



Christian Community Ministries — Queensland Colleges & Early Learning Centres  
**Child Risk Management Strategy & Child Protection Policy**

**Livingstone Christian College**

**CHILD SAFETY**

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# Purpose & Scope

<b>Purpose</b>	The purpose of this strategy and policy is to eliminate and minimise risk to child safety, to ensure the safety and wellbeing of all students and to provide written processes about the health and safety and appropriate conduct of the College staff and students to comply with accreditation requirements.
<b>Scope</b>	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.
<b>Policy Owner</b>	CCM Board of Directors (Governing Body)
<b>Responsible Officer</b>	Chief Executive Officer
<b>References</b>	<ul style="list-style-type: none"> <li>• <a href="#">Working with Children (Risk Management and Screening) Act 2000 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Regulation 2011 (Qld)</a></li> <li>• <a href="#">Child Protection Act 1999 (Qld)</a></li> <li>• <a href="#">Child Protection (Mandatory Reporting – Mason’s Law) Amendment Act 2016 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Act 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Act 2006 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education Services for Overseas Students (ESOS) Act 2000 (Cth)</a></li> <li>• <a href="#">Education (Queensland College of Teachers) Act 2005 (Qld)</a></li> <li>• <a href="#">Education and Care Services National Law (Queensland) Act 2011 (Qld)</a> <ul style="list-style-type: none"> <li>○ <a href="#">Education and Care Services National Law Act 2010 (Vic)</a></li> </ul> </li> <li>• <a href="#">Education and Care Services National Law (Queensland) Regulation 2011 (Qld)</a> <ul style="list-style-type: none"> <li>○ <a href="#">Education and Care Services National Regulations (NSW)</a></li> </ul> </li> <li>• <a href="#">Child and Youth Risk Management Strategy Toolkit (Blue Card Services, Queensland)</a></li> <li>• <a href="#">Guide to the National Quality Standard (Australian Children’s Education &amp; Care Quality Authority)</a></li> </ul>

Revision Record					
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1.0	26/02/2016	CCM Board	26/02/2016	Annual	February 2017

## Definitions

“**College**” refers to Livingstone Christian College including Livingstone Christian College Early Learning Centre.

“**Student**” refers to a child aged under 18 years of age who is formally enrolled at the College.

“**ECEC Student**” refers to a student formally enrolled in an Early Childhood Education and Care service, which includes an Outside School Hours Care service.

“**Staff Member**” refers to a person working in any capacity for the College (paid or volunteer) including those involved in teaching or administration, bus drivers, cleaners, property services workers, VET trainers, sporting coaches or referees, teacher assistants or teacher aides, early childhood educators, and volunteer roles.

“**Teacher**” means a person who is employed as such at the College, who holds valid teacher registration with the Queensland College of Teachers, and may be appointed on a full-time, part-time, fixed-term or casual basis.

“**Early Childhood Education and Care Professional**” and “**ECEC Professional**” means a staff member who is a nominated supervisor or an educator for an approved education and care service for which CCM is the approved provider under the Education and Care Services National Law (Queensland).

### Additional Cross-References for Early Child Education and Care Services

National Quality Standards	QA2: 2.2.3	Child protection - Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
National Regulations	84	Awareness of child protection law
	175(2c)	In the case of a notice under regulation 175(2) (ca), within 24 hours of the commencement of the attendance of the child or children
Local ECEC Service	Policy	Educator and Management Policy Privacy Policy Record Keeping and Retention Policy
	Documentation	Incident Injury Trauma and Illness Record Child Protection Annual Review Educator Induction Processes Educator Appraisal Processes Educator Recruitment Processes Educator Professional Development Processes Educator Job Descriptions Staff Records Risk Management Plans

# Child Risk Management Strategy

## Policy Statement and a Statement about Commitment

The College is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at the college and their protection from foreseeable harm. <sup>1</sup>

## Implementation

In practice, the College's commitment to acting in accordance to the *Working with Children (Risk Management and Screening) Act* ("the Act") to ensure the safety and wellbeing of students means that it will implement the measures outlined below in points 1 - 8.

### 1. Conduct Expectations

Staff members of the College are expected to always behave in ways that promote the safety, welfare and well-being of children and young people. They must actively seek to prevent harm to children and young people, and to support those who have been harmed.

Specifically:

- Staff members should avoid situations where they are alone in an enclosed space with a student.
- When physical contact with a student is a necessary part of the teaching, learning or caring experience, staff members must exercise caution to ensure that the contact is appropriate and acceptable. Staff members must always advise the student of what they intend doing and seek their consent.
- Staff members must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student.
- Staff members must not have a romantic or sexual relationship with a student.

This commitment is evidence of the College's fulfilment of the requirements of section 3(1)(b) of the Regulation.

### 2. Recruitment, Selection, Training and Management Procedures

The College is committed to recruiting, selecting, training and managing staff members in such a way that limits risks to children. In particular, the College will:

- Ensure that its recruitment and selection procedures act to reduce the risk of harm to children from employees via:
  - Accurate position descriptions, including whether the successful applicant must be a teacher registered with the Queensland College of Teachers (who has been subject to relevant police and other safety checks), whether a Blue Card is necessary for the successful applicant, the responsibilities and supervision associated with the position, the nature and environment of the service provided to children, and the experience and qualifications required by the successful applicant.
  - Advertising the position with a clear statement identifying whether candidates will be subject to a teacher registration check or Blue Card screening, a police check, referee

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<sup>1</sup> *Working with Children (Risk Management and Screening) Regulation 2011* (Qld) Reg.3

- checks, identification verification, and the requirement to disclose any information relevant to the candidate's eligibility to engage in activities including students.
- A selection process that includes assessing the application via an interview process and referee and other checks (as identified above) based on the accurate position description.
- A probationary period of employment, which allows the College to further assess the suitability of the new employee and to act as a check on the selection process.
- Ensure that its training and management procedures act to reduce the risk of harm to children from employees via:
  - Management processes that are consistent, fair and supportive.
  - Performance management processes to help employees to improve their performance in a positive manner.
  - Supportive processes for staff when they are experiencing challenges, such as mentoring, mediation, conflict resolution, coaching, additional training, and external support and counselling services.
  - An induction program which thoroughly addresses the College's policies and procedures, particularly its expectations regarding child risk management and to assist employees to understand their role in providing a safe and supportive environment for children.
  - Training new and existing staff on an ongoing basis in the following areas to enhance skills and knowledge and to reduce exposure to risks:
    - The College's policies and procedures
    - Identifying, assessing and minimising risks to children
    - Handling a disclosure or suspicion of harm to a child
  - Keeping a record of the training provided to employees.
  - Exit interviews to assist the College to identify broader issues of concern that may impact on the safety and welling of children at the College.

This commitment is evidence of the College's fulfilment of the requirements of section 3(1)(c) of the Regulation.

### **3. Handling Disclosures or Suspicions of Harm**

Any of the following types of concerns or reports regarding students under the age of 18 shall be reported and managed under the Child Protection Policy and the Child Protection Procedure:

- Staff with concerns about a case of sexual abuse or likely sexual abuse;
- Staff with concerns about a case of sexual or physical abuse; and
- Staff who have received a report of inappropriate behaviour by another staff member towards a student of any age.

If the College receives a report of inappropriate behaviour by a staff member towards a student, the behaviour not only needs to be reported under this policy, but the matter needs to be dealt with as a reported breach of the Staff Code of Conduct. If the relevant staff member is a teacher, the College will most likely have reporting obligations for this to the Queensland College of Teachers. If the student is an ECEC student there may be reporting obligations to the Early Childhood Education and Care Regulatory Authority.

In accordance with the *Child Protection Act* 1999, if any staff member, is aware or reasonably suspects harm has been caused to a student under 18 years and the harm has not been reported under the Child Protection Policy, the staff member must report the harm to the College's Principal (an early education and care professional, who is an educator, should report to the Principal via the

relevant Nominated Supervisor regarding an ECEC student). The types of harm reported may include emotional or psychological abuse or neglect or sexual exploitation.

If the Principal is aware or reasonably suspects the harm has been caused and that the student is in need of protection, the Principal must report the harm or suspected harm to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the *Child Protection Act 1999*). In assessing whether a student is in need of protection, the Principal will consider the “Significant Harm Test” and the “Parent Willing and Able Test” as detailed in the College Child Protection Procedure, as well as utilise the Queensland Government’s [Online Child Protection Guide](#)<sup>2</sup> resource.

The College Child Protection Policy describes the process for reporting all types of harm, including sexual abuse.

To report any type of harm, all staff members should use the Report of Suspected Harm or Sexual Abuse Form in Appendix 2 of this Strategy (or equivalent).

The Principal will notify the Office of the CCM Chief Executive Officer of all cases of harm or abuse reported from the College to Police and/or Child Safety. Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the Principal of the College will report to the Queensland College of Teachers any investigations into allegations of harm caused, or likely to be caused, to a child because of the conduct of a relevant teacher at the College.

A harm situation involving an ECEC student may require lodgement of an Approved Provider notification to the Early Childhood Education and Care Regulatory Authority, in accordance with Section 174 of the *Education and Care Services National Law (Queensland) Act 2011 (Qld)* and Regulation 175 of the *Education and Care Services National Law (Queensland) Regulation 2011 (Qld)*. Notifiable situations include the following, identified or alleged:

- a serious incident (such as illness or injury or trauma, student missing or unaccounted for or removed without authorisation);
- a circumstance posing a significant risk to the health, safety or wellbeing of a student;
- physical or sexual abuse of a student whilst attending the ECEC service.

The Nominated Supervisor will notify the Office of the CCM Chief Executive about the harm situation to enable notification within regulatory timeframes (within 24hours for a serious incident).

This commitment is evidence of the College’s fulfilment of the requirements of section 3(1)(d) of the Regulation.

#### **4. Managing Breaches of this Child Risk Management Strategy**

The College is committed to appropriately managing breaches of this Child Risk Management Strategy in accordance with its other relevant policies as appropriate in the circumstances, such as its Child Protection Policy, Employee Code of Conduct, Complaints Management Policy and Procedures and Enterprise Bargaining Agreement or equivalent, and this is evidence of fulfilment of the requirements of section 3(1)(e) of the Regulation.

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<sup>2</sup> <https://www.csyw.qld.gov.au/about-us/partners/child-family/our-government-partners/queensland-child-protection-guide>

## **5. Implementing and Reviewing the Child Risk Management Strategy**

This Strategy in its entirety and its related policies and procedures are evidence of fulfilment of the requirements of section 3(1)(f)(i) of the Regulations relating to implementation.

The introduction to this Child Risk Management Strategy and the “Compliance and Monitoring” section below state the College’s commitment to reviewing the Strategy annually and are evidence of fulfilment of the requirements of section 3(1)(f)(i) of the Regulation relating to review.

## **6. Blue Card Policies and Procedures**

The College is committed to acting in accordance with chapter 8 of the *Working with Children (Risk Management and Screening) Act* relating to the screening of employees in such a way that limits risks to children. In particular, the College will:

- Require relevant prospective or current employees, volunteers, trainee students and other persons as relevant to apply for a Blue Card or Exemption Notice, and check the validity and appropriateness of any currently held notices as appropriate, in accordance with the College’s position descriptions and the Act
- Complete an *Authorisation to confirm a valid card* application when necessary
- Submit a *Change in police notification* form when notified by employee that such a change has occurred
- Not allow a person to continue to work with children if their Blue Card or Exemption Notice is cancelled or suspended or a negative notice is received after a change of police information
- Submit a *No longer with organisation* form when appropriate
- Appoint a College contact person who will be responsible for managing the screening process and all related documentation and records
- Keep written records of all the above actions, decisions and outcomes, including the dates of expiry of Blue Cards and Exemption Notices
- Ensure that all information in relation to Blue Cards and Exemption Notices is kept confidential
- Act to remind employees to keep their Blue Card or Exemption Notice up to date

This commitment is evidence of the College’s fulfilment of the requirements of section 3(1)(f)(ii) of the Regulation.

## **7. High Risk Management Plans**

The College is committed to identifying risks, assessing risks, eliminating and minimising risks and the monitoring of risk to the safety of children on an ongoing basis. The College will utilise various risk management tools to assist it in this process and will keep appropriate records of decisions made and actions taken in relation to risks to children.

This commitment is evidence of the College’s fulfilment of the requirements of section 3(1)(g) of the Regulation.

## **8. Strategies of Communication and Support**

The College’s commitment to making this Child Risk Management Strategy available to students, parents and employees via its website is evidence of fulfilment of the requirements of section 3(1)(h)(i) of the Regulation.

The College is committed to training employees in relation to risks to children and will conduct this training regularly via annual formal training events, informal updates at staff meetings and regular

discussions between managers and their staff, and this is evidence of fulfilment of the requirements of section 3(1)(h)(ii) of the Regulation.

### **Responsibilities**

The College Principal is responsible for developing and implementing College-based procedures to ensure it fulfils its obligations under this policy.

All employees at the College are responsible for acting in compliance with this Child Risk Management Strategy and related policies and procedures.

### **Compliance and Monitoring**

The College is committed to the review of this strategy at least biennially. The College Principal will also record, monitor and report to the CCM Chief Executive Officer any breaches of the Policy or Strategy.



**Appendix 1 – Summary of Reporting Harm**

<i>Who</i>	<i>What harm</i>	<i>Test</i>	<i>Report to</i>	<i>Legislation*</i>
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. CPA, section 13A.
Teacher	Sexual and physical	Significant harm. Parent may not be willing and able.	Confer with Principal, report to Child Safety.	CPA, sections 13E and 13G
ECEC Professional	Sexual and physical	Significant harm. Parent may not be willing and able.	Confer with ECEC Nominated Supervisor and Principal, report to Child Safety.	CPA, sections 13E and 13G
ECEC Professional	<i>Regarding an ECEC student:</i> Sexual and physical	Identified or alleged abuse, whilst student attending ECEC service	ECEC Nominated Supervisor, through CCM CEO's Office to ECEC Regulatory Authority.	EaCS Reg 175
ECEC Professional	<i>Regarding an ECEC student:</i> Physical, psychological, emotional, neglect, exploitation.	Significant harm. Parent may not be willing and able. Serious incident or significant risk to health, safety or wellbeing.	ECEC Nominated Supervisor, through Principal to Child Safety. ECEC Nominated Supervisor, through CCM CEO's Office to ECEC Regulatory Authority	CPA, section 13A.  EaCS NQS 2.3.4 EaCS Nat Reg 84  EaCS Nat Reg 175
All Staff	Physical, psychological, emotional, neglect, exploitation.	Significant harm. Parent may not be willing and able.	Principal, through to Child Safety.	Accreditation Regulations, section 10. CPA, section 13A
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

\* EGPA = Education (General Provisions) Act; CPA = Child Protection Act; EaCS NQS = Education and Care Services National Quality Standards; EaCS Nat Reg = Education and Care Services National Regulations.

Note: The Principal will notify the Office of the CCM Chief Executive Officer of all cases of harm or abuse reported from the College to Police and/or Child Safety.

Appendix 2 – Form for Report of Suspected Harm or Sexual Abuse

**Private and Confidential**

Date:	
College:	
College Phone:	College Fax:
College Principal:	Person Submitting Report:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Sex: Female <input type="checkbox"/> Male <input type="checkbox"/>
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/child have a disability? No <input type="checkbox"/> Yes <input type="checkbox"/>	If Yes: is disability verified under EAP? Yes <input type="checkbox"/> No <input type="checkbox"/> Specify Disability Category:
Student/Child's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS	
Parent/caregiver 1:	Relationship to Student/Child:
Address (if different from student):	
Phone: (H):	(W): (M):
Parent/caregiver 2:	Relationship to Student/Child:
Address (if different from student):	
Phone: (H):	(W): (M):
Is the student/child living in out of home care: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Custodial Information: (details if relevant)	

TYPE OF SUSPECTED HARM OR RISK OF HARM: (more than one can be ticked)	
Suspected Harm	Suspected Risk of Harm
<input type="checkbox"/> Physical Abuse <input type="checkbox"/> Sexual Abuse	<input type="checkbox"/> Physical Abuse <input type="checkbox"/> Sexual Abuse
<input type="checkbox"/> Emotional Abuse <input type="checkbox"/> Neglect	<input type="checkbox"/> Emotional Abuse <input type="checkbox"/> Neglect
<input type="checkbox"/> Self-harm & parents not acting protectively	<input type="checkbox"/> Self-harm & parents not acting protectively
<input type="checkbox"/> Substance abuse & parent not acting protectively	<input type="checkbox"/> Substance abuse & parent not acting protectively
<input type="checkbox"/> Other (specify)	<input type="checkbox"/> Other (specify)
Is there suspected harm or risk of harm to an unborn Child? <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable	

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"/> Other student / other child	<input type="checkbox"/> Unknown	<input type="checkbox"/> Self harm
Name:		

**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 College:		

ACTION TAKEN		
Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	<b>Queensland Police Service</b> Coomera Police Station 11 De Barnett Street, Coomera Ph: 07 5519 5555
	<input type="checkbox"/>	<b>Department of Child Safety</b> Regional Intake Office – Beenleigh Ph: 07 3884 7474 Fax: 07 3884 7475
	<input type="checkbox"/>	<b>Family and Child Connect</b> The Benevolent Society 6 Bindi Street, Logan Central Ph: 07 3441 3000 or 13 32 64 Online referrals: <a href="https://qld-families-referrals.infoxchangeapps.net.au/">https://qld-families-referrals.infoxchangeapps.net.au/</a>

(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

The care and safety of children - particularly those at our College - is fundamental to our ministry.

We believe that children are of great value to God, that their intellectual, physical, spiritual and social development is also of great importance and that we are responsible to provide an environment for them that is safe and conducive to their ongoing development.

All members of the staff have an important contribution to make towards the ministry of the College. They have a responsibility to meet the requirements of legislation in terms of child safety and to ensure that all students can learn in a safe and fair environment. Children are responsible for their own behaviour and actions which facilitate learning.

Likewise, staff members are responsible for their own actions and they have the right to work in a safe and fair environment.

The development of staff is an important component of the care the College has for its staff. Jesus is the Master Teacher and is the perfect model of servant leadership. Teachers need to strive to be like Jesus by precept and example.

## 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 policies in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation, including the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld)<sup>3</sup>.

## Responding to Reports of Harm

When the College receives any information alleging 'harm'<sup>4</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 Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy<sup>5</sup>.

## 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>6</sup>.

## Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to the College Child Protection Officer (see Appendix B)<sup>7</sup>.

## Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the Principal. An ECEC Professional may initially report inappropriate behaviour to the relevant ELC Nominated Supervisor, in which case the Nominated Supervisor must then report it to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must inform the CCM Chief Executive Officer or a member of the CCM Board<sup>8</sup>. Reports will be dealt with under the College's complaints handling policy<sup>9</sup>.

If the College receives a report of inappropriate behaviour by a staff member towards a student, the behaviour not only needs to be reported under this policy, but the matter needs to be dealt with as a

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<sup>3</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.15; Education and Care Services National Regulations 2011 r.168.*

<sup>4</sup> *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); Education and Care Services National Regulations 2011 r.84.*

<sup>5</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1); Education and Care Services National Regulations 2011 r.84.*

<sup>6</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1); Education and Care Services National Regulations 2011 r.155 and r.156 and r.168(2)(i).*

<sup>7</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3); Education and Care Services National Regulations 2011 r.84.*

<sup>8</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2); Education and Care Services National Regulations 2011 r.84; Education and Care Services National Quality Standards element 2.3.4.*

<sup>9</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6).*

reported breach of the Staff Code of Conduct. The College may also have reporting obligations for this to the Queensland College of Teachers or the Early Childhood Education and Care Regulatory Authority.

## Reporting Abuse or Harm

### **Reporting Sexual Abuse<sup>10</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 College, that any of the following has been sexually abused by another person:

- a) a student under 18 years attending the College;
- 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 abuse or suspected abuse to the Principal or to a director of the CCM Board immediately.

If the staff member 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 CCM Board.

The Principal or the director of the CCM Board must immediately give a copy of the report to a police officer.

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>11</sup>.

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<sup>10</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c); Education and Care Services National Regulations 2011 r.84.*

<sup>11</sup> *Education (General Provisions) Regulation 2017 (Qld) s.68*

### **Reporting Likely Sexual Abuse<sup>12</sup>**

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 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 Principal or to a director of the CCM Board immediately.

The Principal or the director of the CCM Board must immediately give a copy of the report to a police officer.

If the staff member who becomes aware or 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 CCM 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 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>13</sup>.

### **Mandatory Reporting of Physical and Sexual Abuse<sup>14</sup>**

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. Since 1 July 2017, this reporting requirement also applies to an early childhood education and care professional.<sup>15</sup>

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

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<sup>12</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c); Education and Care Services National Regulations 2011 r.84.*

<sup>13</sup> *Education (General Provisions) Regulation 2017 (Qld) s.68*

<sup>14</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s16(2)(d)*

<sup>15</sup> *Child Protection (Mandatory Reporting – Mason's Law) Amendment Act 2016 (Qld)*

- 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 Communities, Child Safety and Disability Services (or other department administering the *Child Protection Act 1999*). The doctor, nurse, teacher, or early childhood education and care professional will also provide 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 knowledge<sup>16</sup>.
  - Prescribed information per Section 10 of the *Child Protection Regulation 2011* is:
    - (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

### **Reporting to the ECEC Service Regulatory Authority**

If the child is an ECEC student, in accordance with the *Education and Care Services National Law (Queensland) Act 2011 Part 6* and the *Education and Care Services National Regulations*, chapter 4, notification will be given to the Regulatory Authority, within 7 days of:

- Receiving notification of the suspension or cancellation of a working with children card or teacher registration of, or disciplinary proceedings under an education law of a participating jurisdiction in respect of, a nominated supervisor engaged by the service<sup>17</sup>
- Any incident where the Nominated Supervisor or Principal reasonably believes that physical or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for at the College.<sup>18</sup>
- Any allegations that physical or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for at the College<sup>19</sup>.
- Circumstances arising at the College ECEC service that pose a risk to the health, safety or wellbeing of a child.<sup>20</sup>

The Nominated Supervisor will ensure an 'incident, injury and trauma record' is kept in accordance with the College ECEC Service Incident, Injury and Trauma Policy<sup>21</sup>.

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<sup>16</sup> *Child Protection Act 1999 (Qld) s.13G (2)*. *Child Protection Regulation 2011 (Qld) s.10* details information to be included in a report to the Chief Executive of the Department administering the *Child Protection Act 1999*.

<sup>17</sup> *Education and Care Services National Law (Queensland) s.173(2)(a)*

<sup>18</sup> *Education and Care Services National Regulation reg.175(2)(d)*

<sup>19</sup> *Education and Care Services National Regulation reg.175(2)(e)*

<sup>20</sup> *Education and Care Services National Regulation reg.175(2)(c)*

<sup>21</sup> *Education and Care Services National Regulation reg.87*



### **Consequences of Breach of Policy**

Conduct which breaches this policy may result in police investigation and criminal penalties as decided by legal processes. Further, breaches of this policy will attract College-imposed penalties additional to any imposed by law which for a staff member may include termination of employment.

### **Awareness and Training<sup>22,23</sup>**

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 website.

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 at least annually.

### **Implementation and Accessibility of the Processes<sup>24</sup>**

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.

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 administration.

### **Complaints Procedure**

Suggestions of non-compliance with the College's processes may be submitted as complaints under the College's Grievance and Complaints Procedures.<sup>25</sup>

Regarding early childhood education and care services, complaints alleging that a serious incident has occurred or is occurring while a child was or is being educated and cared for at the service or that the National Law has been contravened, will be reported to the Regulatory Authority within the specified time frame.<sup>26</sup>

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<sup>22</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a) and s.16(4)(c); Education and Care Services National Regulations 2011 r.84.*

<sup>24</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d) and s.16(4)(b); Education and Care Services National Regulations 2011 r.84.*

<sup>25</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6); Education and Care Services National Regulations 2011 r.168.*

<sup>26</sup> *Education and Care Services National Law (Queensland) s.174(2)(b)*

**Appendix A – Child Protection – Summary of Procedures for Reporting Harm**

<i>Who</i>	<i>What harm or abuse</i>	<i>Test</i>	<i>Report to</i>	<i>Legislation*</i>
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. CPA, section 13A.
Teacher	Sexual and physical	Significant harm. Parent may not be willing and able.	Confer with Principal, report to Child Safety.	CPA, sections 13E and 13G
ECEC Professional	Sexual and physical	Significant harm. Parent may not be willing and able.	Confer with ELC Nominated Supervisor and Principal, report to Child Safety.	CPA, sections 13E and 13G
ECEC Professional	<i>Regarding an ELC student:</i> Sexual and physical	Identified or alleged abuse, whilst student attending ECEC service	ECEC Nominated Supervisor, through CCM CEO's Office to ECEC Regulatory Authority.	EaCS Reg 175
ECEC Professional	<i>Regarding an ELC student:</i> Physical, psychological, emotional, neglect, exploitation.	Significant harm. Parent may not be willing and able. Serious incident or significant risk to health, safety or wellbeing.	ECEC Nominated Supervisor, through Principal to Child Safety. ECEC Nominated Supervisor, through CCM CEO's Office to ECEC Regulatory Authority	CPA, section 13A. EaCS NQS 2.3.4 EaCS Nat Reg 84 EaCS Nat Reg 175
All Staff	Physical, psychological, emotional, neglect, exploitation.	Significant harm. Parent may not be willing and able.	Principal, through to Child Safety.	Accreditation Regulations, section 10. CPA, section 13A
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

\* EGPA = Education (General Provisions) Act; CPA = Child Protection Act; EaCS NQS = Education and Care Services National Quality Standards; EaCS Nat Reg = Education and Care Services National Regulations.

Note: The Principal will notify the Office of the CCM Chief Executive Officer of all cases of harm or abuse reported from the College to Police and/or Child Safety.

**Appendix B – Child Protection Procedures – Local Contact Details**

The Principal will annually review details of internal Child Protection Procedures at their College and provide to the CCM Chief Executive Officer (on behalf of the CCM Board): (a) a copy of this Appendix, (b) date and detail of the College’s most recent staff training on the Child Protection Policy, and (c) URL or web address for location where Child Risk Management Strategy and Child Protection Policy are published on the College website.

<b>College Name</b>	Livingstone Christian College including Livingstone Christian College Early Learning Centre
<b>Child Protection Officers</b> <i>The principal plus at least 2 other people must be listed here.</i>	
<i>Position or Role Title</i>	<i>Name</i>
1. Principal	1. Mark Laraghy
2. Head of Primary	2. Peter McNamara
3. Head of Secondary	3. Anne Garton
4. Year Level Coordinator – Year 11 and 12	4. Melanie Taber
5. Enrichment Teacher	5. Vivienne Mohr
6. HOD: English and Creative Industries	6. Lisa Matthes
7. HOD: Foundation Years	7. Leonie Buhner
8. HOD – Intermediate Years	8. Lisa Coles
9. HOD: Humanities	9. Aaron Sloper
10. HOD: Mathematics and Science	10. Peter Hosking
11. HOS: Performing Arts	11. Sam Smith
12. Chaplain	12. Grant Freeman
13. Chaplain	13. Sue Sweeney
14. ELC Director	14. Hope Gately
<b>Queensland Police Service</b>	Coomera Police Station 11 De Barnett Street, Coomera Ph: 07 5519 5555
<b>Department of Child Safety</b> Regional Intake Office	Regional Intake Office - Beenleigh Ph: 07 3884 7474 Fax: 07 3884 7475
<b>Family and Child Connect</b>	The Benevolent Society 6 Bindi Street, Logan Central Ph: 07 3441 3000 or 13 32 64 Online referrals: <a href="https://qld-families-referrals.infoxchangeapps.net.au/">https://qld-families-referrals.infoxchangeapps.net.au/</a>
<b>Regulatory Authority for Early Childhood Education and Care Services</b> (Department of Education - Early Childhood Education and Care)	South East – Hope Island ECEC Regional Office Ph: 07 5656 6688 Post: PO Box 492, Oxenford Q 4210 Email: <a href="mailto:southeastregion.ecec@qed.qld.gov.au">southeastregion.ecec@qed.qld.gov.au</a>

