

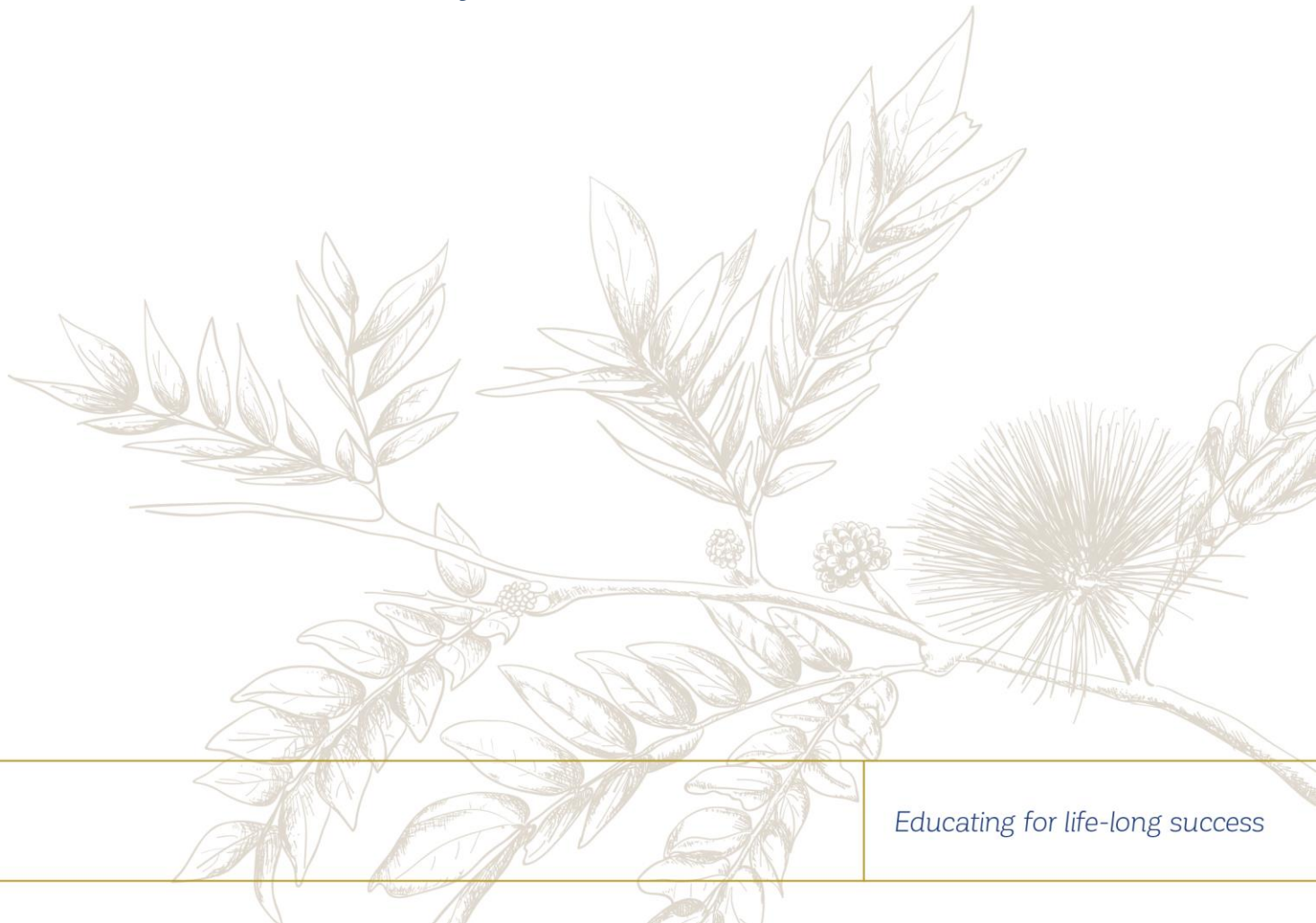


Founded 1917

**The Cathedral School**  
of St Anne & St James  
T O W N S V I L L E

# Student Protection Manual

## Policy & Procedure



*Educating for life-long success*



# Student Protection Policy

## School Governance

At The Cathedral School the protection, welfare and best interests of each student is paramount. We have a legal and moral responsibility to provide safe, supportive and disciplined living and learning environments, preventing reasonably foreseeable harm to students.

This Policy is based on the following principles:

- Every student has inherent rights, including dignity, privacy, respect and safety.
- In every preventative or protective action relating to harm, the total wellbeing and best interests of the student is the primary concern.
- The value of the family unit is to be respected but not to the detriment of the wellbeing and best interests of the student.
- Each student has the right to protection from sexual abuse, likely sexual abuse, harm or risk of harm and inappropriate behaviour by any person.
- All appropriate measures will be taken to protect students from all forms of harm.
- All employees have a responsibility to care for students to positively promote their welfare, and to protect them from any kind of harm.
- Harmful acts by anyone who has authority in relation to students are a breach of trust and professional misconduct – in addition to any possible criminal act.
- Any form of sexual behaviour by an employee with a student who is under their care is always sexual abuse.
- Child sexual abuse is a serious criminal offence and will always be reported to the police.
- Students are expected to show respect to employees and to other students and to comply with safe practices.
- Behaviour, both by the student and towards the student that can be reasonably considered to indicate harm or an unacceptable risk of harm occurring, must be reported.
- Where, on the basis of all information available, it is believed that there is an unacceptable risk, an employee will not be permitted to continue to work in their position.
- Following the reporting of the information/allegation, each employee who has access to information has an obligation to observe appropriate confidentiality and privacy with respect to that information.
- The complainant and respondent (where appropriate) will be kept informed of progress in resolving the complaint.
- All employees involved in situations where harm or inappropriate behaviour is disclosed or suspected must be treated with natural justice, dignity, sensitivity and respect, including the alleged perpetrator.
- Proactive and reactive pastoral care structures will be in place within the school.
- The Cathedral School will cooperate with relevant State authorities in matters regarding the protection of students.
- Disciplinary action may be taken against any employee who harms a student.



# Student Protection Policy

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This policy and associated procedures provide and promote a transparent and consistent approach to responding and reporting when an employee or visitor to our school reasonably suspects sexual abuse, likely sexual abuse, harm or risk of harm and inappropriate behaviour by any person.

The School aims to meet this commitment by:

- Adhering with legislative provisions.
- Outlining professional and behavioural obligations and ensuring all employees, visitors and volunteers understand our standards and expectations.
- Having strict recruitment and selection screening processes for employees, volunteers and visitors.
- Documenting what is considered appropriate conduct of school staff and students.
- Implementing a written process for responding to, and reporting of harm or allegations of harm.
- Implementing a written process for responding to, and reporting of sexual abuse or suspected sexual abuse.
- The development of a Child and Youth Risk Management Strategy.
- Building Knowledge and Understanding for staff in identification and responding to the Schools student protection and safety processes.
- Supporting any person affected by student protection matters.
- Responding to any complaints with regards to the handling of our Student Protection processes.

The Student Protection Procedure outlines how The Cathedral School will meet and maintain the outlined commitment.

This policy and associated procedures will be applied to all behaviours that jeopardise the school's commitment to promoting and striving to provide a safe and supportive living and learning environment for students.

Any behaviour which exploits a position of trust and authority between any person and the student is a breach of Christian and professional obligations. There may be consequences under law or school regulations or policies where such behaviours occur.



# Student Protection Procedure

## School Governance

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# Student Protection Procedure

## School Governance

### 1. PURPOSE

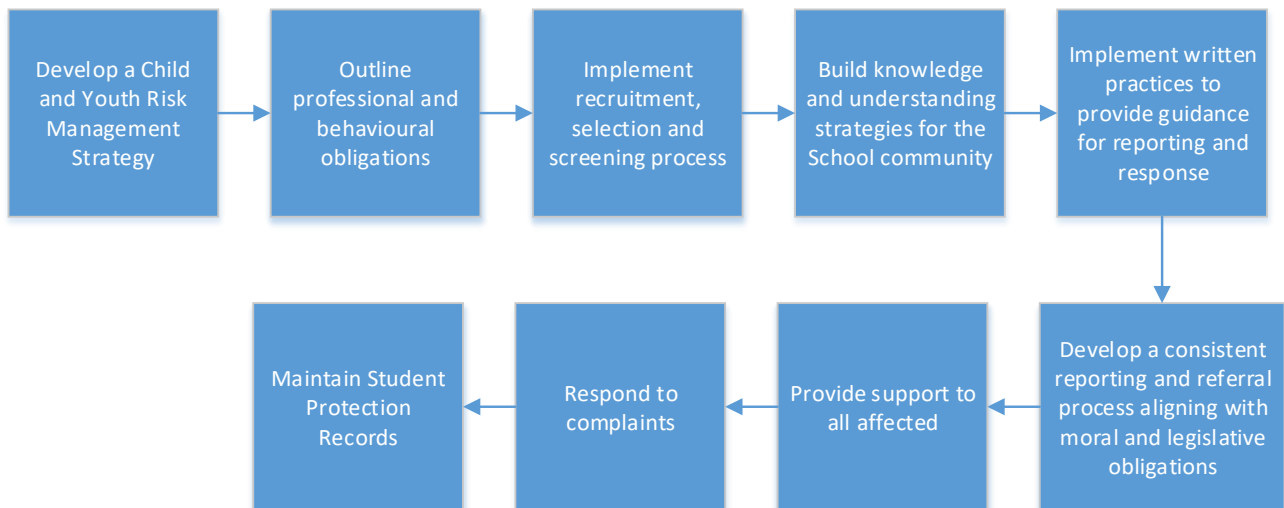
The purpose of the Student Protection Procedure is to outline the process and obligations in meeting the Student Protection Policy Statement requirements. This procedure provides guidance and direction of the safe management practices for responding to and reporting:

- Harm, including allegations of harm
- Sexual abuse or suspected sexual abuse
- Inappropriate behaviour of any person towards a student

### 2. SCOPE

The Student Protection Policy and Procedure apply to all matters concerning the protection, care and safety of students; and to all employees, volunteers and visitors associated with The Cathedral School of St Anne & St James.

### 3. PROCESS OVERVIEW





# Student Protection Procedure School Governance

## 4. REQUIREMENTS

The following guidelines align with legislative requirements and are based on meeting the principles outlined in the Student Protection Policy:

### 4.1 Child and Youth Risk Management Strategy

In aim to keep children safe, the School will comply with the development, implementation and annual review of a Child and Youth Risk Management strategy.<sup>1</sup> Each of the following eight mandatory components will be included in the strategy:

#### Commitment

1. A statement of commitment to the principles of safe and supportive service environments.
2. A code of conduct.

#### Capability

3. Recruitment, selection, training and management strategies that encourage best practice and enhance the safety and well-being of children and young people.

#### Concerns

4. Policies and procedures for handling disclosures and suspicions of harm.
5. Policies and procedures for the occasions where there might be a breach of the organisation's child and youth risk management strategy.
6. A planning process for high risk activities and special events.

#### Consistency

7. Policies and procedures for compliance with Chapter 8 of the *Working with Children Act*.
8. Strategies for communication and support for all stakeholders including children and young people.

The school's *Child & Youth Risk Management Strategy* is located on eCat – School Governance – Student Protection

<sup>1</sup> ss. 171 and 172 *Working with Children (Risk Management and Screening) Act 2000*  
s. 3 *Working with Children (Risk Management and Screening) Regulation 2011*



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### 4.2 Outline Professional and Behavioural Obligations

All employees are expected to conduct themselves with the professionalism implied by their position, Professional Standards and/or Codes of Conduct (staff), training and/or as stated in their employment contract. Employees are expected to behave at all times in a manner supportive of the welfare and best interests of all students.

Staff members cannot promise to keep confidential any disclosure of harm by and/or to a student.

Teachers, Early Childhood Education and Care professionals and Registered Nurses have mandatory reporting obligations if they have reasonable grounds to suspect a child under the age of 18 years is at risk of significant harm (including sexual harm) and have current concerns about the safety, welfare and wellbeing of the child.

Volunteers and visitors are also expected to behave at all times in a manner supportive of the welfare and best interests of all students.

Behaviour of a sexual, physical or psychological nature which exploits a position of trust and authority between any person and a student, regardless of age, is a breach of obligations and of this procedure. Such behaviours may include:

- Transporting a student, regardless of age without seeking the consent of a parent or caregiver or without informing the Principal.
- Seeking to visit a student, regardless of age at his/her home without the consent or knowledge of the parent or caregiver and/or Principal.
- Inviting a student, regardless of age, to the employee's home unaccompanied without the consent of a parent and/or caregiver or without informing the Principal.
- Sending or receiving correspondence of an inappropriate nature.
- Inappropriate giving of gifts.
- Physical or emotional aggression, violence or bullying.
- Sexual exhibitionism.
- Development of an intimate relationship incompatible with the professional relationship, initiated by either party.
- Exposing to a student, regardless of age, pornographic material in any medium.
- Inappropriate discussion of matters of sexual behaviour.
- Obscene language, especially of a sexual nature.
- Gestures or actions of a suggestive or obscene nature.
- Jokes of a sexual nature told in the presence of student/s.
- Voyeurism (gaining pleasure from secret watching of another).
- Repeatedly seeking to be alone with a student.
- Detaining a student in locked facilities or facilities that do not have immediate access to relevant staff members.

This list is not exhaustive. Any behaviour which exploits a student is unacceptable.





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## 4.3 Recruitment, Selection and Screening

A school specific recruitment and selection procedure is documented and implemented to assess the appropriateness of employees, volunteers and visitors responsible for the care of students.

This includes careful interviewing and reference checking of employment history along with outlining the following mandatory requirements:

### Employees

Legislative screening requirements and appropriate employment selection procedures must be adopted for the recruitment and selection of all employees to the School.

### Volunteers and Visitors

Legislative screening requirements will apply to volunteers and visitors (including contractors) whose work brings them into contact with students at the School.

### Screening – Blue Cards

All potential employees and volunteers (including parents involved in formal volunteering) must undergo legislative screening and receive a positive Suitability Notice (Blue Card) or an Exemption Card.

Formal volunteering is an activity in designated volunteer positions e.g. sports coach or manager, reading support, tuckshop, support groups and the executive of the Parents and Friends Association.

A new paid employee may commence work after receiving clearance to work from Blue Card Services. The cost of this application rests with the employee unless otherwise approved by the relevant school Principal.

A volunteer (including all volunteer school board members) with the exception of a parent volunteer not undertaking a formal role, cannot commence in the designated volunteer role without first obtaining a positive Suitability Notice (Blue Card).

All parent volunteers (in a formal volunteer role), are to submit an application seeking a Suitability Notice (Blue Card) through the school prior to commencing in their volunteer role.

Parents performing volunteer work in a role other than formal volunteering, at the discretion of the Principal are to be considered for a Working with Children check.

There is no cost involved to the school or to the volunteer for the Suitability Notice for a 'Volunteer' Blue Card.

If an employee or a volunteer already holds a Suitability Notice (Blue Card) obtained through another organisation, the school is to submit an authorisation to confirm a valid card/application form to Blue Card Services to ensure that the Suitability Notice is linked to the School.

The School records all positive Suitability Notice holders and expiry dates of Blue Cards in a register via the School's Risk Management System (ERM), as well as in the online Blue Card





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Portal as required by the PSBA. ERM has an automatic expiry reminder to manage the renewal process. In addition ERM sends a reminder to the HR Manager to do a monthly check in the case a Blue Card has been renege.

The *Recruitment & Selection Procedure* is located on eCat- Governance – Human Resources

#### 4.4 Building Knowledge and Understanding

The School's communication strategy for the sharing of relevant information to the student and parent community including the reporting process, is outlined in the Child & Youth Risk Management Strategy.

The School libraries have child protection reference selections from which students, parents and staff can borrow resources to support their knowledge and awareness of student protection.

Table I below lists some of the training and knowledge building activities and resources that are to be used to provide students, parents, employees, volunteers and visitors with information about student protection policies and procedures.

Table I: Knowledge building activities and resources

| <b>STUDENTS</b>  |
|--|
| <ul style="list-style-type: none"><li>• Access to Student Protection Policy and Procedure on school's internet and intranet sites.</li><li>• Information about reporting and SPO's in student diaries.</li><li>• Regular reference made at school assemblies.</li><li>• Presentations during class.</li><li>• Posters displayed on school grounds identifying SPO's.</li><li>• Planned activities for Child Protection Week (September each year).</li><li>• Access to relevant reference material in library.</li></ul> Inclusion of child safety curriculum. |
| <b>PARENTS</b>   |
| <ul style="list-style-type: none"><li>• Access to Student Protection Policy and Procedure on school's internet and intranet sites.</li><li>• Regular references made in school newsletters.</li><li>• Presentation at parent information evenings.</li><li>• Information flyer in enrolment pack.</li><li>• Access to relevant reference material in library.</li></ul>  |
| <b>EMPLOYEES</b>   |



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- Annual student protection in-service training for employees (including policy and procedures).
- Induction programs for newly appointed staff members including child protection.
- Annual induction program in place for all existing staff including volunteers.
- Policy and procedures placed on school website and intranet.
- Specialised training for school based Student Protection Officers.
- Regular staff meetings.
- Access to relevant reference material in library.
- Other relevant training as determined by the Principal.

## **VOLUNTEERS AND VISITORS**

- Induction programs for newly appointed volunteers – Student Protection Policy and Procedures and Code of Conduct (Volunteer).
- Policy and procedures placed on school website and intranet.
- Information available to all visitors (including contractors) prior to commencement of role.
- Instruction provided by supervising / responsible staff member.

### **4.5 Implement written practices for response to Student Protection Concerns**

The Student Protection Policy, Procedure and their accompanying forms and guides outline the written and implemented processes and safe management practices to provide guidance and direction for responding and reporting to allegations of sexual abuse, likely sexual abuse, harm or an unacceptable risk of harm of a student (under 18 years of age) and inappropriate behaviour of any person towards a student.

These processes provide readily accessible guidance for all students to contact a designated Student Protection Officer to report matters of harm or risk of harm (including sexual abuse or likely sexual abuse) of a student by another person and inappropriate behaviour of any person towards a student.

All employees, volunteers and visitors will respond in an appropriate timely manner as outlined in this procedure to all student safety concerns. The welfare and safety of the student is paramount in all circumstances.

Where there is any doubt about an allegation, suspicion or report of harm of a student by any person the decision must be in favour of reporting the allegation. All reports are to be recorded on the *Record of Concern Form* located on the schools intranet – eCat.

Employees and volunteers can speak with a Student Protection Officer (SPO) about any concerns. The SPO may work through the information using the Child Protection Guide (Qld). 'Relevant persons' under the CPA are able to confer/consult with another employee working within the 'same entity' on relevant matters to assist in the forming of a reasonable suspicion of



# Student Protection Procedure School Governance

harm or risk of unacceptable harm (sexual or physical) of a student. In all instances a *Record of Concern Form* is to be submitted, regardless of if the concern meets the external reporting threshold.

[The Child Protection Guide](#) (CPG) located on the Department of Child Safety, Youth and Women website should be considered as a tool to assist prior to making a report or referral. The CPG provides recommendations only which are to be considered with all of the available information, knowledge and experience held by the SPO.

A Principal may seek further advice and support from the School Board.

Student Protection Policies, Procedures and Forms are located on eCat – Child Protection.

## 4.6 Reporting and Referral Process

**Students and parents** who have concerns or information relating to the safety of a student are encouraged to report the information to a Student Protection Officer or to the Principal. Students can also report concerns to any trusted adult at the school.

**Employees** are bound by a number of obligations including those as prescribed by legislation and policy to report reasonable suspicions of sexual abuse, likely sexual abuse, significant harm or an unacceptable risk of significant harm of a student or inappropriate behaviour towards a student.

### Forms

The following forms have been developed internally or provided for use for the reporting or referral of relevant matters to a State authority or a community based support:

#### School reporting forms:

- [Record of Concern Form](#): for the documentation of all student protection concerns including sexual, physical, emotional/psychological, self-harm, neglect, inappropriate staff behaviour towards a student and other concerns. The Record of Concern Form is to be completed with all available detail provided to assist the School and relevant State authority with their assessment and investigation. All online *Record of Concern Forms* are **automatically emailed to the Principal**. In the event the *Record of Concern Form* is in relation to the Principal, it's important to print, scan and email to the Chairman of the School Board.
- [Request to Interview Form](#): Interview request of students by State Authority.

The written report must include the following particulars:

- a) the staff member completing the online report (notifier).
- b) the student (who has allegedly been harmed) name, age, gender and year level.
- c) the name and details of the person(s) raising the concern such as fellow student(s), parent or other responsible adult.



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- d) type of concern raised.
- e) details of the abuse or suspected abuse.
- f) any of the following information of which the staff member is aware:-
  - i. the identity of the person who has abused or is suspected to have abused the student.
  - ii. the identity of anyone else who may have information about the abuse or suspected abuse.

## MAKING STUDENT PROTECTION RECORDS

The notes, records and reports staff members make about student protection concerns are important documents containing important information. Staff members could be interviewed as part of an investigation, or required to attend court. They may need to refer to their notes later. These notes could be subpoenaed and become the subject of court proceedings. In making any record of concern about student protection issue staff members are encouraged to keep in mind the following:

### Do

- Be as objective as you can and record factual information as soon as possible including time and place of disclosure.
- Write a full account of exactly what has been observed, heard or said, noting the date and time.
- Record statements made by the student(s), parent or other responsible adult accurately and in quotation ( ' ' ) marks.
- Write down who was present at the time of disclosure (provide names if known).
- Always sign and date the record. It should be clear whether the record was made on the same day as the incident, or after.
- Add supplementary notes/records if there is insufficient space on the relevant *Record of Concern Form*.
- Record any observations in student's behaviour.

### Do not

- Express an opinion about what was observed or heard.
- Record judgements.
- Interpret what was observed or heard.
- Use emotive terms.

## Child Safety Services Online Reporting Forms:

- Online Reporting Form – [Department of Child Safety, Youth and Women](#) to be completed by any staff member who believes a child is suffering significant harm and does not have a parent able and willing to protect the child from harm. Principal will review as part of the ERM Checklist and report if not already done by the first person.
- Online Referral Form – [Family and Child Connect](#) to be completed if deemed appropriate to arrange for the child and/or family to be referred (with consent or without consent) for



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support. A SPO may refer a child and/or their family with consent. A family can self-refer to a FaCC. Note: ONLY the Principal as the 'prescribed entity' can refer without consent.

## Queensland College of Teachers (QCoT) Notification Templates

- QCoT: Notice under s. 76 (Investigation) template
- QCoT: Notice under s. 77 (Resignation) template
- QCoT: Notice under s. 78 (Dismissal) template

Under no circumstances are Record of Concern Forms to be faxed or handwritten.

Reporting Forms are available on the school's intranet – eCat - Child Protection.

## 4.7 Reporting Obligations & Process Overview

By virtue of legislation, policy and procedural requirements, all school staff, volunteers and visitors to the school have an obligation and responsibility to report:

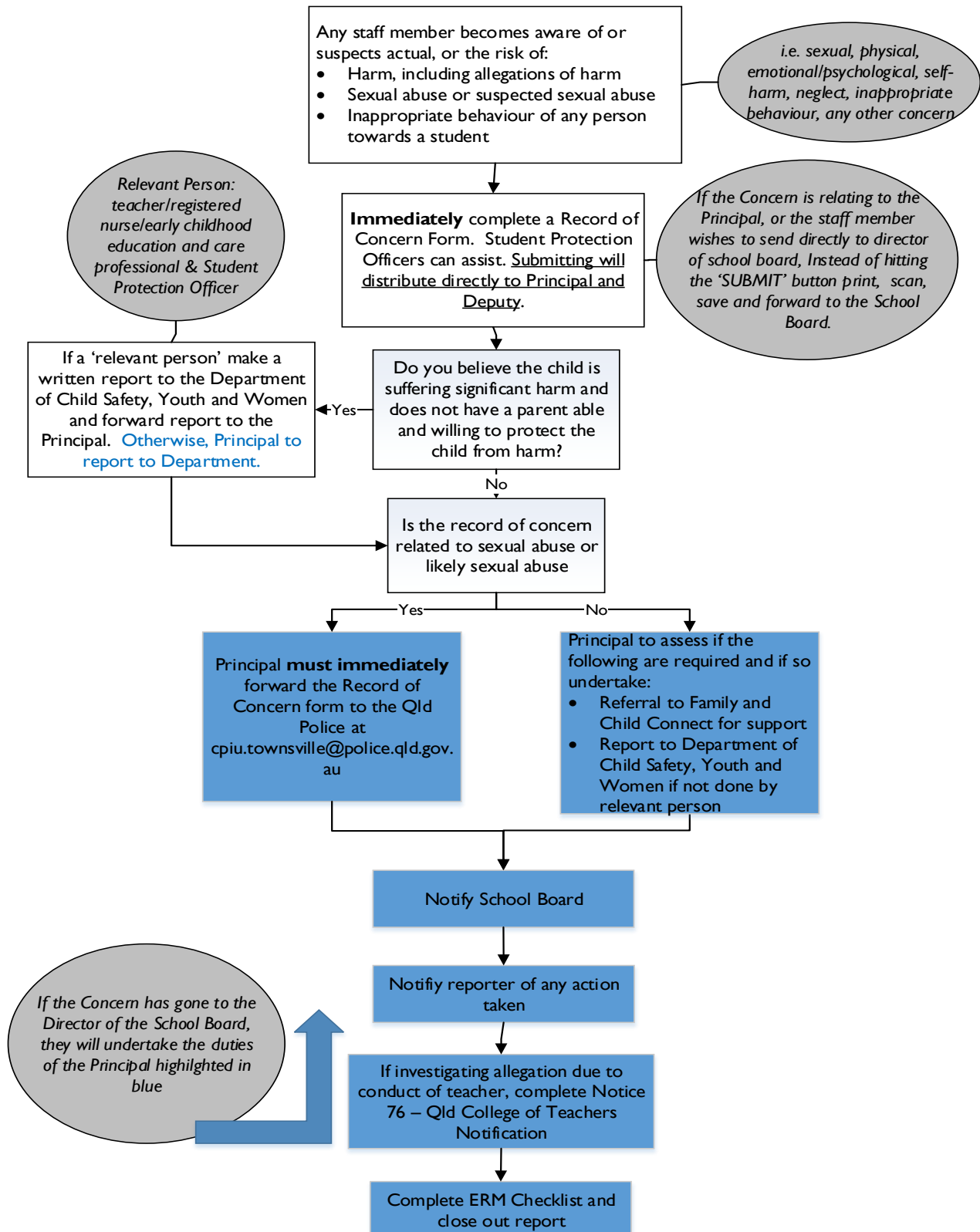
- All reasonable suspicions of sexual abuse or likely sexual abuse of a student by another person.
- When it is reasonably suspected that a student, or an unborn child (if upon his or her birth), has been harmed or is at risk of harm. Harm is defined in the *Child Protection Act 1999*, refer to DEFINITIONS AND KEY TERMS.

The specific legislation and The Cathedral Schools processes below outline how we meet the legislative requirements. The following flowchart is an overview of the process as a whole to meet both moral and legal obligations.



# Student Protection Procedure School Governance

## Reporting Process flow





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## EDUCATION (GENERAL PROVISIONS) ACT 2006

### Reporting Sexual Abuse or Likely Sexual Abuse

Under this legislation, it's the obligation that any school staff member (first person) must immediately make a written report when they become aware or reasonably suspect the <sup>2</sup>**sexual abuse or likely sexual abuse** by another person of:

- a) A student under 18 years attending the school;
- b) A kindergarten age child registered in a kindergarten learning program at the school;
- c) A person with a disability who:
  - i. Under section 420(2) is, being provided with special education at the school; and
  - ii. Is not enrolled in the preparatory year at the school.

The reporting process is outlined as follows:

A. **All staff members:** as the 'first person' must immediately provide a written report to the Principal or the director of the board; this can be achieved by:

- Completing a Record of Concern Form located on eCat; and
- Immediately consulting with the Principal, Director or Student Protection Officer.

It is a mandatory obligation for the principal or director of the school's board to immediately forward a copy of this report to Qld Police Services at [cpiu.townsville@police.qld.gov.au](mailto:cpiu.townsville@police.qld.gov.au).

- If the allegation made relates to the Principal, the 'first person' must immediately provide their completed Record of Concern Form located on eCat to the Director of the School's Governing Body (Chairperson of the School Board). Contact information is provided below. N.B the online Record of Concern Form on eCat is immediately forwarded to the Principal and Deputy principal when hitting the 'Submit' button. If the allegation relates to the Principal, print the form, scan and email to the School Board instead of 'Submitting' via eCat.

It is a mandatory obligation for the School Board to immediately forward a copy of this report to Qld Police Services at [cpiu.townsville@police.qld.gov.au](mailto:cpiu.townsville@police.qld.gov.au).

B. **Principal:** as the 'first person' must:

- Complete a written report (Record of Concern Form).
- Immediately forward a copy of the Report to Qld Police Services at [cpiu.townsville@police.qld.gov.au](mailto:cpiu.townsville@police.qld.gov.au) and The Chairman of the School Board.
- Follow up actions and close out as per ERM Checklist.

C. **School's Board:** has a mandatory requirement to forward any Record of Concern Form that has been provided to them immediately to Qld Police Services at [cpiu.townsville@police.qld.gov.au](mailto:cpiu.townsville@police.qld.gov.au) if not already complete.

<sup>2</sup> s.366 and s.366A [Education \(General Provisions\) Act 2006](#)





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If<sup>3</sup> a non-State school's governing body has more than one director then all of the directors may by unanimous resolution, delegate the director's function to an appropriately qualified individual. This 'function' must not be delegated to the Principal or any other staff member of the non-State school.

'**Function**' means the director's function of receiving a report and giving a copy of the report to a police officer under ss 366 or 366A EGPA.

The Director's delegation has been formally delegated to the Chairperson of the School Board.

Mr Daniel Christie

Email: Daniel.christie1@jcu.edu.au

## CHILD PROTECTION ACT 1999

### Reporting significant harm or risk of significant harm

Any person<sup>4</sup> **may** make a report when they reasonably suspect:

- a) a child may be in need of protection; or
- b) an unborn child may be in need of protection after he or she is born.

The (relevant person)<sup>5</sup> must make a written report when they reasonably and honestly suspect a child has suffered, is suffering or is at risk of suffering significant harm<sup>6</sup> caused by **psychological, emotional, neglect, physical or sexual abuse** and may not have a parent able **and** willing to protect the child from harm.

The School's reporting process for reporting significant harm or risk of significant harm is as follows:

A. **Teachers/Registered nurses/Early childhood education and care professional:** as the 'relevant person' **must:**

- Make a written report to the Department of Child Safety, Youth and Women when they have formed a reasonable and honest suspicion. A 'relevant person' may confer with other colleagues at the same entity to assist in the forming of a reasonable suspicion.
- Complete a Record of Concern Form located on eCat. The Record of Concern Form may be completed with guidance from the Principal or Student Protection Officer. If the Record of Concern is in relation to the Principal, note the process outlined for 'C – All other employees'.

<sup>3</sup> s.366B Education (General Provisions) Act 2006

<sup>4</sup> s.13A Child Protection Act 1999

<sup>5</sup> s.13E Child Protection Act 1999

<sup>6</sup> S.9 Child Protection Act 1999



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**Note: the legislative responsibility is on the 'relevant person' to directly report to Department of Child Safety, Youth and Women.**

**B. Student Protection Officers:**

- If not a 'relevant person' **must** undertake the duties outlined for a relevant person above.

**C. All other employees**

- Immediately report all concerns or allegations of actual or unacceptable risk of harm using the Record of Concern Form and provide to the Principal.
- If the matter relates to the Principal, provide the Record of Concern Form to the Chairman of the School Board **N.B the online Record of Concern Form on eCat is immediately forwarded to the Principal and Deputy principal when hitting the 'Submit' button. If the allegation relates to the Principal, print the form, scan and email to the School Board instead of 'Submitting' via eCat.**

**D. Volunteers and Visitors**

- Immediately report all concerns of actual or unacceptable risk of harm to The Principal or a Head of School. The Principal or Head of School is to complete a *Record of Concern Form* based on the information provided by the volunteer or visitor. This report may be via the staff member responsible for the volunteer or visitor to a Student Protection Officer, who will immediately complete the *Record of Concern Form*.
- If the allegation relates to the Principal the Head of School or Student Protection Officer will provide the *Record of Concern Form* to the Chairman of the School Board.

**E. Principal**

- If the report is sexual abuse, will provide a copy of the written *Record of Concern Form* immediately to Qld Police at [cpiu.townsville@police.qld.gov.au](mailto:cpiu.townsville@police.qld.gov.au) (note this is a requirement of EGPA).
- If forms a reasonable and honest suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm and may not have a parent able and willing to protect the child from harm, make a written report to the Department of Child Safety, Youth and Women using the online reporting form if not already done by the relevant person.
- Provide a copy of the completed *Record of Concern Form* and any reporting forms to the Department of Child, Safety, Youth and Women to the Chairman of the School Board.
- If appropriate arrange for the child and/or family to be referred (with consent or without consent) to a relevant community based support service e.g. Family and Child Connect (FaCC) service. A SPO may refer a child and/or their family **with consent** to a relevant community based support service. A family can self-refer to a FaCC. An E-



# Student Protection Procedure School Governance

Referral FORM is to be used for referrals to a Family and Child Connect service.

**Note: ONLY the Principal as the 'prescribed entity' can refer without consent.**

- Complete an ERM Checklist to ensure all necessary actions are followed up and complete prior to closing out report.
- Notify reporter of any action taken.
- Pass ERM Checklist onto Risk and Compliance Officer for uploading of any reference documents and close out of report.

## F. **School Board**

- If the allegation made relates to the Principal, a copy of the written *Record of Concern Form* is to be provided to the Chairman of the School Board. If the report is sexual abuse, provide a copy of the written *Record of Concern Form* immediately to Qld Police at [cpiu.townsville@police.qld.gov.au](mailto:cpiu.townsville@police.qld.gov.au) as per EGPA requirement.

If an employee is found to be in breach of this reporting provision of the CPA, internal disciplinary processes will apply.

Section 13B provides the sharing of information to a relevant service provider if there are concerns that the child is likely to become a child in need of protection if no preventative support is given.

## EDUCATION (QUEENSLAND COLLEGE OF TEACHERS) ACT 2005

### Investigation and Outcomes

A. **Investigation** - If<sup>7</sup> the employing authority for a prescribed school investigates an allegation of harm caused or likely to be caused to a child because of the conduct of a relevant teacher of the prescribed school, the employing authority must as soon as practicable after the investigation starts give notice to the Queensland College of Teachers in accordance with s.76 (3).

If<sup>8</sup> the employing authority starts an investigation, they must as soon as practicable after the investigation ends for any reason, give notice to the Queensland College of Teachers of the outcome of the investigation. The notice must include the information required in s.77 (3).

B. **Resignation:** If, after a written report for sexual abuse or likely sexual abuse<sup>9</sup> (ss.366 or 366A EGPA) involving a teacher has been given to a police officer, and the teacher resigns

<sup>7</sup> s76 Education (Queensland College of Teachers) Act 2005

<sup>8</sup> s77 Education (Queensland College of Teachers) Act 2005

<sup>9</sup> Ss366 or 366A Education (General Provisions) Act 2006



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from the school, the employing authority is to inform the Queensland College of Teachers by way of an interim notice under the requirements of s.76.

- C. **Dismissal:** If the employing authority dismisses a teacher of the school in circumstances that, in the opinion of the school, call into question the teacher's competency to be employed as a teacher **and** a notice is not required in accordance with ss.76 and 77 of the *EQCoT* as outlined above, the school must give notice (completed in accordance with s.78 of *EQCoT*) to the Queensland College of Teachers within 14 days after the dismissal was given to the teacher.

The Principal will ensure as required that a relevant notice is provided the Queensland College of Teachers.

## EDUCATION (ACCREDITATION OF NON-STATE SCHOOLS) REGULATION 2017

### Reporting harm or allegations of harm, and inappropriate conduct

S16 Conduct of staff and students and response to harm, requires schools to have written processes in place for the reporting and responding to harm or allegations of harm to students under 18 years, and inappropriate conduct of the school's staff and students. The *Student Protection Policy and Procedure* have been broadened to include any person. The School's reporting process is as follows:

#### A. **Students**

- Students are encouraged to report all concerns of inappropriate behaviour by any person within the school to a Student Protection Officer, or to the Principal.

#### B. **All Staff Members:**

- All employees will as soon as practicable report (*Record of Concern Form*) all allegations of inappropriate behaviour of any person towards a student, to the Principal or a Head of School. By completing the eCat online form, it is forwarded directly to the Principal and Deputy Principal. The employee may complete the form via the Head of School or Student Protection Officer.
- If the allegation relates to the Principal, provide a written copy of the *Record of Concern Form* to the Head of School or Student Protection Officer for provision to the Chairman of the School Board. If the allegation relates to the Principal, print the form, scan and email to the School Board instead of 'Submitting' via eCat.

#### C. **Volunteers:**

- All volunteers will report as soon as practicable all allegations of inappropriate behaviour of any person towards a student to The Principal or a Head of School. The Principal or Head of School is to complete a *Record of Concern Form* based on the information provided by the volunteer.



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- If the allegation relates to the Principal the Head of School or Student Protection Officer will provide the *Record of Concern Form* to the Chairman of the School Board following the process outlined in 'B – All Staff Members'.

## D. **Principal:**

- Upon receiving a *Record of Concern Form*, the Principal will allocate the investigation to an appropriate staff member as determined by the Principal.
- Determine if the concern is 'reportable' i.e. meets the threshold for a referral to CPIU or to a community based support service would be of benefit to the child and/or family.
- Ensure an overview of Record of Concern Forms are reported to the Strategic Committee.
- If relevant, a Notice (S.76 EQCoT Act) will be forwarded to QCoT.
- Upon receipt of the written investigation report will implement the recommendations as made in the final report.
- Complete the ERM Checklist requirements prior to closing the record.
- Pass on the completed ERM Checklist to the Risk and Compliance Officer for upload of any reference documents and close out of report.

## E. **Designated staff member:**

- The Principal or designated staff member will undertake a thorough investigation of the allegation of inappropriate behaviour and provide a written report with recommendations to the Principal within the timeframe provided by the Principal.
- If the allegation relates to the Principal, the *Record of Concern Form* is to be provided to the Chairman of the School Board following the process outlined in 'B – All Staff Members'.

## F. **Chairman of the School Board or the nominated delegate:**

- Commence an investigation process in line with procedures provided in the *Protocol for Dealing with Complaints of Sexual Harassment, Sexual Assault or Sexually Inappropriate Behaviour*.

## ANONYMITY AND PROTECTION FROM LIABILITY

The Child Protection Act<sup>10</sup> provides confidentiality for notifiers of harm or risk of harm. The identity of a person who has made a student protection report is not to be revealed to any individual without that persons consent unless permitted or required by law.

It also affords<sup>11</sup> any person acting honestly and reasonably, protection from liability in civil, criminal and administrative processes available under the CPA. Further, they will be entitled to the confidentiality protections afforded to notifiers under the CPA.

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<sup>10</sup> s186 Child Protection Act

<sup>11</sup> s197A Child Protection Act



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An employee who makes a voluntary report to Child Safety or the QPS outside the *Student Protection Procedure* reporting processes will also be entitled to seek the protections afforded by the CPA provided they have complied with s.197A CPA.

### 4.8 Support

Persons affected by student protection matters will react and respond differently. It is imperative that all appropriate support is provided with procedural fairness, ensuring the right of all parties to be heard. The Principal is to ensure that any student or staff member involved in any student protection incident is provided fairly with opportunities for support and debriefing as appropriate.

In circumstances where it may be suspected or apparent that other students may have been involved or exposed to a student protection matter or concern, the Principal is to seek additional guidance.

### 4.9 Responding to Complaints

In the event that a person, for example a parent, has a concern that the processes within the Student Protection Policy and Procedure and any associated processes have not been complied with, then the person is able to make a complaint pursuant to the school's *Complaints Management Procedure*.

The School's *Complaint Management Procedure* is located on eCat – Human Resources

### 4.10 Student Protection Records

#### RECORD STORAGE

Schools are advised to keep student protection information in a secure, central confidential file apart from individual student files to ensure accountability and to assist in the continuity of information from year to year. At the Cathedral School these records are maintained by the Principal's Assistant and all forms are electronically stored in ERM as collated by the Risk and Compliance Officer on close out of the ERM. These records may be the subject of a subpoena in future court or inquiry proceedings.

## 5. POLICY REVIEW

The Cathedral School will review this policy and associated procedures annually or as required by amendments to legislation.



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### 6. ROLES & RESPONSIBILITIES

| Position / Title | Area of Responsibility  |
|------------------|---|
| School Board     | <p><b><u>MUST</u></b></p> <ul style="list-style-type: none"><li>• Be fully conversant with the School's Student Protection policy and procedures.</li><li>• Ensure that the school has in place relevant written processes as required in s.10 (Health, safety and conduct of staff and students) of the <i>Education (Accreditation of Non-State Schools) Regulation 2017</i>.</li><li>• Ensure that staff, students and parents are made aware of the schools related processes.</li><li>• Ensure that staff are trained in implementing the processes and that the school is implementing the processes.</li><li>• Ensure that the processes are readily accessible by staff, students and parents.</li><li>• Ensure that the school has a written complaints procedure to address allegations of non-compliance of related written processes.</li><li>• Be fully conversant with and adhere to all applicable child/student protection related legislative provisions, including <i>Working with Children</i> provisions.</li><li>• Ensure that the school has developed a <i>Child and Youth Risk Management Strategy</i> as required by legislation – ss 171 – 172 <i>Working with Children (Risk Management and Screening) Act 2000</i> and s.3 <i>Working with Children (Risk Management and Screening) Regulation 2011</i>.</li><li>• Ensure that the school's <i>Child and Youth Risk Management Strategy</i> is reviewed annually.</li><li>• Provide all necessary assistance to the relevant State authority as requested.</li><li>• Maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.</li></ul> <p><b><u>MAY</u></b></p> <ul style="list-style-type: none"><li>• Consider the delegation of the responsible function [s.366B <i>Education (General Provisions) Act 2006</i>] to an appropriately qualified person as defined.</li></ul> |





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|                  |   |
|------------------|---|
| <p>Principal</p> | <ul style="list-style-type: none"><li>• Be fully conversant with the <i>Student Protection Policy and Procedures</i> and all related school related policies.</li><li>• Adhere to this <i>Student Protection Policy and Procedures</i> and relevant school procedures in all activities and behaviours.</li><li>• Ensure that all employees are trained in implementing legislative and policy requirements relating to protecting students from harm or the risk of harm.</li><li>• Ensure that all volunteers and visitors to the school who have regular contact with students are made aware of their obligations under this policy.</li><li>• Be fully conversant with and adhere to all applicable child/student protection related legislative obligations and provisions, including <i>Working with Children</i> legislation.</li><li>• Ensure through selection, appointment and training that each employee for whom they are responsible understands and fulfils the requirements of this policy and procedures.</li><li>• Ensure school specific recruitment and selection policies and procedures are developed.</li><li>• Ensure that employees, volunteers and visitors involved with students know that they must refrain from any behaviour which is inappropriate or could lead to harm of those student/s.</li><li>• Ensure that their school has written processes about the health, safety and conduct of its students and employees which are consistent with relevant legislation.</li><li>• Ensure that their school has nominated appropriate staff members (a minimum of two staff members required) to fulfil the role of a SPO.</li><li>• Ensure that the name and contact details of SPOs are advertised to the student, parent and staff school communities.</li><li>• Ensure that all staff members are aware of and comply with the reporting provisions of ss. 366 and 366A (sexual abuse or likely sexual abuse) of the <i>EGPA</i>.</li><li>• Ensure that a copy of the written report (<i>Record of Concern Report</i>) is immediately prepared by the 'first person' on any matter of sexual abuse, suspected sexual abuse or where it is reasonably suspected that a student is likely to be sexually abused by any person. And that is provided to the Principal or to the Chair, school council</li></ul> |
|------------------|---|



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or delegate (if appropriate) and is immediately provided to a police officer.

- If, after a written report about sexual abuse relating to a teacher has been provided to a police officer, and the teacher resigns, ensure that the Queensland College of Teachers is informed by way of notice.
- Ensure the school has written processes about the reporting of significant harm or the unacceptable risk of significant harm of a student. Such written processes, are to include information about how the school will respond to such reports.
- Ensure that all students and parents / carers are aware of and have access to the processes for the reporting of harm or risk of harm of a student to an identified SPO, Head of School or the Principal.
- Only confer with a colleague (working within the same entity) to assist in the forming of a 'reasonable suspicion'.
- In accordance with the CPA ensure that all 'reportable suspicions' of harm of a student are immediately reported to Child Safety Services.
- In accordance with the CPA and where deemed appropriate, ensure that a referral (E-Referral FORM) is made (with or without consent) to a community based support service e.g. FaCC.
- Protect the identity of the notifier of the harm unless that person consents otherwise.
- Ensure that written processes about the appropriate conduct of its students and staff which are consistent with State legislation regarding the protection and safety of students. Such written processes to include a process for students to report inappropriate behaviour by a staff member and a process for responding.
- Ensure that all students and parents/carers are aware of and have access to the processes for the reporting by a student to an identified SPO, the behaviour of a staff member that a student considers to be inappropriate.
- Ensure the school has a written complaints procedure to address allegations of non-compliance of related written processes.
- Ensure the school has developed a *Child and Youth Risk Management Strategy* and that such strategy is reviewed annually.



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|           |  |
|-----------|--|
|           | <ul style="list-style-type: none"><li>• Ensure the School Board (as appropriate) receives notification of all allegations of sexual abuse, likely sexual abuse, sexually inappropriate behaviour or harm of/to a student by another person including any employee.</li><li>• Apply the <i>Protocol for Dealing with Complaints of Sexual Harassment, Sexual Assault or Sexually Inappropriate Behaviour</i> criteria for the standing aside of the alleged perpetrator (if an employee).</li><li>• Ensure compliance with all legislative and School screening requirements for all employees.</li><li>• Ensure a register of legislative screening is maintained, and that a review process is in place for managing the renewal process of Blue Cards (Working with Children check).</li><li>• Maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.</li><li>• Provide all necessary assistance to the investigative authority as requested.</li><li>• Ensure that where necessary appropriate support is provided to students and staff if related to a student protection allegation or concern, for example pastoral care and/or counselling services.</li></ul> |
| Employees | <ul style="list-style-type: none"><li>• Be fully conversant with child protection related legislative obligations and provisions, including <i>Working with Children</i> legislation.</li><li>• Be fully conversant with the <i>Student Protection Policy and Procedures</i> and all related specific school policies.</li><li>• Adhere to this policy and procedures and relevant school procedures e.g. <i>Code of Conduct</i> in all activities and behaviours.</li><li>• Ensure to attend and/or complete relevant training and information sessions as required.</li><li>• Ensure behaviour neither encourages nor supports behaviours in others that undermine the purpose of this policy.</li><li>• Refrain from any behaviour which is inappropriate or could lead to harm of a student.</li><li>• At all times during the course of employment, practice safe behaviours.</li></ul>   |



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|                         |  |
|-------------------------|--|
|                         | <ul style="list-style-type: none"><li>• When becoming aware of or reasonably suspecting sexual abuse or likely sexual abuse of a student (relevant person EGPA) by any person, immediately prepare a written report (<i>Record of Concern Form</i>).</li><li>• If they are a '<b>relevant person</b>' under the provisions of the CPA immediately provide a written report (<i>Record of Concern Form</i>) of a 'reportable suspicion' of harm of a student to the Child Safety Services. This may be done via the Principal.</li><li>• If the alleged harm relates to the Principal, a Record of Concern Form is to be completed and provided to the Chairman of the School Board or the nominated delegate.</li><li>• As a '<b>relevant person</b>' only confer with a colleague (working within the same entity) to assist in the forming of a 'reportable suspicion'.</li><li>• Report to the Principal or a Head of School all reasonable suspicion/s, information or allegations of significant harm (other than sexual abuse by any person) or non-significant harm of a student. If they are an SPO and another employee makes them aware of concerns as outlined above they are to report as soon as practicable to the Principal for consideration (<i>Record of Concern Form</i>).</li><li>• Report all concerns of inappropriate behaviour of any person towards a student, to the Principal.</li><li>• Protect the identity of the notifier (i.e. staff member submitting the record of harm) unless that person consents otherwise.</li><li>• Maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.</li></ul> |
| Volunteers and Visitors | <ul style="list-style-type: none"><li>• Acknowledge understanding of the <i>Student Protection Policy</i> and reporting requirements relating to their position in the school prior to commencing any role within the school .</li><li>• Ensure behaviour neither encourages nor supports behaviours in others that undermine the purpose of this procedure.</li><li>• Refrain from any behaviour which is inappropriate or could lead to harm of a student.</li><li>• At all times during the course of their voluntary role or visit to the school, practice safe behaviours.</li></ul>  |



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|          |   |
|----------|---|
|          | <ul style="list-style-type: none"><li>• Understand that school staff have certain reporting obligations by virtue of legislation and policy to report all suspicions, information or allegations of sexual abuse, risk of sexual abuse and likely sexual abuse and other forms of harm and inappropriate behaviour of/to a student/s.</li><li>• Immediately report to either their supervising staff member, Head of School or to the Principal all suspicions or concerns they may have or have formed about any form of harm of a student.</li><li>• Maintain strict confidentiality of all allegations of harm or inappropriate behaviour in accordance with relevant legislation.</li></ul> |
| Students | <ul style="list-style-type: none"><li>• Seek assistance, advice and/or support, if concerned for their safety or the safety of others, from an SPO, Head of School, or the school Principal.</li><li>• Consider the rights and safety of others. This includes:<ul style="list-style-type: none"><li>○ respect for peers.</li><li>○ respect for all school staff, volunteers and visitors.</li><li>○ respect for safe practices including the following of reasonable directions and practices.</li></ul></li><li>• Students are not to be prevented from discussing any concern of this nature with any school staff member or person they identify as a trusted adult.</li></ul>              |



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### 7. ABBREVIATIONS

|                       |   |
|-----------------------|---|
| CC                    | <i>Criminal Code Act</i>  |
| Child Safety          | Department of Of Child Safety, Youth and Women  |
| CPA                   | <i>Child Protection Act</i>   |
| CPG                   | Child Protection Guide  |
| CPIU                  | Child Protection Investigation Unit   |
| CPSO                  | Child Protection Support Officer, Anglican Church Southern Queensland   |
| EGPA                  | <i>Education (General Provisions) Act</i>   |
| EGPA Reg              | <i>Education (General Provisions) Regulation</i>  |
| E(ANSS)               | <i>Education (Accreditation of Non-State Schools) Act</i>   |
| E(ANSS) Reg           | <i>Education (Accreditation of Non-State Schools) Regulation</i>  |
| FaCC                  | Family and Child Connect  |
| PSBA                  | Public Safety Business Agency   |
| EQCoT                 | <i>Education (Queensland College of Teachers) Act</i>   |
| QPS                   | Queensland Police Service   |
| SPO                   | Student Protection Officer  |
| Working with Children | <i>Working with Children (Risk Management and Screening) Act</i><br><i>Working with Children (Risk Management and Screening) Regulation</i> |



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## 8. DEFINITIONS AND KEY TERMS

**Allegation:** means information or an assertion which is still to be proved.

**Assault:** (s.245 CC) defined as:

‘Any person who strikes, touches or moves, or otherwise applies force of any kind to, the person of another, either directly or indirectly without the other person’s consent, or with the other person’s consent if the consent is obtained by fraud, or who by any bodily act or gesture attempts or threatens to apply force of any kind to the person of another without the other person’s consent, under such circumstances that the person making the attempt or threat has actually or apparently a present ability to effect the person’s purpose, is said to assault that other person, and the act is called an assault.’

**Child:** (s.8 CPA) means an individual under 18 years.

**Child exploitation material:** (s.207A CC) means material that, in a way likely to cause offence to a reasonable adult, describes or depicts a person, or a representation of a person, who is, or apparently is, a child under 16 years—

- (a) in a sexual context, including for example, engaging in a sexual activity; or
- (b) in an offensive or demeaning context; or
- (c) being subjected to abuse, cruelty or torture.

**Child in need of protection:** (s.10 CPA) is a child 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.

**Child Protection Guide (Qld):** An online tool to support professionals in making decisions about where to refer or report their concerns. This tool is provided by *the Department of Child Safety, Youth and Women*.

**Colleague:** (s.13H (2) CPA) means a person working in or for the same entity as the ‘relevant person’ (as defined in the CPA).

**Director:** (s.364 EGPA) for Part 10 Reporting of Sexual Abuse - the director of a non-State school’s governing body, means a director of the governing body within the meaning of the Education (Accreditation of Non-State Schools) Act 2017 s9.

**Director:** (s.9 E(ANSS)): A director, of a school’s governing body, is—

- (a) if the governing body is a company under the Corporations Act—a person appointed as a director of the governing body; or
- (b) if the governing body is a RECI Act corporation—
  - i. a declared director of the governing body; and
  - ii. if all declared directors of the governing body, for the time being, nominate a person as a director of the governing body—the person; or
- (c) otherwise—a person who is, or is a member of, the executive or management entity, by whatever name called, of the governing body.

**Employees:** means office holders and staff members who work in a paid [full time/part time/casual] or voluntary capacity in the school.

**Employing authority** (Sch 3 EQCoT), for a school, means the person or entity responsible for the appointment of teachers to the educational staff of the school.





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**First person:** (ss.366 – 366A EGPA) means the staff member of a non-State school who becomes aware or reasonably suspects in the course of their employment at the school, that any of the following has been sexually abused by another person-

- a) a student under 18 years attending the school;
- b) a kindergarten age child registered in a kindergarten learning program at the school;
- c) a person with a disability who -
  - i. under section 420(2), is being provided with special education at the school; and
  - ii. is not enrolled in the preparatory year at the school.

**Harm:** (s.9 CPA)

- (1) **Harm** to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
- (2) It is immaterial how the harm is caused.
- (3) Harm can be caused by—
  - (a) physical, psychological or emotional abuse or neglect; or
  - (b) sexual abuse or exploitation.
- (4) Harm can be caused by—
  - (a) a single act, omission or circumstance; or
  - (b) a series or combination of acts, omissions or circumstances.

**Inappropriate behaviour:** means any behaviour of an employee of the school including words, towards a student, regardless of age, which is inconsistent with the relevant Professional Standards, Code of Conduct and policies of the school and is considered to be 'inappropriate behaviour' by the person making the complaint.

**Investigate:** means carrying out a systematic or formal inquiry into a student protection matter, including interviewing relevant persons; examining the facts of a student protection report; or making a determination about whether a child is in need of protection.

**Natural Justice:** The principles of natural justice will apply to all decisions made under this policy and procedures document. As the consequences of any decision (that is, the effect/s on a person's rights, interests or legitimate expectations) for any individual become more severe, so the importance of demonstrably acting fairly increases. The fundamental principles of natural justice are:

- the right to be given a fair hearing and the opportunity to present one's case;
- the right to have a decision made by an unbiased decision-maker; and
- the right to have that decision based on logically probative evidence.

**Parent:** (s.10 EGPA)

- (1) A **parent**, of a child, is any of the following persons—
  - (a) the child's mother;
  - (b) the child's father;
  - (c) a person who exercises parental responsibility for the child.
- (2) However, a person standing in the place of a parent of a child on a temporary basis is not a parent of the child.
- (3) A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child.



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- (4) A parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a parent of the child.
- (5) Despite subsections (1), (3) and (4), if—
- (a) a person is granted guardianship of a child under the Child Protection Act 1999; or
  - (b) a person otherwise exercises parental responsibility for a child under a decision or order of a federal court or a court of a State;
- then a reference in this Act to a parent of a child is a reference only to a person mentioned in paragraph (a) or (b).

**Parent able and willing to protect the child from harm:** means a person may reasonably suspect that a parent is able and willing to protect their child from harm when the person believes the parent has both the ability and the willingness to ensure the safety, wellbeing and best interests of the child. The parent's ability and willingness may be evident in their statements and direct or indirect actions.

**Prescribed entity:** (s.159M CPA) - For non-state schools the prescribed entity is the principal of that school.

**Privacy:** Privacy legislation applies to records generated under this Policy and under the Diocesan Protocol for Dealing with Complaints of Sexual Harassment, Assault or Sexually Inappropriate Behaviour. The complainant, the alleged victim and the alleged perpetrator may exercise their rights under the Diocesan Privacy Policy. Proper notice under the Privacy Act 1988 (Cth) must be given before collecting personal information.

**Reasonably suspects:** (Sch. 3 Dictionary CPA) - Suspects on grounds that are reasonable in the circumstances.

**Reasonable suspicion:** (s.13C CPA)

A reasonable suspicion is a suspicion about whether a child has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm may be considered by:

- a) whether there are detrimental effects on the child's body or the child's psychological or emotional state –
  - i. that are evident to the person; or
  - ii. that the person considers are likely to become evident in the future; and
- b) in relation to any detrimental effects mentioned in paragraph (a) –
  - i. their nature and severity; and
  - ii. the likelihood that they will continue; and
- c) the child's age

The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.

**Registered nurse:** (Sch. 3 Dictionary CPA).

A person registered under the Health Practitioner Regulation National Law –

- (a) to practise in the nursing profession, other than as a student; and
- (b) in the registered nurses division of that profession.

**Relevant person:** (s.364 EGPA) – means a person mentioned in s. 366(1) (a) to (c) or s. 366A (1) (a) to (c). As provided below–



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- (a) a student under 18 years attending the school;
- (b) a kindergarten age child registered in a kindergarten learning program at the school;
- (c) a person with a disability who—
  - (i) under s. 420(2) is being provided with special education at the school; and
  - (ii) is not enrolled in the preparatory at the school.

**Relevant person:** (s.13E CPA) – includes a teacher, a registered nurse and an early childhood education and care professional.

**Relevant State Authority:** means– Queensland Police Service or the Department of Communities, Child Safety and Disability Services.

**Reportable suspicion:** (s.13E (2) CPA) means – 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.

**School:** The Cathedral School of St Anne & St James

**School:** (Sch. 3 Dictionary CPA) means –

- (a) a State school under the *Education (General Provisions) Act 2006*; or
- (b) an accredited school under the *Education (Accreditation of Non-State Schools) Act 2017*.

**Self-harm:** means harm that requires immediate medical or psychological intervention. Self-harm includes self-inflicted injuries, OR other self-inflicted physical or psychological damage.

**Sexual abuse:** (s.364 of the EGPA)

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.

**Significant harm:** (s.13C CPA) - Whether a child has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm may be considered by:

- a) whether there are detrimental effects on the child's body or the child's psychological or emotional state –
  - i. that are evident to the person; or
  - ii. that the person considers are likely to become evident in the future; and
- b) in relation to any detrimental effects mentioned in paragraph (a) –
  - i. their nature and severity; and
  - ii. the likelihood that they will continue; and
- c) the child's age.

The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.



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**Student:** means for the purposes of this document a person enrolled in a school and is under 18 years of age. A person of this nature is considered to be a 'child' under the provisions of the *Child Protection Act 1999*. A student over the age of 18 years is considered to be an adult person and will be referred to in this policy as an 'adult student'.

**Student Protection Officer:** means a person within a school designated by the Principal as a contact person to whom students may refer or report if they have concerns for their or another student's safety, or to make a complaint of sexual abuse, likely sexual abuse, harm or risk of harm or inappropriate behaviour of a staff member. This in part is a requirement under s.10 E (ANSS) Reg.

**Suitability Notice:** a notice issued by the PSBA under the *Working with Children (Risk Management and Screening) Act 2010* prior to issuing a Blue Card (BC).

**Teacher:** (Sch. 3 Dictionary CPA) means - **an** approved teacher under the *Education (Queensland College of Teachers) Act 2005*, employed at a school.

**Visitor:** any person who visits the school on a one off or regular basis to provide services [paid or unpaid] to the school. This includes contractors, consultants and presenters of one-off programs.

**Volunteer:** means a person involved in 'formal volunteering'. Formal volunteering is an activity which takes place in not for profit organisations or projects and is undertaken:

- to be of benefit to the community and the volunteer;
- of the volunteer's own free will and without coercion;
- for no financial payment; and in designated volunteer positions only



# Student Protection Procedure

## School Governance

## 9. REFERENCES

### External legislation and references

- [Child Protection Act 1999](#)
- [Child Protection Guide](#)
- [Code of Ethics for Teachers in Queensland – Queensland College of Teachers](#)
- [Criminal Code Act 1899](#)
- [Department of Child Safety, Youth and Women](#)
- [Education \(Accreditation of Non-State Schools\) Act 2017](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2017](#)
- [Education \(General Provisions\) Act 2006](#)
- [Education \(General Provisions\) Regulation 2017](#)
- [Education \(Queensland College of Teachers\) Act 2005](#)
- [Family and Child Connect](#)
- [Professional Standards for Queensland Teachers – Queensland College of Teachers](#)
- [Public Safety Business Agency](#)
- [Qld Police – Child Protection](#)
- [Qld Police Service](#)
- [Working with Children \(Risk Management and Screening\) Act 2000](#)
- [Working with Children \(Risk Management and Screening\) Regulation 2011](#)

### Internal References

- [Code of Conduct](#)
- [Complaint Management Procedure](#)
- [Privacy Policy](#)
- [Child and Youth Risk Management Strategy](#)
- [Recruitment and Selection Manual](#)
- [Student Protection in Anglican Schools Policy & Procedure](#)

### Appendices

- Reporting and Referral Process
- [Student Protection Officer Poster](#)
- Student Protection Officer – Role Description

#### School Reporting Forms

- [Record of Concern Form](#)
- [Request for Interview Form](#)
- ERM Checklist

#### Child Safety Reporting Forms

- Online Reporting Form – [Department of Child Safety, Youth and Women](#)
- Online Referral Form – [Family and Child Connect](#)