# Child Protection Compliance Strategy

## PURPOSE OF THE STRATEGY

The purpose of this strategy is to provide written processes to ensure that St James Lutheran College complies with legislation applying in Queensland about the care and protection of children. In particular, the strategy sets out a risk management strategy for the purpose of reducing the risk of harm to children.

### Scope
This strategy applies to all staff, including volunteers, and other operators associated with the College and covers information about the school's commitment to child protection, procedures related to recruiting, selecting, training and managing staff; policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines; risk identification and management; and communication and support.

### Responsibility
School Council

### Point of Contact
Principal

## LEGISLATION

### Relevant Legislation
*Working with Children (Risk Management and Screening) Act 2000*
*Child Protection Act 1999*
*Child Protection Reform Amendment Act 2014*
*Education (General Provisions Act) 2006*
*Education (Queensland College of Teachers) Act, 2005*
*Education (Accreditation of Non-State Schools) Act 2017*
*Education (Accreditation of Non-State Schools) Regulation 2017*
*Education and Training Legislation Amendment Act 2011*

This strategy should be read in conjunction with the St James Lutheran College Child Protection Policy.

## STRATEGY

St James Lutheran College is committed to the protection of all children in its care.  In order to manage the risks surrounding child protection the following policies, strategies and procedures apply at the College.

**Child Protection Policy**

St James Lutheran College has a current Child Protection Policy which meets criteria as set down in legislation and regulation. The Policy outlines policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines and is available:
- on the School website;
- in the Staff Policy Handbook;
- at reception; and
- a summarised copy of the policy is in staff and student handbooks.

In addition, the school's policy, strategy and attitude towards child protection is conveyed via the newsletter on a regular basis, including details about how to report harm or suspected harm. Students are also

informed at assembly and in regular classroom meetings about how to protect themselves and who to report to if they are concerned about their safety.

**Blue Cards**

All staff members, volunteers, including Board members, homestay parents and other people in contact with students of the school must have current prescribed notices (blue cards) where required by legislation. The School/College maintains a register of:
- all teacher registration numbers
- all blue card numbers of non-registered teacher employees and volunteers and the dates for renewal.

**Choosing Staff**

The College recognises that risk management for child protection begins with the recruiting, screening and selection of the right people to work in schools, and continues by having consistent procedures in place for all staff (including volunteers) and contractors to follow, with adequate management and supervision to ensure they comply with these procedures.

The College, therefore, has a written policy on the selection, supervision and management of staff, volunteers and contractors, such as homestay parents.

**Selection**

1. *Job Analysis*

   All positions at St James Lutheran College are subject to a job analysis before they are advertised. This analysis includes:
   - summarising the duties to be performed in the job;
   - deciding how much supervision it involves;
   - deciding who the supervisor will be;
   - the equipment/work aids used to perform the duties of the job;
   - outlining the physical environment of the work;
   - listing the physical skills or abilities needed to perform the work;
   - determining the schools' requirements in relation to the job, e.g. criminal history check requirements, minimum educational level, first aid qualifications, bus or car licence;
   - listing special skills or qualifications required for the job; and
   - indicating any special training that may be necessary after the employee enters the job.

2. *Duty Statement*

   The job analysis is used by the College as the basis for developing a job description/duty statement which targets the skills and experience necessary for working with children and young people. Duty statements are developed for all positions in the school, including voluntary and contract positions.

   The duty statement makes explicit the mandatory conditions for ongoing employment, including the Code of Conduct under which staff members, volunteers and contractors are expected to work, and is the basis for the selection criteria for the position. Questions at interview will be based on the criteria developed from the duty statement.

   The selection process for a position identifies whether people applying have the particular skills, knowledge, abilities and, where relevant, qualifications required to do the job, as well as the personal qualities an employer is looking for.

   Before the selection interview, the selection panel develops reasonable but probing questions that relate to:

- an applicants work history, background and attitudes; and
- the selection criteria.

Following the selection interview, and before appointment, the selection panel:
- undertakes a thorough verification from referees that the applicant has the right qualities for the position, including the ability to work effectively with children; and
- checks that the applicant is a registered teacher or has a blue card.

*3. Screening*
It is the policy of the School that all members of staff, volunteers and contractors are cleared to work with children:
- all teaching staff are registered or provisionally registered with the College of Teachers, or have received special dispensation from the College;
- all non-teaching members of staff and all volunteers and contractors (including Board members), who are required to hold a blue card, have a current card;
- in some cases, deemed appropriate by the School, paid or unpaid employees who work with children but are not required to hold a blue card (e.g. a parent volunteer) may be asked to consent to a criminal history check through the Queensland Police Service;
- where volunteer parents are working with children, it will always be in the presence of academic or non-teaching staff who are cleared to work with children.

**Induction**

The College has a written induction process which applies to all staff, volunteers and contractors (hereafter called 'staff') during the first twelve months of appointment, and includes procedures for making staff members aware of the legislation on Child Protection and the Code of Conduct expected of staff.

The Induction process includes, but is not limited to:
- professional development about identifying and reporting harm or suspected harm;
- making staff aware of the protocols for the protection of children (see below);
- working through policies related to child protection such as;
  o behaviour management;
  o anti-bullying; and
  o disabilities' policy.

**Protocols**

It should be noted that it is a policy of the School that:
  o staff members are not alone with individual students in areas where they cannot be seen by other staff members or students;
  o all interviews with a child in relation to behaviour management issues are carried out in the presence of at least two members of staff;
  o staff members do not use their private vehicles to transport students without the permission of the principal; and
  o staff members do not invite students to their homes without the permission of the principal.

**Professional Development**

All staff members are required, on an annual basis, to sign a register that they have read and understood the School's Child Protection Policy.
In addition, the School provides Professional Development in relation to child protection on a regular basis and a register is kept of such activities.
At least one staff meeting per term includes discussion of a child protection case study.

## DEALING WITH INCIDENTS

The School keeps a register in the Principal's office of all incidents related to sexual abuse, harm or inappropriate behaviour.

Where legislation requires, incidents of harm or suspected harm are reported to the relevant state authorities immediately, and the incident is noted in the register.

Where an incident of inappropriate behaviour is reported, full details, including the steps taken to resolve the incident, are entered in the register.

Staff, parents and students can access the School's complaints handling policy in cases where an issue is not resolved to their satisfaction.

### Suspicion of harm
A person has 'reasonable grounds' to suspect harm[1] if:
- A child or young person tells them they have been harmed
- Someone else, for example another child, a parent, or staff member, tells them that harm has occurred or is likely to occur
- A child or young person tells them they know of someone who has been harmed (it is possible they may be referring to themselves)
- They are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries, or
- They see the harm happening.

### Disclosures of harm
Disclosures of harm may sound like:
- "I think I saw …"
- "Somebody told me that …"
- "Just think you should know …"
- "I'm not sure what I want you to do, but …"

Any disclosure of harm is important and must be acted upon, regardless of whether:
- The harm to a child or young person has been caused by a person from within or outside your organisation, or
- The child or young person disclosing the harm to you is from within or outside your organisation.
It is crucial to have procedures in place so any disclosure from an adult, child or young person is dealt with efficiently and effectively.

### What to do when a disclosure is made
- Don't panic
- Find a private place to talk
- Listen
- Believe the person, and
- Don't ask leading questions.

Where an employee has concerns or is unsure whether or not observations should be cause for concern, it is mandatory that they report their concerns to the Principal.
The Principal will contact the Child Safety Services to discuss, in the first instance, that there is a concern and to seek advice as to the appropriateness of formally reporting the matter.

If it is deemed, after this discussion, that further investigation is warranted, then the Principal, on behalf of the employee who made the original observation will report the matter to the Queensland Police Service.

*Reporting to the police is mandatory* where an employee of the school becomes aware of, or reasonably suspects a child has been sexually abused or is likely to be sexually abused.

*Reporting to Child Safety Services* is mandatory when a teacher forms a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering , significant harm caused by physical or sexual abuse; and may not have a parent who is able and willing to protect the child from harm (i.e. a protective parent).

**It is NOT the role of the person receiving a disclosure or a report to investigate allegations of harm.** He/she should only ask enough questions to confirm the need to report the matter to the Queensland Police Service or the Department of Child Safety. The safety of the child or young person is paramount. Unnecessary questions or interviews could cause distress, confusion and interfere with any subsequent investigation authorities undertake.

An organisation should not:

- Conduct its own investigation to substantiate claims
- Hold its own internal hearing, or
- Attempt to mediate a settlement of the matter instead of notifying relevant authorities.

Investigations conducted by your organisation could lead to:

- The destruction of evidence by an accused person
- Intimidation of the person disclosing the information, or
- Intimidation of the child or young person being harmed (if the disclosure was made by somebody else).

Remember, when a person makes a report to the Department of Child Safety or the Queensland Police Service, his/her details are kept confidential and the person's identity is strictly protected. For more information, about what happens when a report is made go to: www.childsafety.qld.gov.au/child-protection/report-process.html.

**Reporting of Harm**

The school has reporting procedures that comply with legislation. Please refer to the College Child Protection Policy for details on reporting harm.

| SCOPE AND DEFINITION OF "HARM" | |
|---|---|
| **SCOPE:** | applies to: <br>• harm of any student of this school who was under 18 years at the time the harm was caused; and <br>• behaviour of a staff member that a student considers is inappropriate. |
| | |
| **DEFINITION:** | "harm":- <br>• is any detrimental effect of a significant nature on a student's physical psychological or emotional well being, however caused <br>• can be caused by <br>   - physical, psychological or emotional abuse or neglect; or <br>   - sexual abuse or exploitation. |
| | |

**ACTION REQUIRED:**
**Risk Management Strategy**

### 1. Identify risks

A risk is anything that can cause harm, either physically, psychologically or emotionally. It could be caused by a faulty piece of equipment, a poorly planned excursion, abuse, neglect, communication misunderstandings, leaving students alone in a car park while they wait for a lift from a friend, and so on.

St James Lutheran College has a School Council with the role of identifying risks to students of the school, whether on campus or involved in school related activities off campus. All staff members are expected to report risk situations, as well as to identify risks related to activities under their supervision and to comply with all policies of the school that have been established for the safety of children.

Risks can be identified through:
- audits or physical inspections
- brainstorming
- decision trees
- examining local or overseas experience
- expert judgment
- flow charting, system design review, systems analysis
- history, failure analysis
- incidents or complaints
- interviews/focus groups
- operational modelling
- organisational experience
- personal experience
- scenario analysis
- SWOT Analysis
- survey or questionnaire
- systems engineering techniques, e.g. Hazard and Operability (HAZOP) studies
- work breakdown structure analysis.

These **key questions** help to identify risks:

- When, where, why, how are the risks likely to occur?
- What is the source of each risk?
- Who might be involved?
- How often might these risks occur?
- How reliable is the information?
- What are the consequences of each risk?
- What is the potential cost in time, money and resources?
- What controls presently exist to mitigate the risk?
- What are the accountability mechanisms - internal and external?
- Is there a need to research specific risks or seek further information?

Staff members who are involved in identifying risks must be knowledgeable about the policy, program, process or activity being reviewed and, where it is complex, consult with experts who may assist them.

Some risks will not lend themselves to objective analysis or observation, and the cost of collecting all data might be too great for the benefits provided.

### *2. Analyse risks*

After identifying a wide range of risks, the next step is to separate the minor risks from the major and to begin to prioritise the risks. The level of risk is defined by the relationship between consequence and likelihood, applicable to the area of risk or program under review.
Answer these **key questions** to define risk levels:
- What are the potential consequences of each risk if it occurs?
- What is the potential likelihood of the risk happening?
- What controls exist to prevent or detect the risk?
- What controls exist which will lower the consequences or likelihood of the risk?
- How well are these controls enforced by management?

### *3. Evaluate and prioritise*

After analysing the risk, decisions can be made by you or by the organisation regarding whether the risk is acceptable or unacceptable. This involves comparing the level of risk with the identified level of unacceptable risk.

A risk is called 'acceptable' if it is not going to be treated. Unacceptable risks will be treated in some way. Evaluation should take account of the degree of control over each risk and the cost impact, benefits and opportunities presented by the risks. Combining likelihood and consequences will produce risk levels.

**Level of risk**

|  |  | Consequences | | | | |
|---|---|---|---|---|---|---|
|  |  | **Insignificant** | **Minor** | **Major** | **Critical** | **Extreme** |
| **Likelihood** | **Almost Certain** | Medium | Serious | High | High | High |
|  | **Likely** | Medium | Medium | Serious | High | High |
|  | **Possible** | Low | Medium | Serious | Serious | High |
|  | **Unlikely** | Low | Low | Medium | Medium | Serious |
|  | **Rare** | Low | Low | Medium | Medium | Serious |

**Risk descriptors**

| High risk | Immediate action required, senior management/Council will be involved |
|---|---|
| Serious risk | Senior executive management attention needed and management responsibility specified |
| Medium risk | Manage by specific monitoring or response procedures |
| Low risk | Manage by routine procedures, unlikely to need specific application of resources |

Answer these **key questions** to assess whether a risk is acceptable:
- How does the level of each risk stand up against the level of acceptable risk?
- Is the level of the risk so low that treatment is not appropriate?
- Do the opportunities outweigh the threats to such a degree that the risk is justified?
- Is the cost excessive compared to the benefit?
- Is there no treatment available?

### 4. *Treat risks*

Risk cannot be eliminated, but choosing and implementing a treatment plan will help to master the risk.

A number of options are available:

- accept
- avoid
- reduce
- transfer

**Assess treatment or control options** to minimise risk by asking:
- What is the feasibility of each treatment option?
- What is the cost of implementing versus the benefits?
- What is the extent of risk reduction versus the benefits?
- What are the resources needed (people, money, technical)?
- Do the risk treatments comply with legal requirements, government and organisational policies, including those concerning access, equity, ethics and accountability?
- What are the criteria of acceptability?
- What opportunities are created by the risk?
- Are there rare but severe risks?

**Prepare treatment plans** by deciding:

- Which option is the best choice?
- What will be monitored and reviewed to determine the success of the treatment?
- Who is best placed to treat each risk, either through better knowledge, technical expertise or financial capability?
- What job design and work organisation options are appropriate for staff treating the risks?
- Who is accountable and responsible for the treatment of the risk?

**Implement your treatment plan** by following these steps:

- develop the policy
- establish the infrastructure, including management commitment, responsibility and authority and resources
- develop and establish the program at organisational level
- address management of cross-organisational risks
- manage program, project and team level risks
- manage individual level risks
- develop performance indicators to monitor the levels of risk, the performance of the treatment measures and the risk treatments.

### 5. Monitor and review

You need to monitor risks, the effectiveness of your treatment plan or strategies and the management system that you set up to control the implementation. Review and monitor risks on an 'as needed' basis. Some risks should be reviewed daily, while others can be addressed at the start of semester, biannually or annually.

**Key questions** when monitoring and reviewing risks are:

- Are the risk treatments effective in minimising the risks?
- Are the risk treatments comparatively efficient/cost effective in minimising risks?
- Do the performance indicators address the key elements for risk treatment?
- Are the assumptions you made about the environment, technology and resources still valid?
- Are the management and accounting controls adequate?
- Do the risk treatments comply with legal requirements, government and organisational policies, including access, equity, ethics and accountability?
- How can improvements be made?

### 6. Risk Management Checklist

Refer to the Appendix for a Risk Management Checklist for Child Protection Compliance, below.

#### STRATEGY DETAILS

#### Date of Strategy
October 2014
Updated for Legislative changes on 19 January 2015

#### Approved by Board
Date

#### Review Date
Biennially

#### RELATED POLICIES AND DOCUMENTS

Child Protection Policy
Staff Code of Conduct
Anti-bullying Policy
Privacy Policy
Complaints Policy
Anti-Discrimination Policy
After Hours Resource Centre Guidelines
Allergy Guidelines
Computer and Internet Acceptable Conduct and Use Agreement (AUP)
BYOD Agreement

| APPENDIX 1 – RISK MANAGEMENT CHECKLIST | | | | | | |
|---|---|---|---|---|---|---|
| **Element** | **N** | **D** | **I** | **NA** | **Evidence** | **Review date** |
| **COMMITMENT TO A CHILD-SAFE CULTURE**<br>Child protection policy:<br>• Code of Conduct: standards of language and behaviour for working with children<br>• Responsibilities, procedures and consequences for non-compliance with child protection policy. | | | | | | |
| **BUILDING PEOPLE'S CAPABILITIES**<br>Information, training and development for staff, volunteers, parents, children re:<br>• Child abuse and child protection<br>• Role-specific child protection duties, e.g. people working with children, supervisor/manager, contact person for Child Protection/Risk Mgt.<br>• Risk management processes and requirements<br>• Handling complaints and disclosures of harm<br>• Involving and empowering children and young people<br>• Rights and expectations of parents and children. | | | | | | |
| **CONSISTENT PROCEDURES AND DOCUMENTS**<br>Risk management for child protection explicit in guidelines for:<br>• Selecting, supervising and managing staff and volunteers (incl. blue card status)<br>• Planning for activities and special events<br>Forms and registers:<br>• Risk management register (risks identified, assessed, treated and reviewed)<br>• Register of staff/volunteer Blue Card status<br>• Permissions/approvals<br>• Incident register<br>• Register of complaints and disclosures of harm.<br>Financial commitment to child protection strategies. | | | | | | |

**CODE: N – Not done D – Developing I – Implementing N/A – Not applicable SIGNED/DATE:**

The school keeps an electronic copy of all employees, volunteers and homestay hosts and providers Blue Card details, which is updated whenever it receives notifications from the Commission about a change in a blue card holder or applicant's status.

| Employer's name | | | | | | |
|---|---|---|---|---|---|---|
| **Category of child related employment** | | | | | | |
| *Employee / Volunteer Name* | *Blue Card Registration number and Expiry Date* | *Application Pending (Y/N)* | *Reason employee is not required to hold a Blue Card* | *Current Blue Card status i.e. change in criminal history, card suspended etc.* | *Checked by? Date?* | *Comments* |
| e.g. Mary Smith | N/A | N | Relative of homestay student | N/A | JD – 03/11/09 | This homestay provider is only providing this service to their own relative. |
| e.g. Thomas Baker | 45320 8/8/11 | Y | N/A | Positive Notice | JD – 10/2/10 | |
| | | | | | | |
| | | | | | | |

**APPENDIX 3- AGREEMENT TO COMPLY WITH RISK MANAGEMENT STRATEGY**

It is a breach of St James Lutheran College Risk Management Strategy for any person to whom this strategy applies to have been found to have:

- engaged in child abuse
- done anything contrary to the policies referred to within the Strategy
- breached the Code of Conduct
- failed to follow the Scheme Policies and procedures for the protection, safety and welfare of children
- appointed or continued to employ any person in contravention of the strategy

I, <insert name>, have read the following documents:
- the school's Code of Conduct
- policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines
- homestay risk management strategy, where applicable; and
- strategies for communication and support.

Having read these documents, I understand St James Lutheran College's commitment to maintaining a safe, friendly environment for children and young people. I agree to uphold the Child Protection Policy and Code of Conduct, and to follow the guidelines and procedures outlined. I will work to contribute positively to the growth and development of the organisation and the children and young people it provides services to.

Signed:        _____        Date:        _____


Witness:        _____        Date:        _____