

CHILD PROTECTION

PURPOSE

The purpose of this policy is to provide a policy as part of Hillcrest Christian 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.

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 Hillcrest Christian College and covers information about the reporting of harm and abuse.

REFERENCES

- [Child Protection Act 1999 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(General Provisions\) Regulation 2006 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Act 2001 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2001 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Regulations 2011 \(Qld\)](#)
- Hillcrest Christian College Dispute Resolution Policy C12
- Hillcrest Christian College Child Risk Management Strategy (for the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*) D5.1
- Hillcrest Christian College Work Health and Safety Policy (for the *Work Health and Safety Act 2011 (Qld)*)

DEFINITIONS

A **child** is a person under 18 years of age.

A **student** is any person regardless of age, who is enrolled at the College.

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 legislation¹.

RESPONDING TO REPORTS OF HARM

When the College receives any information alleging 'harm'² to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in the College's Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy³.

CONDUCT OF STAFF AND STUDENTS

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students⁴ as set out in policy D27 Physical Contact and C11 Student Welfare.

REPORTING INAPPROPRIATE BEHAVIOUR

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

- Deputy Head of Junior Learning Community (Student Protection Officer as outlined in Appendix 2);
- Deputy Head of Senior Learning Community (Student Protection Officer as outlined in Appendix 2); or
- Principal.⁵

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 College's governing body⁶. Reports will be dealt with under the College's Dispute Resolution/Complaints Handling Policy.

REPORTING SEXUAL ABUSE⁷

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 sexually abused by another person:

- a) a student under 18 years attending the school;

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

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

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

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

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

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

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

- b) a pre-preparatory aged child registered in a pre-preparatory learning program at the school;
- c) a person with a disability who:-
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school

then the staff member must give a written report about the abuse or suspected abuse to the Principal or to a director of the College's governing body immediately.

The College's Principal or the director 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 College's Principal, the Principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to a director of the 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 abuse⁸.

REPORTING OF LIKELY SEXUAL ABUSE ⁹

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 school;
- c) a person with a disability who:-
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school

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

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

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

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

If the first person who reasonably suspects likely sexual abuse is the College's Principal, the Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to a director 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 abuse¹⁰.

REPORTING PHYSICAL AND SEXUAL ABUSE WHERE THE CHILD MAY NOT HAVE A PARENT ABLE AND WILLING TO PROTECT THEM FROM 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 (known as the "Significant Harm Test"); and
- b) may not have a parent able and willing to protect the child from the harm (known as the "Parent Test").

The doctor, nurse or teacher must give a written report to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the *Child Protection Act 1999*). The doctor, nurse or teacher should give a copy of the report to the Principal.

A report under this section must include the following particulars:-

- a) state the basis on which the person has formed the reportable suspicion; and
- b) include the information prescribed by regulation, to the extent of the person's knowledge¹¹.

REPORTING TEMPLATE

A report template which is compliant with the relevant Regulations and consistent with Education Queensland's SP 4 Form is attached as Appendix 1. This form is also available as a restricted version form located on the staff internal ERM system.

¹⁰ Education (General Provisions) Regulation 2006 (Qld) s.68A

¹¹ Child Protection Act 1999 (Qld) s.13G (2). There is no such regulation at 12 December 2014.

AWARENESS

The College will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in written communications to them at least once a year and it will publish these processes for their access on College website (via the Student Portal, Parental Portal and Staff Intranet).¹²

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.¹³ A record of attendance by staff in induction training and annual refresher sessions will be maintained by the College.

IMPLEMENTING THE PROCESS

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 annually.¹⁴

ACCESSIBILITY OF PROCESSES

Processes relating to the health, safety and conduct of staff and students are accessible on the College website (via the Student portal, Parental portal and Staff Intranet) and will be available on request from the College administration.¹⁵

COMPLAINTS PROCEDURE

Suggestions of non-compliance with the College's processes may be submitted as complaints under the Hillcrest Christian College Dispute Resolution Policy.¹⁶

IMPORTANT CONTACT DETAILS

Queensland Police Service	000 (in emergency) or (07) 5656 9111
Department of Communities, Child Safety and Disability Services	1800 177 135 or (07) 3235 9999
Family and Child Connect	13 32 64 or http://www.familychildconnect.org.au/index.asp
Queensland College of Teachers	(07) 3377 4777

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

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

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

¹⁵ Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)

¹⁶ 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

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:
<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander	
Does the student have a disability verified under EAP: <input type="checkbox"/> Yes <input type="checkbox"/> No	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: <input type="checkbox"/> Yes <input type="checkbox"/> No	

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	

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HILLCREST CHRISTIAN COLLEGE

College Handbook 2016

Section: B. Policies | Child Protection

Ref: B104
 Last Reviewed: Sep-16
 Review Cycle: Annual
 Review Date: Sep-17
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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 to which agencies the form was submitted):	<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.

Appendix 2
Hillcrest Christian College | Student Protection Officers
as at 8 June 2017

Hillcrest Christian College ('the College') has adopted the College's Child Protection Policy and Child Risk Management Strategy for Working with Children (Risk Management and Screening) Act 2000 (Qld). This policy and strategy provides written processes for how the College will respond to allegations of physical or sexual abuse, likely sexual abuse, harm or risk of harm of a student by another person or inappropriate behaviour of a staff member or volunteer to a student.

Allegations and / or concerns of this nature should be reported to any one of the following Student Protection Officers or to the Principal.

AS APPOINTED BY Mr Jeff Davis, Principal.

Student Protection Officer | Junior Learning Community
Mrs Danni Foster-Brown
Director of Junior Learning Community (Academic Performance & Innovation)
Ph: 07 5593 4226


Student Protection Officer | Senior Learning Community
Mr Peter Fernance
Deputy Head of Senior Learning Community
Ph: 07 5593 4226

Whilst the staff members are required to follow the procedures as set out in these policies, this does not limit the freedom of any person to address complaints or concerns about the safety of students directly to:

- Queensland Police Service or
- Department of Communities (Child Safety) Services

Please note: this form must be kept up to date and retained to meet legislative requirements.

Authorised Officer
Mr Jeff Davis, Principal


.....
Signature


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Date