



## CHILD PROTECTION

## POLICY

### APPROVAL TO PUBLISH

This policy is approved for publication by the Concordia Lutheran College Council having considered relevant legislation dates and/or implementation requirement of users.

**EFFECTIVE**  
**27 April 2017**

### Next Scheduled Review Date

All procedures have an automatic review date as specified.

**REVIEW**  
**ANNUALLY**

### Access and Availability

All sections of procedure will be visible on the Concordia Lutheran College intranet and published in staff handbook.

**Yes**

Availability for public access?

**Yes**

### RECOMMENDATION

Head of College

**27 / 04 / 17**

### APPROVAL

Chairman of College Council

**27 / 04 / 17**

## **Concordia Lutheran College Child Protection Policy & Procedure**

Concordia Lutheran College  
154 Stephen Street  
Toowoomba Q 4350  
(07) 4688 2700

### **Purpose**

The purpose of this policy is to provide a policy as part of Concordia Lutheran College's written processes about how the College will respond to harm, or allegations or harm, to students under 18 years old, and the appropriate conduct of the College's staff and students, to comply with accreditation requirements and the relevant legislation listed below.

### **Who must comply with the policy?**

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 Concordia Lutheran College and covers information about the reporting of harm and abuse

### **References**

#### Legislation

- [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 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 \(Qld\)](#)
- [Education \(Queensland College of Teachers\) Act 2005 \(Qld\)](#)

#### Related College Policies / Procedures

- CLC Complaints Handling Policy and Procedure
- CLC Risk Management Policy (for the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*)
- CLC Work Health and Safety Policy (for the *Work Health and Safety Act 2011 (Qld)*)
- CLC Staff Code of Conduct
- CLC Valuing People, Anti Bullying 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 College has written processes in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation<sup>1</sup>.

## Responding to Reports of Harm

Information relating to physical or sexual abuse is handled under obligations to report set out later in this policy<sup>2</sup>.

When the school receives any information alleging 'harm'<sup>3</sup> 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 likely harm to the extent it reasonably can. This is set out in the College’s Risk Management Policy. Included in the consideration of how this should best be dealt with by the College, reference needs to be made to the College’s Staff Code of Conduct, Valuing People, Anti-bullying Policy, and external support agencies depending on who is alleged to have caused the harm and where it is alleged to have occurred.

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

<sup>2</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(2)*

<sup>3</sup> *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)*

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The incident reporting template (Appendix 1) should be completed and forwarded to the relevant staff member best placed to deal with such reports. If in doubt, the appropriate person to receive the report is the Head of College. In instances where the Head of College is the person alleged to have caused the harm, the report should be forwarded to a member of the College's governing body.

### **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 students<sup>4</sup>. The College's Code of Conduct for staff outlines the behavioural expectations in this regard.

### **Reporting Inappropriate Behaviour**

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to their relevant campus:-

- Director of Campus HSC  
Director of Campus WSC  
Director of Campus SSC

or

- Head of College CLC<sup>5</sup>.

### **Dealing with Report of Inappropriate Behaviour**

A staff member who receives a report of inappropriate behaviour must report it to the Head of College. Where the Head of College is the subject of the report of inappropriate behaviour, the staff member must inform a member of the College's governing body<sup>6</sup>. Reports will be dealt with under the College's Complaints Handling Policy and Procedures.

### **Reporting Sexual Abuse<sup>7</sup>**

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;

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

<sup>5</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(3) and s.10(4)*

<sup>6</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(3)*

<sup>7</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(5)(a)*

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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 Head of College or the Chair of the College'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 Head of College, the Head of College 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 Chair of the College'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 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 abuse<sup>8</sup>.

The reporting form attached as Appendix 1 is consistent with these requirements.

### **Reporting Likely Sexual Abuse <sup>9</sup>**

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 College, 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 College;
- 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 College; and
  - ii. is not enrolled in the preparatory year at the College

then the staff member must give a written report about the suspicion to the Head of College or to the Chair of the College's governing body immediately.

The Head of College or the Chair of the College's governing body must immediately give a copy of the report to a police officer.

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<sup>8</sup> *Education (General Provisions) Regulation 2006 (Qld) s.68*

<sup>9</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(5)(a)*

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If the first person who reasonably suspects likely sexual abuse is the Head of College, the Head of College must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Chair of the College'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 abuse<sup>10</sup>.

The reporting form attached as Appendix 1 is consistent with these requirements.

### **Reporting Physical and Sexual Abuse where the child may not have a parent able and willing to protect them from the harm.**

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 then give a copy of the report to the Head of College.

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 knowledge<sup>11</sup>.

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<sup>10</sup> *Education (General Provisions) Regulation 2006 (Qld) s.68A*

<sup>11</sup> *Child Protection Regulation 2011 s.10(a) to (f).*

## **Reporting Template**

**A reporting template which is compliant with the relevant Regulations and consistent with Education Queensland's SP4 Form is attached as Appendix 1.**

## **Awareness and Accessibility of the Policy and Procedures**

The College will inform staff, students and parents of its procedures relating to the health, safety and conduct of staff and students in written communications to them at least twice per year and it will publish these procedures for their access on its website and in hard copy format at the College office<sup>12</sup>.

## **Training**

The College will train its staff in procedures relating to the health, safety and conduct of staff and students on their induction and will refresh training annually<sup>13</sup>. A record of attendance by staff in induction training and annual refresher sessions will be maintained by the College.

## **Implementing the Policy and Procedures**

The College will ensure it is implementing procedures relating to the health, safety and conduct of staff and students by auditing compliance with the procedures annually<sup>14</sup>.

## **Complaints Procedure**

Suggestions of non-compliance with the College's processes may be submitted as complaints under CLC Complaints Handling Policy and Procedure.<sup>15</sup>

## **Important Contact Details**

Queensland Police Service                      000 (in emergency) or (07) 4631 6333

Department of Communities,  
Child Safety and Disability Services   1800 177 135 or (07) 3235 9999

Family and Child Connect                      13 32 64 or at

<http://www.familychildconnect.org.au/index.asp>

Queensland College of Teachers                      (07) 3377 4777

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

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

<sup>14</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)*

<sup>15</sup> *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(7) and s.10(7A)*

## Appendix 1 - Private and Confidential

### Report of Suspected Harm or Sexual Abuse

PART A is to be completed and forwarded to the Department of Child Safety if it is suspected that a student has been harmed or is at risk of harm.

#### FROM

Date:

School: Concordia Lutheran College

Location Code:

Principal: Michael Kaiser

Principal's email: Michael.Kaiser@concordia.qld.edu.au

School Contact Person:

Phone: 46882700

Position:

Fax: 46882799

District Office:

Region: Darling Downs

#### STUDENT DETAILS

Name (incl. aliases):

EQ ID:

Year Level:

D.O.B.:

☐ Male

☐ Female

Student's Residential Address:

Phone Number:

Student's Personal Mobile Number (if available):

#### TYPE OF SUSPECTED HARM OR RISK OF HARM (more than one can be crossed)

##### Suspected Harm

☐ Physical abuse ☐ Sexual abuse

☐ Emotional abuse ☐ Neglect

☐ Self-harm & parent/carer not acting protectively  
(also complete Part B of this form)

☐ Substance abuse by student & parent/carer not acting protectively

##### Suspected Risk of Harm

☐ Physical abuse ☐ Sexual abuse

☐ Emotional abuse ☐ Neglect

☐ Self-harm & parent/carer not acting protectively  
(also complete Part B of this form)

☐ Substance abuse by student & parent/carer not acting protectively

Is there suspected harm or risk of harm to an unborn child? ☐ Yes ☐ Not Applicable

#### SOURCE OF SUSPECTED HARM OR RISK OF HARM

☐ adult family member

☐ child family member

☐ unknown source

☐ other adult

☐ student/other child

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### ACTION TO BE TAKEN

**DO NOT EMAIL this form to DChS – FAX ONLY**

Fax pages 1 – 3 of ALL reports of harm to:

- **Department of Communities** –Regional Intake Service - Fax number: 07 46161796
- Confirm with DChS receipt of faxed form
- School support being provided by: (provide details eg GO / DP)
- Additional support; referral to community agency (provide details):

**Form must be filed in a secure location along with any other documentation collected for the purposes of this report.**

Name (incl. aliases): EQ ID:

Year Level: D.O.B.:

School: Concordia Lutheran College

### STUDENT CULTURAL AND EDUCATIONAL INFORMATION

Cultural Background: ☐ Aboriginal ☐ Torres Strait Islander ☐ both Aboriginal & Torres Strait Islander  
☐ Other

Does the student speak English? ☐ Yes ☐ No

If no, specify the student's preferred language. Language:

Is an interpreter required? ☐ Yes ☐ No

Does the student have a disability ☐ Yes type:

Has the disability been verified or eligible to be verified under EAP? ☐ Yes ☐ No

Has a profile been submitted? ☐ Yes ☐ No

### HOUSEHOLD DETAILS

Caregiver's Name:

Relationship to student:

Phone: (H) (W) (M)

Custodial Information (provide details if relevant):

☐ Any relevant orders in place? (eg Child protection / DV)

Is the student in the care of the state?

☐ Yes ☐ No

If yes provide details (including name of Child Safety Officer if known)

### HOUSEHOLD MEMBERS: (All known names of children, family and significant others)

Name (incl. aliases)	DOB	Age	Relationship to student	School / Learning Provider

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<b>OTHER RELEVANT INFORMATION</b>			
<p>Are you aware of any prior relevant contact this family has had with:</p> <p>Department of Child Safety    Queensland Police Service    Queensland Health/ CYMHS</p> <p> <input type="checkbox"/> Yes    <input type="checkbox"/> No                      <input type="checkbox"/> Yes    <input type="checkbox"/> No                      <input type="checkbox"/> Yes    <input type="checkbox"/> No         </p> <p>If yes, provide any details you might have of this contact:</p>			
<p>Are you aware of any other schools that might hold relevant child protection information in relation to this family?</p> <p><input type="checkbox"/> Yes                      <input type="checkbox"/> No</p> <p>If yes, provide the name of school/s:</p>			
<p>Is it possible that other relevant information may be held by Education Queensland about this family that could be retrieved with more time?</p> <p><input type="checkbox"/> Yes                      <input type="checkbox"/> No</p> <p>If yes, provide any details you might have of the type of information available:</p>			
Name (incl. aliases):		EQ ID:	
Year Level:		D.O.B.:	
School: Concordia Lutheran College			
<b>THE FOLLOWING QUESTIONS ARE PROVIDED AS PROMPTS ONLY.</b>			
<p><b>You are not obliged to obtain proof, establish the cause of the harm or assess its severity.</b></p> <p><b>The information you provide is the information you have which led to the suspicion of harm or risk of harm.</b></p>			
<b>DETAILS OF SUSPECTED HARM OR RISK OF HARM</b>			
<p><b>Details of any <u>harm</u> to the child</b> - eg. physical appearance of any injury; recency of injury; severity; frequency; any on-going concerns; context of harm; emotional/behavioural cues to harm; any disclosures made by the child and information on the person to whom this was made.</p>			
<p><b>Details of any <u>risk of harm</u> to the child</b> - eg. vulnerability; a perpetrator's opportunity to harm; pattern of harming; history of harm; emotional/behavioural presentation; presence of medical needs or developmental delays; relationships with parents and significant others (if the information relates to an unborn child, the alleged risk to the unborn child after he or she is born should be provided).</p>			
<p><b>Details of the <u>parents'/carer's circumstances</u></b> - eg. their parenting capacity; their protective capacity; the presence of complicating factors such as domestic violence; drug/alcohol misuse; mental health history; physical or intellectual abilities; relationship stability.</p>			



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**Details of environmental factors** - eg. condition of the child's home; socio-economic factors that impact on the family; family and individual stressors; mobility and transience.

**Information on protective factors and family/child strengths** - eg. the presence in the home of a protective caregiver; a child's ability to seek external help when they feel they are at risk.

**Source of information** - eg. direct knowledge/observation; deduction; hearsay from others and, if so, the position this person holds.

Notifying staff member's name:

Notifying staff member's signature(s):

Date: 24/04/17

Notifying Principal's signature:

Date: 4/24/2017

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Part B is to be completed for incidents of self-harm or risk of self-harm where the parent/carer is not acting protectively.

**Complete this section only if you have ticked suspected self-harm or risk of self-harm**

**Forward this page to District Office and Student Services Division ONLY**

Name (incl. aliases):

EQ ID:

Year Level:

D.O.B.:

School: Concordia Lutheran College

### TYPE OF HARM (more than one category can be ticked)

**Self-harm is defined as “the deliberate harming of oneself either with or without suicidal intent”.**

- |  |   |
|--|---|
| <input type="checkbox"/> Self-harm by self poisoning, drugs, alcohol | <input type="checkbox"/> Self-harm by hanging, strangulation, suffocation   |
| <input type="checkbox"/> Self-harm by sharp object, cutting          | <input type="checkbox"/> Self-harm by burning                               |
| <input type="checkbox"/> Self-harm by sniffing/inhalation            | <input type="checkbox"/> Self-harm by eating regulation (bingeing, purging) |
| <input type="checkbox"/> Self-harm by other methods (please specify) |   |
| <input type="checkbox"/> Suicide ideation (ideas or plans)           |   |
| <input type="checkbox"/> Suicide attempt                             |   |

**How was the behaviour identified?**

- |   |  |
|---|--|
| <input type="checkbox"/> self disclosure      | <input type="checkbox"/> witnessed behaviour   |
| <input type="checkbox"/> evidence of injuries | <input type="checkbox"/> disclosure by other (if other indicate relationship to the student) |

**Has the student disclosed reasons for the behaviour?** (only complete if the student has volunteered this information)

- |   |                                       |   |
|---|---------------------------------------|---|
| <input type="checkbox"/> school related | <input type="checkbox"/> home related | <input type="checkbox"/> other reason (eg relationship, work) |
|---|---------------------------------------|---|

### PREVIOUSLY RECORDED HISTORY OF SELF-HARM

- ☐ Previous records of self-harm have been made for this student. Approximate number:
- ☐ Previous involvement with CYMHS
- ☐ Previous involvement with another agency: (provide name)

### ACTION TAKEN

**PARENT / CARER CONTACTED** ☐ Yes ☐ No

If yes, provide details of when and how contact was made.

- 
- 
- 

If no, provide reason for not contacting parent / carer.

- 
- 
-



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Is the student in the care of the state? ☐ Yes ☐ No If **YES**, contact your local DChS Service Centre Manager.

### **RESPONSE BY PARENT / CARER**

Provide details of parent's / carer's response:

- 
- 
- 

### **RESPONSE BY THE SCHOOL**

(e.g. risk assessment processes implemented and documented, ongoing monitoring actions, etc)

- 
- 
- 

**REFERRAL TO CHILD AND YOUTH MENTAL HEALTH SERVICE or OTHER AGENCY** ☐ Yes ☐ No

If yes, provide details of referral and current status / outcome of referral process.

- 
- 

Notifying staff member's name:

Notifying staff member's signature(s):

Date: 4/24/2017

Notifying Principal's signature:

Date: 4/24/2017

After faxing to District Office and Student Services Division this form must be filed in a secure location.