection Contacts) whose photos and names appear the School's main reception area; or
- any other member of staff.

Allegations of sexual abuse or likely sexual abuse against a staff member must be reported in accordance with *Section 6.2: Reporting sexual abuse*, *6.3: Reporting likely sexual abuse* and *6.4: Reporting physical and sexual abuse*.

The staff member who receives information about inappropriate behaviour towards a student by a staff member must complete a report using the *Allegation of Inappropriate Behaviour by a Staff Member Form* and provide this form to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must provide this form to the Executive Manager Education Services and/or Chief Executive Officer, not the Principal (*refer to Allegation of Inappropriate Behaviour by an Employee Form*).

How the Principal must report inappropriate behaviour.

The Principal must:

- consult as appropriate to decide on the investigation process;
- establish that the matter is inappropriate behaviour and not harm or sexual abuse:
  - if inappropriate behaviour is suspected commence an investigation and notify the Executive Manager Education Services,
  - take appropriate action based on findings.

### **6.6. Responding to self-harm by students**

Self-Harm by Students

During their schooling, some students may be at risk of harming themselves. This harm may occur with or without suicidal intent; or may be symptomatic of, or associated with, a known medical condition or intellectual disability.

Staff members who suspect or discover that a student has self-harmed or is at risk of self-harming must ensure the student's immediate safety and arrange first aid in the first instance then report the incident to the Principal.

Not all cases of self-harm relate to suicidal intent. Students may engage in a variety of high risk behaviours, such as: alcohol/substance abuse; drug-taking; unsafe promiscuity; or cutting/burning oneself.

The School provides educational programmes to assist students to make appropriate choices in relation to drug and alcohol use and sexual activity.

### **6.7. Recording and reporting**

Each School keeps a register in the Principal's office of all incidents related to sexual abuse, harm or inappropriate behaviour (*refer to Child Protection Register located at each school*). In addition the Executive Manager Education Services maintains a master child protection register.

Where legislation requires, incidents of harm or suspected harm are reported to the relevant state authorities immediately, and the incident is noted in the register.

## **7 LEGISLATIVE OBLIGATIONS**

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Carinity is committed to complying with the obligations imposed under all Commonwealth and State legislation including but not limited to:

- *Child Protection Act 1999 (Qld)*
- *Criminal Code Act 1899 (Qld)*
- *Education (Accreditation of Non-State Schools) Act 2017 (Qld)*
- *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)*
- *Education (General Provisions) Act 2006 (Qld)*
- *Education (General Provisions) Regulation 2017 (Qld)*
- *Education (Queensland College of Teachers) Act 2005 (Qld)*
- *Education and Care Services National Law Act 2011 (Qld)*
- *Education and Care Services National Regulation 2011 (Qld)*
- *Evidence Act 1977 (Qld)*
- *Working with Children (Risk Management and Screening) Act 2000 (Qld)*
- *Working with Children (Risk Management and Screening) Regulation 2020 (Qld)*

## **8 RELATED DOCUMENTATION**

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### **8.1. Policies**

- (a) Child Protection Policy
- (b) Feedback and Complaints Management Policy
- (c) General Employment Policy
- (d) Incident Management Policy
- (e) Privacy Policy
- (f) Recruitment and Selection Policy
- (g) Volunteer Policy

### **8.2. Procedures**

- (a) Appropriate Interactions with Young people Procedure
- (b) Blue Card Services Procedure
- (c) Conflict of Interest Procedure
- (d) Criminal History and Screening Checks Procedure
- (e) Disability Discrimination for Education Services Policy and Procedure
- (f) Disciplinary Procedure
- (g) Employee Performance Review and Future Development Procedure
- (h) Incident Management Procedure
- (i) Learning and Development Procedure
- (j) Maintaining Professional Boundaries Procedure
- (k) Privacy Procedure
- (l) Recruitment and Selection Procedure
- (m) Volunteer Procedure

### **8.3. Forms**

- (a) Allegation of Inappropriate Behaviour by a Staff Member Form

- (b) Agreement to Comply with the Child Protection Risk Management Strategy for Education Services
- (c) Carinity Incident Report Form
- (d) Child Protection Reporting Form Education Services
- (e) Minutes of Quarterly Child Protection Meeting Template

#### 8.4. Internal Documents

- (a) Carinity Code of Conduct
- (b) Employee Guidelines for Education and Training Centres
- (c) Position Descriptions
- (d) Statement of Commitment to Protect Children
- (e) Volunteer Guidelines

#### 8.5. External Documents

- (a) The Queensland 'Child Protection Guide' (Online Tool)
- (b) Child and Youth Risk Management Strategy Toolkit
- (c) National Principles for Child Safe Organisations

## APPENDIX 1: Summary of Reporting Harm

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Who	What abuse	Test	Report to	Legislation
All staff	Sexual	Awareness or a suspicion	Principal, through to police immediately	EGPA sections 366 and 366A

		Sexually abused or likely to be sexually abused		
<b>Teacher</b>	Sexual and physical	Significant harm; & Parent may not be willing and able	Confer with principal, report to Child Safety	CPA sections 13E and 13G
<b>All staff</b>	Physical, psychological, emotional, neglect, exploitation	Significant harm; & Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulations section 16
<b>All staff</b>	Any	Not a level that is otherwise reportable to Child Safety, refer with consent	Principal, through to Family and Child Connect	CPA Sections 13B and 159M
<b>Principal</b>	Any	Not a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA Sections 13B and 159M
<b>Employing authority (Principal/ Board)</b>	Harm or likely Harm due to conduct of a teacher	When you start to deal with an allegation; &  When you finish dealing with an allegation	Queensland College of Teachers	QCT sections 76 & 77
<b>Any member of the public</b>	Any	Significant harm; & Parent may not be willing and able	Child Safety	CPA section 13A
<b>Any adult</b>	A child sexual offence against a child by an adult	(a) Gains information that causes adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed and  (b) at the relevant time, the child is or was - i. under 16 years; or ii. a person with an impairment of the mind	Police	Criminal Code section 229 BC

**APPENDIX 2: Child Protection Reporting Form**

**Child Protection Reporting Form  
Education Services**

Date:	
School:	
School Phone:	
School Email:	
<b>DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:</b>	
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:
<b>FAMILY DETAILS</b>	
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 here any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	
<b>PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE</b>	
<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
<b>PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE</b> (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 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 harmful abuse:**

**ADDITIONAL INFORMATION PROVIDED AS AN ATTACHMENT** YES  NO

**Name of staff member making report if not the Principal:**

<b>Position:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Principal:</b>	<b>Signature:</b>	<b>Date:</b>

**Principal's email address:**

**Response requested by school:**

**ACTION TAKEN**

Form was emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Children, Youth Justice and Multicultural Affairs (Child Safety Services)
	<input type="checkbox"/>	Family and Child Connect
	<input type="checkbox"/>	Queensland College of Teachers

(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.**

If applicable, and if you are aware, please indicate location of any physical injuries on the diagram.

