



Child Protection Policy

1 Purpose

The purpose of this Child Protection Policy (**Policy**) is to provide written processes that accord with best practice and comply with legislation about:

- (a) how the School will respond to harm, or allegations of harm, to students; and
- (b) the appropriate conduct of the School's Staff and students.

These written processes include:

- (c) a process for reporting inappropriate behaviour by a Staff member and how such reports are to be dealt with;
- (d) a process for reporting actual, suspected or likely sexual abuse in accordance with sections 366 and 366A of the *Education (General Provisions) Act 2006 (Qld)*; and
- (e) a process for reporting a reportable suspicion under sections 13E and 13G of the *Child Protection Act 1999 (Qld)*, or other harm.

2 Scope

This Policy applies to all students, parents and Staff (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 the School) (**Staff**).

3 Health and Safety

The School has written processes in place about the health and safety of its Staff and students in accordance with relevant workplace health and safety legislation¹. Refer to the School's *Work Health and Safety Policy and Procedures*.

4 Responding to Reports of Harm

When the School receives any information alleging harm² to a student, it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can.

In dealing with matters arising under this Policy, the School will:

- (a) Act as promptly as possible in the circumstances, and keep all relevant parties informed of progress;
- (b) Provide support for all parties involved in a matter being dealt with under this Policy, including students, parents and Staff as applicable. Such support might include professional counselling (either internal or external);
- (c) Not permit a Staff member to continue to work in a position if based on the information available there is an unacceptable risk of harm;

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.15*

² *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)*

- (d) Inform parents as soon as practicable of matters involving their child, unless circumstances suggest it would not be in the student's interests to do so;
- (e) Ensure there are at least two representatives of the School present at any interviews with a student, where practical;
- (f) Observe appropriate confidentiality. The School is unable to guarantee absolute confidentiality since applicable legislation and its policies will require disclosing, internally and externally, certain details involved in responding to complaints; and
- (g) Keep a confidential record of what has occurred, including in individual student files, Staff files and centrally, as appropriate. The School's *Privacy Policy* sets out how the School manages personal information provided to or collected by it that is covered by the *Privacy Act 1988* (Cth).

As the School is a statutory body, it may in some cases be necessary for the School to also advise the Crime and Corruption Commission of matters dealt with under this Policy.

5 Conduct of Staff and Students

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

All Staff, students and parents must comply with this Policy, including the reporting obligations detailed in **Appendix 1** to this Policy and summarised in **Appendix 2** to this Policy.

Staff, students and parents should be aware that:

- (a) The role of a person reporting a matter under this Policy is not an investigative one. Students, parents or Staff must not undertake investigations beyond satisfying themselves that they have reasonable grounds to suspect harm, or a risk of harm.
- (b) Relevant legislation provides for protections from liability for persons who, acting honestly and reasonably, notify or give information to Child Safety or the Police.
- (c) Child Safety operates under strict laws of confidentiality. This means Child Safety does not divulge:
 - the identity of the person reporting the matter, except to others requiring the information to perform duties under the *Child Protection Act 1999*; nor
 - information about an investigation to the person reporting the matter.
- (d) Reprisals against students or others who make a report under this Policy will not be tolerated by the School. No person may retaliate against a person acting reasonably and honestly who provides information under this Policy to a person who needs to know that information.

6 Reporting Inappropriate Behaviour

If a student or parent considers the behaviour of a Staff member to be inappropriate, the student or parent should report the behaviour to their Head of House or the Deputy Principal (Students).

All reporting obligations are detailed in **Appendix 1** to this Policy and summarised in **Appendix 2** to this Policy.

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

7 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 Board of Trustees⁴.

All reporting obligations are detailed in **Appendix 1** to this Policy and summarised in **Appendix 2** to this Policy.

8 Reporting Sexual Abuse or Likely Sexual Abuse⁵

Sections 366 and 366A of the *Education (General Provisions) Act 2006* state 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 or 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, under section 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 give a written report about the abuse, suspected abuse or likely abuse to the Principal or to a member of the School's Board of Trustees immediately (see **Appendix 4** Reporting Harm Template). The Principal or member of the School's Board of Trustees must then immediately give a copy of the Staff member's report to a police officer.

If the Staff member who becomes aware of or reasonably suspects sexual abuse or likely 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 immediately give a copy of the report to a member of the School's Board of Trustees.

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 or is likely to be sexually abused by another person;
- (d) in the case of actual or suspected abuse, details of the abuse or suspected abuse;
- (e) any of the following information of which the first person is aware:
 - the student's age;
 - the identity of the person who has abused, or is suspected to have abused, or be likely to abuse, the student; and

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

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

- the identity of anyone else who may have information about the abuse or suspected abuse or likelihood of abuse⁶.

All reporting obligations are detailed in **Appendix 1** to this Policy and summarised in **Appendix 2** to this Policy.

The definitions in **Appendix 5** to this policy describe indicators of sexual abuse, including “grooming” behaviour.

9 Reporting Physical and Sexual Abuse

Under Section 13E(3) of the *Child Protection Act 1999*, if a ‘relevant person’ including 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 to Child Safety.

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.

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 following information prescribed by regulation, to the extent of the person’s knowledge:⁷
 - the child’s name and sex;
 - the child’s age;
 - details of how to contact the child (for example, the address at which the child usually lives or the name and address of the school the child attends);
 - details of the harm to which the reportable suspicion relates;
 - particulars of the identity of the person suspected of causing the child to have suffered, or suffer or be at risk of suffering, the harm to which the reportable suspicion relates; and
 - particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

All reporting obligations are detailed in **Appendix 1** to this Policy and summarised in **Appendix 2** to this Policy.

The definitions in **Appendix 5** to this policy describe indicators of physical abuse and sexual abuse, including “grooming” behaviour.

⁶ *Education (General Provisions) Regulation 2006 (Qld) ss.68 and 68A.*

⁷ *Child Protection Act 1999 (Qld) s.13G (2). Child Protection Regulation 2011 (Qld) s. 10.*

10 Self-Harm

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. In a case where self-harm occurs or is reasonably suspected of occurring or likely to occur, in a context of parents not acting protectively, it may be necessary to report the harm externally under this Policy (see **Appendix 1** and **Appendix 2**).

In the case of an acutely distressed student, the immediate safety of the student is paramount. Staff members must (in order):

- (a) ensure the immediate safety of the student;
- (b) arrange for an adult to be with the student at all times; and
- (c) consult and report as required under this Policy.

While it is important to provide support to a student, Staff members must be careful not to substitute support for professional help.

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 a range of educational programmes to assist students to make appropriate choices in relation to drug and alcohol use and sexual activity.

The definitions in **Appendix 5** to this policy describe risk factors for self-harm.

11 Bullying, Discrimination and Sexual Harassment

The School has policies dealing with bullying, discrimination and sexual harassment. These are:

- (a) Promoting Positive Relationships Policy;
- (b) Anti-Discrimination Policy; and
- (c) Sexual Harassment in the Workplace Policy.

The School recognises that bullying, discrimination and sexual harassment may amount to harm to a student. If harm is reasonably suspected it must be managed without exception in accordance with reporting obligations are detailed in **Appendix 1** to this Policy and summarised in **Appendix 2** to this Policy.

12 Awareness

The School will inform Staff, students and parents of its processes under this Policy in communications to them⁸.

The School will:

- (a) Publish this Policy so that it is available to Staff, students and parents on the School's intranet (GrammarNet);
- (b) Inform parents about the Policy as part of their induction to the School and the parent portal on GrammarNet;

⁸ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)

- (c) Inform students about the Policy during House Group meetings and in Year Assemblies;
- (d) Ensure each Staff member acknowledges that they have read and understood this Policy;
- (e) Remind Staff members of their obligations under this Policy at the commencement of each School semester;
- (f) Ensure a hard copy of this Policy is available from the School's administration upon request;
- (g) Refer to this Policy in the School newsletter, at least twice each year; and
- (h) Permanently display a copy of this Policy on the notice board outside the School Psychologists' office.

13 Training

The School will train employees and certain other Staff in its processes under this Policy on their induction and will refresh training annually⁹. The School will keep records of this training.

The School will also provide informal updates at Staff meetings about this Policy and discussions about the Policy between managers and their Staff.

Decision support trees to assist teachers, the Principal (and other senior Staff) and non-teaching Staff to implement this Policy are set out in **Appendices 3a, 3b** and **3c** to this Policy.

Appendix 6 to this Policy further provides some practical scenarios to assist Staff in understanding the Policy.

14 Implementing the Processes

The School will ensure it is implementing its processes under this Policy by auditing compliance with the processes at least annually¹⁰.

15 Accessibility of Processes

This Policy is accessible to Staff, students and parents on the School's intranet (GrammarNet) and a hard copy will be available on request from the School's administration¹¹.

16 Breach of this Policy

The School will take appropriate action against any person who breaches this Policy including, in the case of a Staff member, disciplinary action up to and including termination.

Once a matter has been reported to external authorities, the School will cooperate with those authorities. However, the School is not required to await the outcome of any external processes before taking any internal disciplinary or other action.

17 Complaints Procedure

Suggestions of non-compliance with the School's processes under this Policy may be submitted as complaints under the School's *Complaints Handling Policy* or grievances under the *Employee Grievance Resolution Policy*.¹²

⁹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)*

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)*

¹¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)*

¹² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)*

18 Useful Contacts

Blue Card Services (Public Safety Business Agency), telephone 07 3211 6999 or 1800 113 611

Queensland College of Teachers, telephone 07 3377 4777

Police (Brisbane City North), telephone 07 3364 6464

Child Safety Services (Department of Communities) Brisbane Regional Intake Services, telephone 1300 682 254

Child Safety After Hours Service Centre, telephone 1800 177 135

Family and Child Connect 13 32 64

Kids Helpline 1800 55 1800

19 References

Child Protection Act 1999 (Qld)

Child Protection Regulation 2011 (Qld)

Education (General Provisions) Act 2006 (Qld)

Education (General Provisions) Regulation 2006 (Qld)

Education (Accreditation of Non-State Schools) Act 2017 (Qld)

Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)

Education (Queensland College of Teachers) Act 2005 (Qld)

Working with Children (Risk Management and Screening) Act 2000 (Qld)

Working with Children (Risk Management and Screening) Regulations 2011 (Qld)

Work Health and Safety Act 2011 (Cth)

20 Related Documents

20.1 Related School Policies:

Anti-Discrimination Policy

Complaints Handling Policy

Child Risk Management Strategy

Employee Grievance Resolution Policy

Promoting Positive Relationships Policy

Sexual Harassment in the Workplace Policy

Work Health and Safety Policy and Procedures

20.2 Appendices to this Policy

Appendix 1 – Child Protection - Reporting by Legislation

Appendix 2 – Summary of Reporting Harm

Appendix 3a, 3b and 3c – Child Protection Decision Support Trees for Principals (and other senior Staff), Teaching Staff and Non-teaching Staff

Appendix 4 – Reporting Form Template**Appendix 5** – Useful Definitions and Key Concepts**Appendix 6** – Scenario Activities

21 Definitions

21.1 Section 9 of the *Child Protection Act 1999* - Harm

Under 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.

It is immaterial how the harm is caused.

- (a) Harm can be caused by:
- physical, psychological or emotional abuse or neglect; or
 - sexual abuse or exploitation.
- (b) Harm can be:
- a single act, omission or circumstance; or
 - a series or combination of acts, omissions or circumstances.

21.2 Section 10 of the *Child Protection Act 1999* - A child in need of protection

Under 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.

21.3 Section 364 of the *Education (General Provisions) Act 2006* - sexual abuse

Under 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.

Some additional useful definitions and explanations of key concepts for this Policy are set out in **Appendix 5** to this Policy.

22 Review

This policy shall be reviewed annually or earlier to address any legislative changes or changes to organisational practices that would necessitate a review.



Child Protection Policy: Appendices

Appendix 1 – Child Protection – Reporting by Legislation

(adapted from ISQ School Services Fact Sheet)

Legislation	If	Then
Reporting of sexual abuse or likely sexual abuse under sections 366 and 366B of the <i>Education (General Provisions) Act 2006</i>	<ul style="list-style-type: none"> You are a School staff member, including a teacher; and You are aware or reasonably suspect that a student has been, or is likely to be, sexually abused by another person 	<ol style="list-style-type: none"> Complete the School’s reporting form Give the report to your Principal The Principal will make a report to the Police <ul style="list-style-type: none"> ➤ As an alternative, the Act allows for giving your report to a member of the Board of Trustees, who will forward it to the Police Keep appropriate records of your decisions and actions
	<ul style="list-style-type: none"> You are a Principal or a member of the School’s Board of Trustees; and A Staff member, including a teacher or registered nurse, reports a concern that a student has been, or is likely to be, sexually abused by another person 	<ol style="list-style-type: none"> Receive the School’s reporting form Make a report to the Police Keep appropriate records of your decisions and actions
	<ul style="list-style-type: none"> You are a Principal; and You are the first person to be aware or reasonably suspect a student has been, or is likely to be, sexually abused by another person 	<ol style="list-style-type: none"> Complete the School’s reporting form Make a report to the Police Give the Board of Trustees a copy of the report Keep appropriate records of your decisions and actions
Reporting of sexual and physical abuse under sections 13E and 13G of the <i>Child Protection Act 1999</i>	<ul style="list-style-type: none"> You are a teacher or registered nurse; and You have a “reportable suspicion”, i.e. a reasonable suspicion that a child— <ol style="list-style-type: none"> has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by sexual or physical abuse; and may not have a parent able and willing to protect the child from the harm 	<ol style="list-style-type: none"> Complete the School’s reporting form Confer with the Principal regarding your concerns Work through the Child Protection Guide with the Principal The Principal will report to Child Safety and will inform you of their report; this fulfils your duty to report as you know that Child Safety is aware of the concern <ul style="list-style-type: none"> ➤ You must report directly to Child Safety if you are not made aware of the report Keep appropriate records of your decisions and actions

Legislation	If	Then
	<ul style="list-style-type: none"> • You are a Principal; and • A teacher or registered nurse confers with you regarding a reportable suspicion 	<ol style="list-style-type: none"> 1. Confer with the teacher regarding their concerns 2. Work through the Child Protection Guide with the teacher or registered nurse 3. Report to Child Safety 4. Inform the teacher / registered nurse of the report 5. Keep appropriate records of your decisions and actions
Referral of a concern about harm under Chapter 5A of the <i>Child Protection Act 1999</i>	<ul style="list-style-type: none"> • You are a School Staff member, including a teacher or registered nurse; and • You have a concern about harm to a child, caused by any type of abuse, that does not reach the level of reporting to Child Safety 	<ol style="list-style-type: none"> 1. Complete the School's reporting form 2. Discuss your concerns with the Principal 3. Work through the Child Protection Guide with the Principal 4. The Principal may decide to: <ol style="list-style-type: none"> a) Offer support at the School level b) Seek parental consent to refer to Family and Child Connect (FCC) and then make the referral c) Refer a family to FCC without consent (a Principal-only power) 5. Keep appropriate records of your decisions and actions
	<ul style="list-style-type: none"> • You are the Principal; and • A Staff member, including a teacher or registered nurse, reports a concern about harm to a child that does not reach the level of reporting to Child Safety 	<ol style="list-style-type: none"> 1. Receive the School's reporting form 2. Work through the Child Protection Guide with the staff member 3. Decide to: <ol style="list-style-type: none"> a) Offer support at the School level b) Seek parental consent to refer to FCC and then make the referral c) Refer a family to FCC without consent (a Principal-only power) 4. Keep appropriate records of your decisions and actions

Legislation	If	Then
Reporting of harm (other than sexual abuse) under section 16 of the <i>Education (Accreditation of Non-State Schools) Regulations 2017</i>	<ul style="list-style-type: none"> • You are a Staff member, including a teacher or registered nurse; and • You are aware or reasonably suspect that a student has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by any type of abuse (see below); and • You are aware or reasonably suspect that a student may not have a parent able and willing to protect the child from harm <ul style="list-style-type: none"> ➤ Note: If the harm fits the EGPA or CPA processes identified above, follow that process/es as the priority 	<ol style="list-style-type: none"> 1. Complete the School's reporting form 2. Confer with the Principal regarding your concerns 3. Work through the Child Protection Guide with the Principal 4. The Principal will report to Child Safety and will inform you of their report; this fulfils your duty to report as you know that Child Safety is aware of the concern <ul style="list-style-type: none"> ➤ You must report directly to Child Safety if you are not made aware of the report 5. Keep appropriate records of your decisions and actions
	<ul style="list-style-type: none"> • You are the Principal; and • A Staff member has reported a concern that a student has suffered, is suffering, or is at unacceptable risk of suffering, significant harm and that the student may not have a parent willing and able to protect them <ul style="list-style-type: none"> ➤ Note: If the harm fits the EGPA or CPA processes identified above, follow that process/es as the priority 	<ol style="list-style-type: none"> 1. Receive the School's reporting form 2. Work through the Child Protection Guide with the Staff member 3. Make a report to Child Safety 4. Inform the Staff member of the report 5. Keep appropriate records of your decisions and actions
Reporting of inappropriate behaviour under section 16 of the <i>Education (Accreditation of Non-State Schools) Regulations 2017</i>	<ul style="list-style-type: none"> • You are a student or parent; and • A Staff member at the School has behaved in a way you consider is inappropriate 	<ol style="list-style-type: none"> 1. Report the behaviour to your Head of House or the Deputy Principal (Students)
	<ul style="list-style-type: none"> • You are a Staff member; and • A student has reported to you behaviour of another Staff member that the student considers is inappropriate <ul style="list-style-type: none"> ➤ Note, if the inappropriate behaviour fits one of the types of harm identified above, follow that process as the priority 	<ol style="list-style-type: none"> 1. Complete the School's reporting form 2. Discuss the student's report with your Principal 3. The Principal will take appropriate action in the circumstances 4. Keep appropriate records of your decisions and actions
	<ul style="list-style-type: none"> • You are the Principal; and • A Staff member has reported to you a student's report of the inappropriate behaviour of another Staff member <ul style="list-style-type: none"> ➤ Note, if the inappropriate behaviour fits one of the types of harm identified above, follow that process as the priority 	<ol style="list-style-type: none"> 1. Receive the School's reporting form 2. Interview the student reporting the behaviour 3. Interview the Staff member named in the report as engaging in inappropriate behaviour 4. Interview any other person who may be able to provide useful information

Legislation	If	Then
		5. Take appropriate action on the basis of your investigation 6. Keep appropriate records of your decisions and actions
Reporting investigation of harm under section 76 and 77 of the <i>Education (Queensland College of Teachers) Act 2005</i>	<ul style="list-style-type: none"> • You are a Principal; and • The School is investigating an allegation of harm caused, or likely to be caused, to a child because of the conduct of a teacher 	1. As soon as practicable after the investigation starts, give notice to the Queensland College of Teachers 2. The notice must include the following: <ol style="list-style-type: none"> a) the name of the Principal; b) the name of the School; c) the name of the relevant teacher; d) the day the investigation started; and e) the allegation, particulars of the allegation and any other relevant information <ul style="list-style-type: none"> ➤ See the Employing Authority Guidelines for more information

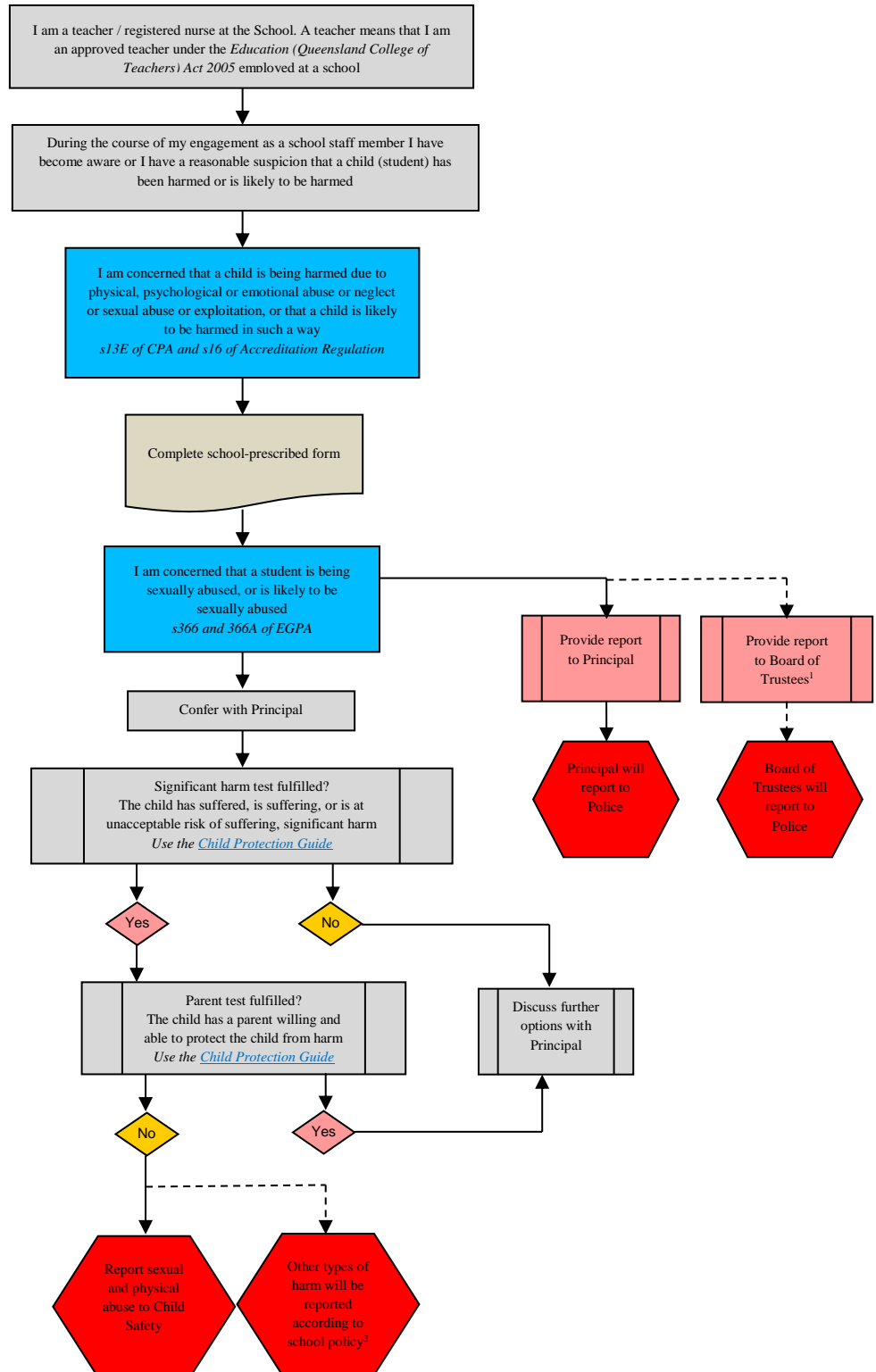
Appendix 2 – Summary of Reporting Harm

(adapted from ISQ School Services)

Who	What abuse	Test	Report to	Legislation
All Staff including teachers and registered nurses	Sexual	Awareness or a reasonable suspicion Sexually abused or likely to be sexually abused	Principal, through to Police	EGPA, sections 366 and 366A
Teacher or registered nurse	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 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

Appendix 3a – Decision Support Tree for Teachers and Registered Nurses

(adapted from ISQ School Services)



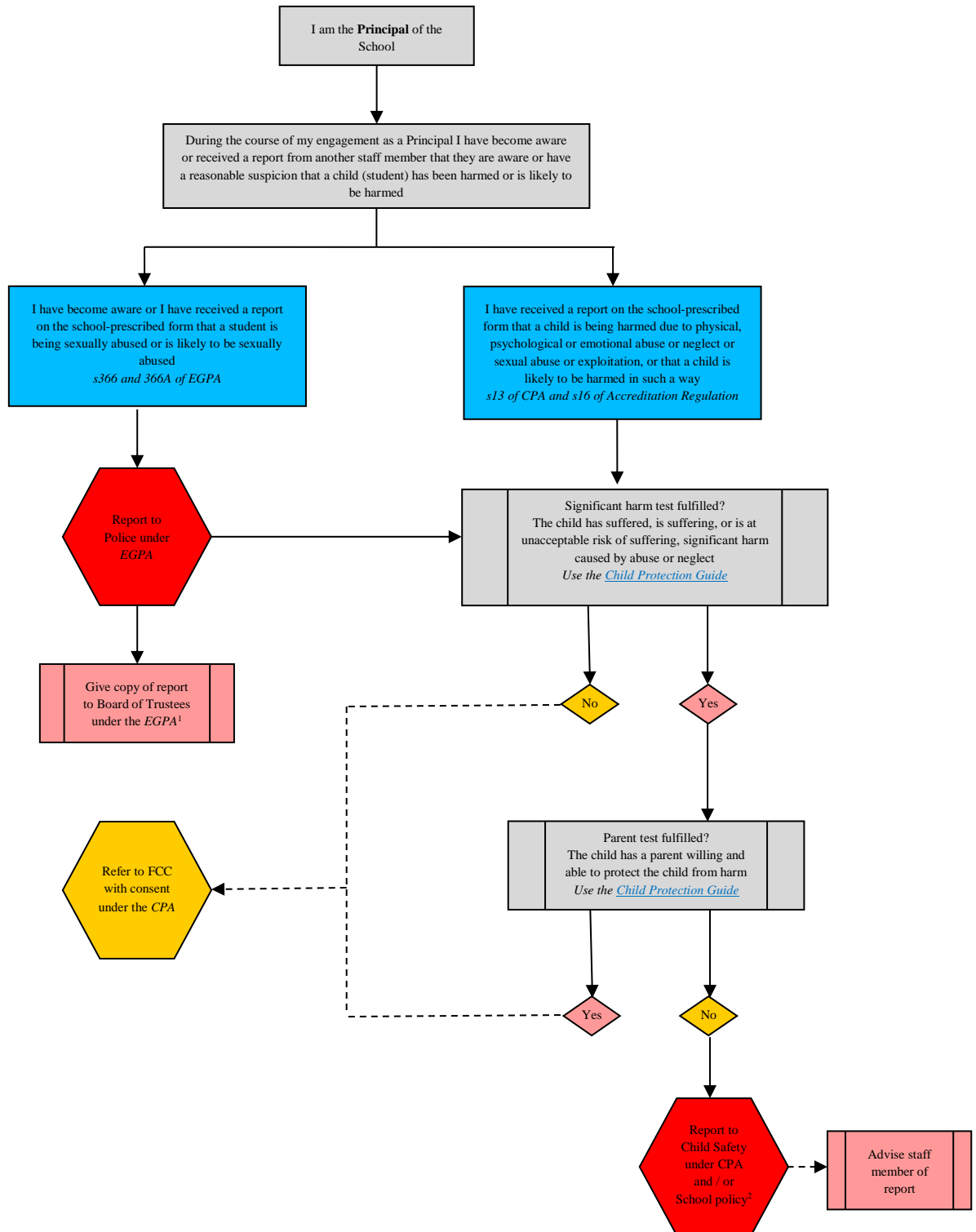
¹ Under s366 and 366A of the *Education (General Provisions) Act 2006*, a school staff member may provide a report about sexual abuse or likely sexual abuse to a director of the School’s governing body rather than to the Principal

² Under s13G(3)(b) of the *Child Protection Act 1999*, a teacher’s personal responsibility to report sexual and physical abuse to Child Safety is discharged if they know, or reasonably suppose, that Child Safety is aware of the matter

³ Under s16 of the *Education (Accreditation of Non-State Schools) Regulation 2017*, the school must have processes for responding to allegations or incidents of emotional or psychological abuse or neglect.

Appendix 3b – Decision Support Tree for Principals

(adapted from ISQ School Services)

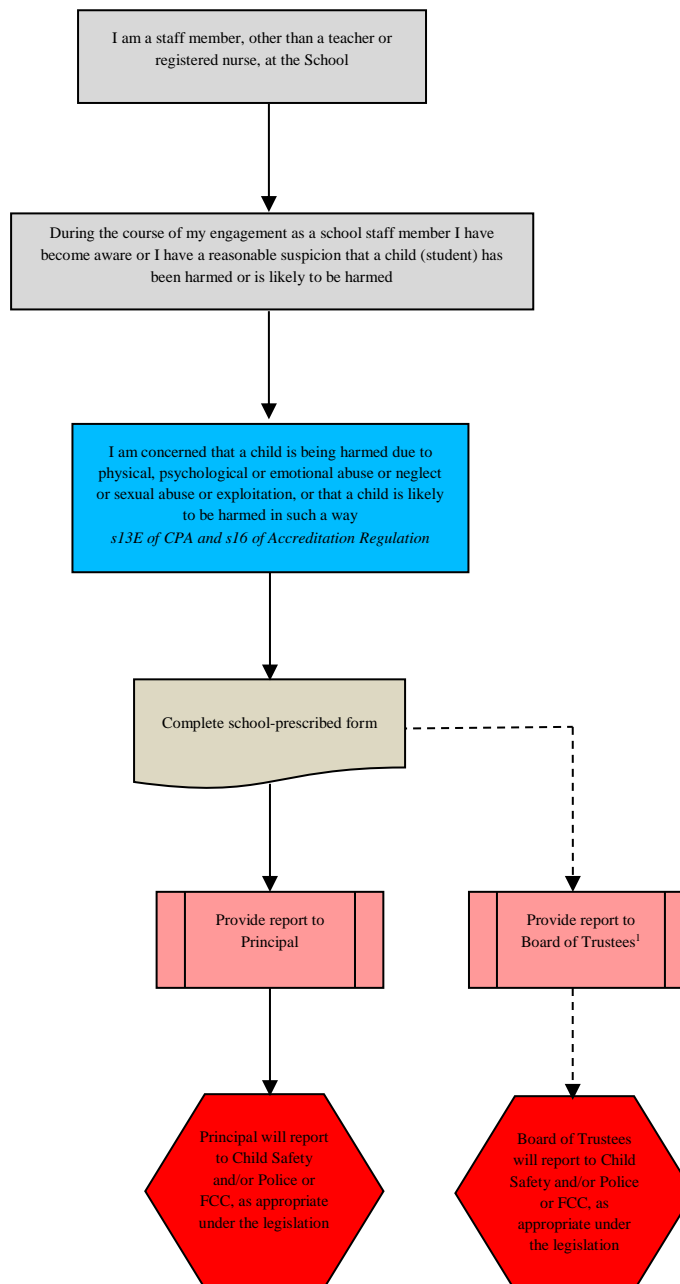


¹ Under s366 and 366A of the *Education (General Provisions) Act 2006*, if the Principal is the first person to become aware that a student is being sexually abused or is likely to be sexually abused, they must give a report to the Police and a copy of the report to a director of the School’s governing body

² Under s16(1) of the *Education (Accreditation of Non-State Schools) Regulation 2017*, the School must have processes for responding to allegations or incidents of emotional or psychological abuse or neglect.

Appendix 3c – Decision Support Tree for Non-Teaching Staff

(adapted from ISQ School Services)



¹ Under s366 and 366A of the *Education (General Provisions) Act 2006*, a school staff member may provide a report about sexual abuse or likely sexual abuse to a director of the School's governing body rather than to the Principal

Appendix 4 – Reporting Form Template

(adapted from ISQ School Services)

Private and Confidential
Report of Suspected or Likely Harm or Sexual Abuse

Date:
School:
School Phone:
School Fax:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
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"/>	

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; 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 to the Statutory Agency if not the Principal:	Signature:	Date:
Position:		
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)
	<input type="checkbox"/>	Department of Communities (Child Safety Services)
	<input type="checkbox"/>	Family and Child Connect

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

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



Child Protection Policy: Appendices

Appendix 5 – Useful Definitions and Key Concepts

(adapted from ISQ School Services Fact Sheet)

What is a reportable suspicion?

In a school situation, as mandatory reporters, teachers must report to Child Safety a “reportable suspicion” about a child, formed in the course of their employment or engagement.

A reportable suspicion is one where a teacher has a reasonable suspicion that a child has suffered, is suffering, or is at an 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 harm.

What are the two tests to be used when forming a reportable suspicion?

The key tests when forming a “reportable suspicion” are as follows:

1. The child must have suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by the physical or sexual abuse (known at the “*Significant Harm Test*”); and
2. The child may not have a parent able and willing to protect them from the harm (known as the “*Parent Test*”).

Who is a mandatory reporter?

A mandatory reporter is an approved teacher [as defined by the *Education (Queensland College of Teachers) Act 2005*] and currently working at a school.

What is harm?

Harm is defined in section 9 of the *Child Protection Act 1999* (“the Act”) as:

- Harm, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
- It is immaterial how the harm is caused.
- Harm can be caused by:
 - a) A single act, omission or circumstance; or

- b) A series or combination of acts, omissions or circumstances.

Harm means damage or injury caused by abuse to a child’s body, to a child’s emotional state or to a child’s psychological state. Abuse may be physical abuse, sexual abuse, emotional abuse or neglect. Harm is the effect or impact on the child of the abuse.

Abuse can be defined as an action such as: hitting; punching; fondling; and exposure to domestic violence or scapegoating; or it can be inaction such as failure to provide medical care; or failure to provide appropriate stimulation.

The “Significant Harm Test”

When considering the significance of harm under mandatory reporting obligations, the Act provides guidance under section 13C.

The matters that the person may consider include:

- a) Whether there are detrimental effects on the child’s body or the child’s psychological or emotional state:
 - I. That are evident to the person; or
 - II. That the person considers are likely to become evident in the future
- b) In relation to any detrimental effects to the child the reporter may consider:
 - I. Their nature and severity; and
 - II. The likelihood that they will continue, and
- c) The child’s age.

The person’s consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have. This recognises that a school Staff member may detect an impact of harm for a child that the ordinary person may not identify.

The “Parent Test”

A parent may be willing to protect a child, but not have capacity to do so and therefore

they are not considered “able”. This includes situations such as where the parent’s inability is due to factors such as intellectual impairment or ill health.

Alternatively, a parent may have the capacity to protect a child (able), but may choose not to do so (not willing). This might include situations where parents choose an ongoing relationship with a person who is abusing their child and are thus “unwilling” to protect the child.

If there is considered to be at least one parent “able” and “willing” to protect the child, the child is considered to not be in “need of protection”.

What is sexual abuse?

Under the *Education (General Provisions) Act 2006* s364, sexual abuse 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.

Indicators of sexual abuse may include:

- Grooming behaviour (see below).
- Bruises, bite marks or other injuries to breasts, buttocks, arms, lower abdomen or thighs.
- Bruises, scratches or other injuries not consistent with accidental injury.
- Difficulty walking or sitting.
- Persistent headaches or recurrent abdominal pain.
- Unexplained pain in genital area.
- Torn, stained or bloodied underwear.
- Itching, soreness, discharge or unexplained bleeding.
- Painful and recurrent urination.
- Recurrent urinary tract infections.

- Signs of sexually transmitted diseases.
- Pregnancy in adolescents where the identity of the father is vague or secret.

What is grooming?

“Grooming” is a course of conduct by which a person creates or exploits opportunities that allow the person to safely engage in sexual contact with a child. Its purpose is to secure compliance of the child and to avoid detection and punishment. Whilst not always, sexual abuse can be preceded by grooming.

Grooming can occur over a long period. A person may also “groom” the child’s parents or carers, or other persons who may protect them from the abuse. This is so that the child and his/her carers will trust the offender and not suspect any intended wrongdoing. The establishment of a relationship of trust is often very confusing and damaging to the child, who may not even immediately recognise what is done to them as abuse.

Recognition of the grooming process that is used as a preparation for the sexual abuse of a child is an indicator of likely sexual abuse. Grooming behaviour is unlikely to be recognised when observed as a one-off event, but a pattern of grooming of the intended victim and/or the intended victim’s carers can be recognised. Grooming may tend to develop in intensity over time. It will also tend to include elements of secrecy and concealment.

It is important to be aware of the types of behaviours that can be used in the process of grooming, while remembering that some of the behaviours might equally reflect normal interactions based on genuine motives of care and concern. This is the reason that for Staff members the observance of clear professional boundaries and transparency in the declaration of potential conflicts of interest is a vital part of the protection of children and of the Staff members themselves. Some examples of grooming types of behaviour could include:

- Befriending a vulnerable student.
- Giving a student special attention.
- Treating the student more favourably than others, for example with school work or in extra-curricular activities.

- Giving gifts to or doing favours for the student.
- Sharing secrets with the student.
- Arranging opportunities to be alone with the student.
- Sending email or SMS messages of a personal nature.
- Making personal comments to the student about sexuality or relationships.
- Directing suggestive jokes, remarks or actions towards the student.
- Acting as a substitute parent or confidant of the student.
- Befriending the student's family and visiting the family home.
- Offering to babysit or provide transport.
- Offering individual coaching or special help to the student.
- Cultivating the trust and confidence of the student's parents.

What is physical abuse?

According to Child Safety, physical abuse occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. Physical abuse can include:

- Hitting
- Shaking
- Throwing
- Burning
- Biting
- Poisoning

Physical abuse is not determined by how bad the mark or injury is, but rather by the act itself that causes injury or trauma to the child.

Indicators of physical abuse may include:

- Student presents with bruises, burns or fractures at a frequency which is inconsistent with normal activity.
- Student offers explanations for an injury which appear inconsistent with that injury.

- Student or another person advises that he/she has been subjected to or threatened with physical harm.
- Reluctance/refusal of student to participate in swimming or other activities where getting changed or wearing more revealing clothes may show signs of harm.
- Absenteeism.

What is psychological emotional abuse?

According to Child Safety, psychological or emotional abuse occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. It can include emotional deprivation due to persistent:

- Rejection
- Hostility
- Teasing/bullying
- Yelling
- Criticism
- Exposure of a child to domestic and family violence

Indicators of emotional abuse may include:

- Student has poor peer relationships/withdrawn.
- Student inclined to seek adult company and/or students who are older or younger.
- Student regularly avoiding going home.
- Student has learning difficulties, including poor concentration.
- Absenteeism.
- Student displays attention-seeking behaviour such as stealing, lying, running away, and repeatedly disrupting classes.

What is neglect?

According to Child Safety, neglect occurs when a child's basic necessities of life are not met, and their health and development are affected. Basic needs include:

- Food
- Housing
- Health care

- Adequate clothing
- Personal hygiene
- Hygienic living conditions
- Timely provision of medical treatment
- Adequate supervision

Indicators of neglect may include:

- Student appears underweight for age and body type.
- Inadequate clothing.
- Poor personal grooming.
- Asking other students for food or money or not bringing food for lunches and breaks.
- Absenteeism /or high frequency of illness/infection.
- Student often arrives early and/or leaves late.

Who is a parent?

The parent of a child generally means the child's birth mother or father, or adoptive parents. Under the Act:

1. A parent of a child is the child's mother, father or someone else having or exercising 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.

What is Family and Child Connect?

Family and Child Connect (FCC) is a service which provides an identifiable and easily accessible central referral point for families and professionals to access family services.

What is a referrer?

A referrer is anyone who contacts FCC to refer a child or family for support and assistance. For

schools, this person will most commonly be the Principal.

What is self-harm?

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.

Risk factors for self-harm include:

- Previous attempts at suicide (most powerful risk predictor).
- Depression.
- Drugs and/or alcohol abuse.
- Disruptive and unsupportive family background.
- Relationship conflicts.
- Poor coping skills.
- Psychiatric illnesses.
- Copycat behaviour after an incident of self-harm by another person.
- Recent bereavement.
- Chronic physical illness.
- Anniversary phenomenon (of past losses or major life events).
- Early loss experiences.
- Academic failure.
- Perfectionism and overachievement as a result of students having high expectations of themselves.



Appendix 6 – Scenario Activities

(adapted from ISQ School Services Scenario Activities)

SCENARIO 1

One of the girls in Year 7 has been caught with pornographic magazines at school. When questioned about it, the girl stated that her step-father had given her the magazines as a present. When the Staff member said that the school would have to ring her parents about the magazines the girl became very upset and said they couldn't ring her mother because she would get into trouble. She went on to say that the magazines were part of a secret with her step-father and he would be really angry if he knew that the student had shown them to anyone else. The student told the Staff member that she wasn't allowed to tell her mother about her secrets with her step-father.

Key Questions	Responses
What type of harm is being reported?	Sexual abuse.
Who should it be reported to at the school level?	The Principal.
Should it be immediately reported it to the Police?	Yes, under the mandatory reporting provisions for sexual abuse or likely sexual abuse in the Education (General Provisions) Act.
What two key tests should be applied to the harm?	The Significant Harm Test and the Parent Test.
Are one or both of the tests fulfilled?	Yes, both fulfilled. Grooming behaviour by a household member fulfils the Significant Harm Test. The fact that the grooming is being undertaken by the step-father means that the mother is either unwilling or unable to protect the child, so the Parent Test is fulfilled.
Should the harm be reported to Child Safety? Or the family referred to Family and Child Connect?	Yes, with both tests fulfilled, report to Child Safety.
What other action should be taken now?	Document and offer school-based support.

SCENARIO 2

A Staff member noticed over the past two months that one of her 12 year old students had become increasingly disruptive and aggressive in class and the playground and, today, had pushed another student into the lockers and caused a cut under the child's eye. The Staff member stated that the student's grades had dropped and she had fallen asleep in class on at least three occasions. The student told the Staff member she hated her life and wished she was dead. She said she hated living at home because her mum and step-dad were always yelling at each other. She said that she and her little sister weren't hurt during the fights but they did get really frightened and were worried about their mum.

Key Questions	Responses
What type of harm is being reported?	Psychological harm / emotional harm.
Who should it be reported to at the school level?	Principal (who may confer with Deputy Principal (Students) or a School Psychologist).
Should it be immediately reported it to the Police?	No, not sexual abuse.
What two key tests should be applied to the harm?	The Significant Harm Test and the Parent Test.

Key Questions	Responses
Are one or both of the tests fulfilled?	Yes, both fulfilled. The nature and severity of the harm, i.e. the suicidal thoughts, indicates that the Significant Harm Test is fulfilled. The causation of the harm by the parents themselves indicates that they are either not willing or able or both to protect the child from harm, so the Parent Test is fulfilled.
Should the harm be reported to Child Safety? Or the family referred to Family and Child Connect?	Yes, with both tests fulfilled, report to Child Safety.
What other action should be taken now?	Document and offer school-based support.

SCENARIO 3

A student in Year 9 came to school with multiple cuts to her arms. She was crying before the start of school but wouldn't speak to the teacher. The school is aware the student has a history of self-harm however three months ago she had started seeing a psychologist at the local mental health service and had stopped cutting her arms. The school contacted the mother who explained that the student had recently refused further contact with the psychologist. The mother immediately came to the school to take the student to the family doctor to check the cuts and provide a referral to a psychiatrist recommended by the psychologist.

Key Questions	Responses
What type of harm is being reported?	Physical harm / self-harm.
Who should it be reported to at the school level?	Principal (who may confer with Deputy Principal (Students) or a School Psychologist).
Should it be immediately reported to the Police?	No, not sexual abuse.
What two key tests should be applied to the harm?	The Significant Harm Test and the Parent Test.
Are one or both of the tests fulfilled?	Significant Harm Test is not fulfilled, as the actual self-harm injury is not of a significant enough nature or severity. There is no evidence to suggest there is unacceptable risk that the student will be subject to significant harm. The Parent Test is not fulfilled; given that significant harm is not occurring, a judgment cannot be made that the parents are not willing or able to protect the student from significant harm.
Should the harm be reported to Child Safety? Or the family referred to Family and Child Connect?	Neither test is fulfilled, so a report to Child Safety is not necessary. As the mother is both willing and able to protect the student from further harm, and presumably will continue to do so even if the harm level increases, a referral to Family and Child Connect is not necessary either.
What other action should be taken now?	Document and offer school based support. Continually review the situation.

SCENARIO 4

A 15 year old student with severe autism, epilepsy and an intellectual disability presented to school with marks on her body that weren't there the previous day. The student had bruises on her legs and arms. She also had a cut on her chin, a mark on the bridge of her nose and a cut at the back of her neck. The parent reported in the communication book and to the teacher that the student had fallen off the lounge. When the laceration on the neck was pointed out the mother appeared not to know it was there and said the student must have done it herself with her nails. The school was aware the father was no longer living with the family. They were also aware the family had previously been involved with Child Safety due to concerns about the mother's care of the student. Health and Disability services were also known to be supporting the family.

Key Questions	Responses
What type of harm is being reported?	Physical harm.
Who should it be reported to at the school level?	Principal (who may confer with Deputy Principal (Students) or a School Psychologist).
Should it be immediately reported it to the Police?	No, not sexual abuse.
What two key tests should be applied to the harm?	The Significant Harm Test and the Parent Test.
Are one or both of the tests fulfilled?	The Significant Harm Test is fulfilled. Factors to consider include that the injuries themselves are significant, given the particular vulnerability of this student, and that the mother's story is inconsistent. The Parent Test is fulfilled. Despite current support, the student is still being harmed, as the parents are either not willing or able or both to protect the child.
Should the harm be reported to Child Safety? Or the family referred to Family and Child Connect?	Yes, with both tests fulfilled, report to Child Safety.
What other action should be taken now?	Seek medical attention if required. Document and offer school-based support.

SCENARIO 5

A 14 year old student had a number of dark bruises on her arms. When asked how she got the bruises, the student said she bumped into the cupboard door. However, the Staff member was concerned as this explanation didn't seem to match the number and location of the bruises. The student said that she was afraid of her mother's boyfriend and was often left alone with him which she hated because sometimes he hurt her. The Staff member also noticed that the student looked uncomfortable while sitting in class and when asked, the student said that her bottom and vagina were sore. The Staff member was aware that the student lives with her mother and her mother's new boyfriend. Both the mother and her boyfriend have previously been involved with police due to substance abuse issues.

Key Questions	Responses
What type of harm is being reported?	Physical harm and sexual abuse.
Who should it be reported to at the school level?	Principal.
Should it be immediately reported it to the Police?	Yes, under the mandatory reporting provisions for sexual abuse or likely sexual abuse in the Education (General Provisions) Act.

What two key tests should be applied to the harm?	The Significant Harm Test and the Parent Test.
Are one or both of the tests fulfilled?	<p>The Significant Harm Test is fulfilled. Factors to consider include that the nature and severity of the injuries themselves are significant, that the explanation given is inconsistent with the harm and the likelihood that the harm will continue, given that the mother's boyfriend is a member of the household.</p> <p>The Parent Test is fulfilled. Given the child's stated fear of the mother's boyfriend, the mother and boyfriend's substance abuse issues and the harm already occurring, the student may not have a parent willing and able to protect her from further harm.</p>
Should the harm be reported to Child Safety? Or the family referred to Family and Child Connect?	Yes, with both test fulfilled, report to Child Safety.
What other action should be taken now?	Seek medical attention if required. Document and offer school-based support.

SCENARIO 6

A Staff member has observed that a 9 year old student isn't bringing much food for lunch. She comes some days with packaged food, such as chips and muesli bars, but rarely has healthy food such as a sandwich or fruit. On a couple of occasions the student has come to school with no lunch. The student is often aggressive and doesn't deal well with instructions from Staff members. She also frequently acts aggressively towards other students in the playground and, recently, is having increasing difficulty concentrating during class. The Staff member has been told by another parent that the student and her sister are often seen riding their scooters around the streets until after 8pm at night and asking for food. The Staff member has tried to telephone the student's parents several times with no success. The student told another Staff member today that she is living between several different homes at the moment.

Key Questions	Responses
What type of harm is being reported?	Neglect – nutrition, supervision, physical shelter.
Who should it be reported to at the school level?	Principal (who may confer with Deputy Principal (Students) or a School Psychologist).
Should it be immediately reported to the Police?	No, not sexual abuse.
What two key tests should be applied to the harm?	The Significant Harm Test and the Parent Test.
Are one or both of the tests fulfilled?	<p>The Significant Harm Test is not fulfilled. At this point, the severity of the harm caused to the student is not significant, nor is the student at unacceptable risk of being significantly harmed. However, there is certainly a risk that without assistance the risk will rise to the level of unacceptable or that significant harm will actually occur.</p> <p>Given that the Significant Harm test is not fulfilled, the Parent Test cannot be fulfilled (given that significant harm is not occurring, a judgment cannot be made that the parents are not willing or able to protect the student from significant harm).</p>

<p>Should the harm be reported to Child Safety? Or the family referred to Family and Child Connect?</p>	<p>Neither test is fulfilled so a report to Child Safety is not necessary at this point.</p> <p>However, given that lower level harm is occurring across three forms of neglect, it would be reasonable to suspect the parents could benefit from assistance to strengthen their willingness and/or ability to protect the student from further harm. A discussion with the parents with a view to referral to Child and Family Connect is appropriate.</p>
<p>What other action should be taken now?</p>	<p>Document and offer school based support. Continually review the situation.</p>