



Bundaberg Christian College
Education with Wisdom

BCC

Child Protection And Procedures Policy

Updated: 06/04/2021

Review: Annually

“EDUCATION WITH WISDOM”

“Wisdom is supreme; therefore get wisdom. Though it cost all you have, get understanding.”
(Proverbs 4:7)

Respect | Integrity | Servanthood | Excellence

P (07) 4132 5800 F (07) 4159 3618
E info@bcc.net.au W www.bcc.net.au
234 Ashfield Road Bundaberg QLD 4670
CRICOS: 03242B ABN: 36 066 982 974

Contents

Purpose _____	3
Scope _____	3
References _____	3
Related Policies _____	3
Definitions _____	4
Health and Safety _____	4
Responding to Reports of Harm _____	4
Conduct of Staff and Students _____	4
Reporting Inappropriate Behaviour _____	5
Dealing with Report of Inappropriate Behaviour _____	5
Reporting Sexual Abuse _____	5
Reporting Likely Sexual Abuse _____	6
Mandatory Reporting of Significant Harm as a Result of Physical and Sexual Abuse _____	7
Regional Intake Service Contact _____	8
Criminal Code _____	8
Awareness _____	9
Accessibility of Processes _____	9
Training _____	9
Implementing the Processes _____	9
Complaints Procedure _____	9
COLLEGE STAFF REPORTING REQUIREMENTS _____	10
CHILD PROTECTION DECISION SUPPORT TREE FOR TEACHERS _____	11
CHILD PROTECTION DECISION SUPPORT TREE FOR NON-TEACHING STAFF _____	12
CHILD PROTECTION DECISION SUPPORT TREE FOR PRINCIPAL AND BOARD DIRECTORS _____	13
Reporting Form _____	14

Child Protection Policy

Purpose

The purpose of this policy is to provide written processes about the health and safety of the Bundaberg Christian College staff and students and about the appropriate conduct of the College's staff and students to comply with accreditation requirements.

Scope

Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Bundaberg Christian College and covers information about the reporting of harm and abuse.

Status Updated 25/03/2021

References

- *Child Protection Act 1999 (QLD)*
- *Education (General Provisions) Act 2006 (QLD)*
- *Education (General Provisions) Regulation 2017 (Qld)**Education (Accreditation of Non-State Schools) Act 2017 (QLD)*
- *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)*
- *Working with Children (Risk management and Screening) Act 2000 (QLD)*
- *Working with Children (Risk Management and Screening) Regulation 2020 (QLD)*
- *The Criminal Code (Child Sexual Offences Reform) and other Legislation Act 2020*

Related Policies

- *BCC Child Risk Management Strategy (for the Working with Children (Risk Management and Screening) ACT 2000 (Qld))*
- *BCC Work Health and Safety Policy (for the Work Health and Safety Act 2011 (QLD))*
- *BCC Formal Complaint Policy & Procedures*
- *Child Protection Reporting Form*
- *BCC Staff Code of Conduct Policy*

Next Review Date: 25/03/2022

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 to enable it to comply with the requirements of the *Work Health and Safety Act 2011 (Qld)* and the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*.

Responding to Reports of Harm

When the College receives any information alleging 'harm'¹ to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in the *BCC Child Risk Management Strategy*. Information relating to the mandatory reporting of harm as a result of physical or sexual abuse is handled under obligations to report set out in this policy².

Conduct of Staff and Students

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

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (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)*

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

³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(2)*

Reporting Inappropriate Behaviour

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

(a) Child Protection Officer (*Susan Thomson, Ph: 07 4132 5800*)

or

(b) The Principal, Head of Junior School or Head of Middle and Senior School

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 the Board Chairperson⁴. Reports will be dealt with under the *BCC Formal Complaints Policy and Procedure*.

Reporting Sexual Abuse⁵

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 College, 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 College;
- b) a Prep aged child registered in a Prep 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:

1. Complete reporting form
2. Discuss concerns with the Principal immediately
3. When the Principal receives a written report from a staff member about sexual abuse or suspected sexual abuse of a child, they must immediately give a copy of the written report to a police officer
4. The Principal will inform the College Board of the report
5. The staff member will keep appropriate records of their decisions and actions
6. The Principal will confirm submission of the staff member's report as a matter of urgency
 - This fulfils the staff member's duty to report, as they have been advised that the Police are aware of the concern

If the staff member who becomes aware, or reasonably suspects sexual abuse, is by the Principal:

1. They are to report directly to the Board Chairperson, as the delegated **Reporting Director** of the College Board of their concern to the following email address: board@bcc.net.au.

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(3)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(5)(a)*

2. When the Reporting Director of the College Board receives a written report from a staff member about sexual abuse or likely sexual abuse of a child, they must immediately give a copy of the written report to a police officer.

If the staff member who becomes aware, or reasonably suspects, sexual abuse is the Principal, he/she must immediately give a written report about the abuse or suspected abuse to a police officer. They must also give a copy of the report to the Board Chairperson, as the delegated Reporting Director of the College Board.

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, date of birth and sex;
- c) the student's contact details
- d) the student's residential address
- e) the student's school name and address
- f) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- g) particulars about the harm to which the reportable suspicion relates
- h) the identity of the person who has abused, or is suspected to have abused the student
- i) the identity of anyone else who may have information about the abuse or suspected abuse⁶.
- j) The College's Child Protection reporting form should be used.

Reporting Likely Sexual Abuse ⁷

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

- a) a student under 18 years attending the College;
- b) a Prep aged child registered in a Prep 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:

1. Complete reporting form
2. Discuss concerns with the Principal immediately
3. When the Principal receives a written report from a staff member about likely sexual abuse of a child, they must immediately give a copy of the written report to a police officer
4. The Principal will inform the College Board of the report
5. The staff member will keep appropriate records of their decisions and actions

⁶ *Education (General Provisions) Regulation 2006 (Qld) s.68*

⁷ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(5)(a)*

6. The Principal will confirm submission of the staff member's report as a matter of urgency
 - This fulfils the staff member's duty to report, as they have been advised that the Police are aware of the concern.

If the staff member who becomes aware or reasonably suspects likely sexual abuse is by the Principal:

1. They are to report directly to the Board Chairperson, as the delegated Reporting Director of the College Board of their concern to the following email address: board@bcc.net.au.
2. When the Reporting Director of the College Board receives a written report from a staff member about likely sexual abuse of a child, they must immediately give a copy of the written report to a police officer.

If the staff member who becomes aware or reasonably suspects likely sexual abuse is the Principal, he/she must immediately give a written report about the suspicion to a police officer. They must also give a copy of the report to the Board Chairperson as the delegated Reporting Director of the College Board.

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, date of birth and sex;
- c) the student's contact details
- d) the student's residential address
- e) the student's school name and address
- f) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- g) particulars about the harm to which the reportable suspicion relates
- h) the identity of the person who has abused, or is suspected to have abused the student
- i) the identity of anyone else who may have information about the abuse or suspected abuse⁸.
- j) The College's Child Protection reporting form should be used.

Mandatory Reporting of Significant Harm as a Result of Physical and Sexual Abuse

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

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

- a) has suffered, is suffering, or is at unacceptable risk of suffering, **significant harm** caused by physical or sexual abuse; and
- b) may not have a **parent able and willing** to protect the child from the harm.

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Children, Youth Justice and Multicultural Affairs (or another department

⁸ *Education (General Provisions) Regulation 2006 (Qld) s.68*

administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the Principal.

A teacher fulfils this mandatory reporting obligation by:

- making a written report using the Report of Suspected Harm or Sexual Abuse form to the Principal or Board Chair, as Delegated Reporting Director and as a matter of urgency, receiving written confirmation from the Principal or Board Chair of the date and time the report was submitted to the Department of Communities, Child Safety and Disability Services; or by
- making a report directly to the Department of Communities, Child Safety and Disability Services via the Department's online reporting form. A copy of this report must be provided to the Principal or Board Chair.

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 knowledge⁹.

A report under this section must include:

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

Regional Intake Service Contact

During business hours (from 9am to 5pm Monday to Friday) for the *Regional Intake Service* call **1300 679 849**. Outside of these hours, contact the *Child Safety After Hours Service Centre* on phone free call **1800 177 135** (Queensland only).

Criminal Code

The College notes the introduction of two criminal Offences, relevant to the College under *The Criminal Code (Child Sexual Offences Reform) and other Legislation Act 2020*.

They are:

Section 22988:

Failure to protect a child from child sexual offences that apply in an institutional context.

and

Section 229BC:

Failure (of an adult in Queensland), to report (to police), belief, on reasonable grounds, of sexual abuse to a child.

⁹ *Child Protection Regulation 2011 (Qld) s.10.*

Awareness

The College will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website¹⁰. The College Board ensures that staff, students and parents are made aware of the College's child protection processes. This is made evident: on school website, through parent portal, staff induction, student assembly, student diaries, in enrolment interviews, available from College office.

Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the College website and will be available on request from the College administration¹¹.

Training

The College will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually. The College Board ensures that staff are trained in implementing the College's child protection processes. This is evidenced by: attendance registers from annual training, discussions at staff meetings with printed staff meeting agendas, staff induction, review of handling of complaints.

Implementing the Processes

The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually¹².

Complaints Procedure

Suggestions of non-compliance with the College's processes may be submitted as complaints under the *BCC Formal Complaint Policy & Procedures*.¹³

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(6)*

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

¹² *Under Section 13E(3) of the Child Protection Act 1999*

¹³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(6)*

¹⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(7) and s.10(7A)*

COLLEGE STAFF REPORTING REQUIREMENTS

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

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

Child Protection Decision Tree FOR TEACHERS

I am a Teacher* at a school



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

Complete the school report form

A student is being sexually abused or is likely to be sexually abused or is the victim of a child sexual offence.
s366 and 366A of EGPA; and Criminal Code 229BC

NO

YES

A student is being harmed due to physical, psychological or emotional abuse or neglect, or that a child is likely to be harmed in such a way.
s13E of CPA and s16(2)(a) of Accreditation Regulation

Report to the Principal or a Director of the school's governing body **immediately**.
The Principal or a Director of the school's governing body will report this to the police **immediately**.

SIGNIFICANT HARM TEST FULFILLED?
The child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm.

Check if a report also needs to be made to Child Safety under the CPA

YES

NO

PARENT TEST FULFILLED?
The child may not have a parent, willing and able, to protect them from harm.

YES

NO

Principal may refer to FaCC with or without consent under the CPA

SIGNIFICANT HARM/PARENT TEST
You can confer with your Principal when applying these tests and use the [Online Child Protection Guide](#).

Report to Child Safety as soon as reasonably practical.
CPA and/or school policy

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

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

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

INDEPENDENT SCHOOLS QUEENSLAND

www.isq.qld.edu.au

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



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

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

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

Or is the victim of a child sexual offence.
s366 and 366A of EGPA; Criminal Code 229BCs; 13E of CPA; and s16(2)(a) of Accreditation Regulation

Complete the school report form



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

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

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

Child Protection Decision Tree

FOR NON-TEACHING STAFF

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

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

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

Child Protection Decision Tree

FOR PRINCIPALS AND BOARD DIRECTORS

I am the Principal or Board Director of a school.



During the course of my engagement, I have become aware (complete the school report form), or I have received a report from a staff member or volunteer, that there is a reasonable suspicion that a child has been harmed or is likely to be harmed.

A student is being sexually abused or is likely to be sexually abused, or is the victim of a child sexual offence.
s366 and 366A of FGPA; and Criminal Code 229BC

NO

YES

A student is being harmed due to physical, psychological or emotional abuse or neglect, or that a child is likely to be harmed in such a way.
s13F of CPA and s16(2)(a) of Accreditation Regulation



Immediately report to police and give a copy to the school's governing body

SIGNIFICANT HARM TEST FULFILLED?
The child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm.
Use the Online Child Protection Guide

Check if a report also needs to be made to Child Safety under the CPA

YES

NO

PARENT TEST FULFILLED?
The child may not have a parent, willing and able, to protect them from harm.
Use the Online Child Protection Guide



Principal may refer to FaCC with or without consent under the CPA

IS THE HARM BEING CAUSED BY A TEACHER?
If so, you have additional notification obligations under the QCT Act.

YES

NO



Report to Child Safety as soon as reasonably practical.
CPA; and/or school policy

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

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

Reporting Form

(To be used by teaching/non-teaching staff and Child Protection Officers)

Private and Confidential

Report of Suspected Harm or Sexual Abuse

Date:
School: BUNDABERG CHRISTIAN COLLEGE
School Phone: 07 4132 5800
School Fax: 07 4159 3618

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

ACTION TAKEN		
Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Communities (Child Safety Services) <i>Central Queensland Regional Intake No</i> 1300703762 Fax: 49384697 Email: CQRIS Intake@communities.qld.gov.au
	<input type="checkbox"/>	Family and Child Connect

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.