

Child Protection Policy

POLICY RELEASE DETAILS

Date of Policy

April 2015

Approved by Board

20 May 2015

Review Date

Annually and when changes to the Act or Regulations occur

Reviewed and updated 13 April 2016

Approved by Board 20 April 2016

Reviewed and updated 6 March 2018

Approved by Board 6 March 2018

Reviewed and updated 15 January 2019

Approved by Board 15 January 2019

PURPOSE OF THE POLICY

The purpose of this policy is to provide a policy as part of Highlands Christian College's written processes about how the school will respond to harm, or allegations or harm, to students under 18 years old, and the appropriate conduct of the school'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 Highlands Christian College and covers information about the reporting of harm and abuse

Responsibility

Highlands Campus Board

Point of Contact

Principal

LEGISLATION

- [Child Protection Act 1999 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(General Provisions\) Regulation 2006 \(Qld\)](#)

- [Education \(Accreditation of Non-State Schools\) Act 2001 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2001 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Regulations 2011 \(Qld\)](#)

POLICY

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 student 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;
 - (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity

Health and Safety

The school has written policies in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation¹.

Responding to Reports of Harm

When the school receives any information alleging 'harm'² to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any

¹ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(1)*

² *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(8)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*

likely harm to the extent it reasonably can. This is set out in the school's Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy³.

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 students⁴.

Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member, contractor or volunteer to be inappropriate, the student should report the behaviour to the College Principal, Deputy Principal or College Counsellor:

- Principal – Mr Michael Bray
- Deputy Principal – Mrs Mia Patterson
- College Counsellor – Mrs Ruth Gaulke

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 school's governing body⁵. Reports will be dealt with under the school's Dispute Resolution/Complaints Handling Policy

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 pre-preparatory aged child registered in a pre-preparatory 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 of the school's governing body must immediately give a copy of the 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 a director of the school's governing body.

³ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(2)*

⁴ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(2)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(3)*

⁶ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(5)(a)*

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.

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 pre-preparatory aged child registered in a pre-preparatory 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 of the school's governing body must immediately give a copy of the 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 a director of the school's governing body.

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 has abused, or is suspected to be likely to abuse, the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse⁹.

⁷ *Education (General Provisions) Regulation 2006 (Qld) s.68*

⁸ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(5)(a)*

⁹ *Education (General Provisions) Regulation 2006 (Qld) s.68A*

Reporting Physical and Sexual Abuse

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse or a teacher 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 or teacher must give a written report to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the *Child Protection Act 1999*). The doctor, nurse or teacher 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 knowledge¹⁰.

Awareness

The school 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 website¹¹.

- The College has annual Professional Development sessions at the start of each year where the importance of child safety and protection is explained. Any updates and amendments are also communicated to staff at this time. Professional Development continues throughout the year through online training with various professional bodies.

TRAINING

The school will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually¹².

- The College has annual Professional Development sessions at the start of each year where the importance of child safety and protection is explained. Any updates and amendments are also communicated to staff at this time. Professional Development continues throughout the year through online training with various professional bodies.

IMPLEMENTING THE PROCESS

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually¹³.

¹⁰ *Child Protection Regulation 2011 (Qld) s.10(information to be included in report to chief executive)*

¹¹ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)*

¹² *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)*

¹³ *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)*

ACCESSIBILITY OF PROCESSES

Processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration¹⁴.

COMPLAINTS PROCEDURE

Suggestions of non-compliance with the school's processes may be submitted as complaints under the Highland's Dispute Resolution Policy which is available on both the College Intranet for staff access and via the Parent Handbook for community access.

RELATED POLICIES AND DOCUMENTS

- Highland's Dispute Resolution Policy which is available on both the College Intranet for staff access and via the Parent Handbook for community access.
- Highland's Dispute Resolution Procedure
- Highland's Child Risk Management Strategy (for the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*)
- Highland's Work Health and Safety Policy (for the *Work Health and Safety Act 2011 (Qld)*)
- www.communities.qld.gov.au/childsafety/partners/our-government-partners/queensland-child-protection-guide/online-child-protection-guide

ACKNOWLEDGEMENT

I _____ have read, understood and agree to comply with the Child Protection Policy as stated above.

Signed

Dated

¹⁴ Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)
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