

Child Protection Policy

Purpose

The purpose of this policy is to provide written processes about –

- (a) how the school will respond to harm, or allegations of harm, to students under 18 years; and
- (b) the appropriate conduct of the school's staff and students

to comply with accreditation requirements.

Scope

Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Highlands Christian College.

Definitions

- **Section 9 of the *Child Protection Act 1999* - "Harm"**, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
 - 1. It is immaterial how the harm is caused.
 - 2. Harm can be caused by—
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
 - 3. Harm can be caused by—
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.
- **Section 10 of the *Child Protection Act 1999* - A "child in need of protection"** is a 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.
- **Section 364 of the *Education (General Provisions) Act 2006* - "Sexual abuse"**, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances—
 - (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
 - (b) the relevant person has less power than the other person;
 - (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

Health and Safety

The school has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

Responding to Reports of Harm

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

Conduct of Staff and Students

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

Reporting Inappropriate Behaviour

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

- Mr Michael Bray, Principal; or
- Mrs Nerida Wallace, Deputy Principal⁴.

Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the principal. Where the principal is the subject of the report of inappropriate behaviour, the staff member must inform a member of the school's governing body⁴. Reports will be dealt with under the school's Complaints Handling Policy.

Reporting Sexual Abuse⁵

Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member becomes aware, or reasonably suspects, in the course of their employment at the 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 aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who:
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(7)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*

² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

- ii. is not enrolled in the preparatory year at the school.

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

The school's principal or the director must immediately give a copy of the report to a police officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the school's principal, the principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to a director of the school's governing body immediately.

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware:
 - i. the student's age;
 - ii. the identity of the person who has abused, or is suspected to have abused, the student;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse⁶.

Reporting Likely Sexual Abuse ⁷

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

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who:
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school.

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

The school's principal or the director must immediately give a copy of the report to a police officer.

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

⁶ *Education (General Provisions) Regulation 2017 (Qld) s.68*

⁷ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware:
 - i. the student's age;
 - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse⁸.

Reporting Physical and Sexual Abuse⁹

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

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

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

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Families, Seniors, Disability Services and Child Safety (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars:

- a) the basis on which the person has formed the reportable suspicion¹⁰;
- b) the child's name, age and sex descriptor;
- c) details of how to contact the child;
- d) details of the harm to which the reportable suspicion relates;
- e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates¹¹.

Business hours contact number for the Child Safety Regional Intake Service, South West (Darling Downs): 1300 683 390

⁸ *Education (General Provisions) Regulation 2017 (Qld) s.69*

⁹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

¹⁰ *Child Protection Act 1999 s.13G (2)(a)*

¹¹ See *Child Protection Regulation 2023 (Qld) s.4 "Information to be included in reports"*

After hours contact number for the Child Safety After Hours Service Centre: 1800 177 135

If unsure who to contact, call the Child Safety Services Enquiries Unit on 1800 811 810 and record the name of the person taking the report, what advice they provided, and any further action required.

Responsibilities under Criminal Code Act 1899 (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

Failure to Report¹²

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

Failure to Protect¹³

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

Awareness

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website¹⁴.

The school will also ensure that all early childhood education and care nominated supervisors and staff members who work with children within the school are advised of:

- a. The existence and application of the current child protection law; and
- b. Any obligations that they may have under that law.

This communication is achieved via staff/volunteer/contractor inductions, Campus newsletters, student assemblies, in enrolment interviews and availability of the documentation from the College intranet and administration.

Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the school

¹² *Criminal Code Act 1899 (Qld) s.229BC*

¹³ *Criminal Code Act 1899 (Qld) s.229BB*

¹⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)*

intranet and will be available on request from the school administration¹⁵.

Training

Highlands will provide induction training for staff, volunteers and contractors in processes relating to the health, safety and conduct of staff, volunteers, contractors and children. Refresher training will be provided regularly for all, and staff will receive refresher training annually¹⁶.

Training is also provided via annual face-to-face engagements for staff and volunteers, with compulsory annual online child protection training for staff.

Implementing the Processes

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually¹⁷.

Complaints Procedure

Suggestions of non-compliance with the school's processes may be submitted as complaints under Highlands Complaints Policy and Procedures¹⁸.

Appendices

Appendix 1 – Child Protection Reporting Form

Appendix 2 – Child Protection Decision Support Tree for Principals

Appendix 3 – Child Protection Decision Support Tree for Teachers

Appendix 4 – Child Protection Decision Support Tree for Non-Teaching College staff

Appendix 5 – Child Protection Decision Support Tree for College Volunteers, Vocational Placements and Work Experience Students

¹⁵ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)

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

¹⁷ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)

¹⁸ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)



Private and Confidential

Report of Suspected Harm or Sexual Abuse

Date:
School:
School Phone:
School Email:
School Address:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:

Legal Name:	Preferred Name:
DOB/Age:	Sex/Sex Descriptor:
Year Level:	Cultural Background:
Primary language spoken:	
Aboriginal ☐ Torres Strait Islander ☐ Aboriginal and Torres Strait Islander ☐	
Does the student have a disability as per NCCD: Yes ☐ No ☐	Disability Category:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS

Parent/caregiver 1:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Parent/caregiver 2:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Is the student in out of home care? Yes ☐ No ☐	
Are there any Family Court or Domestic Violence orders in place? Yes ☐ No ☐ Unknown ☐	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE

☐ Adult family member	☐ Child family member	☐ Other adult
☐ Student/other child	☐ Unknown	

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).

Details of any harm and/or sexual abuse to the student – please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.

Please indicate the identity and particulars of anyone else who may have information about the harm or abuse

Additional information provided as an attachment YES ☐ NO ☐

Name of staff member making report if not the Principal:

Position:	Signature:	Date:
Principal:	Signature:	Date:

Principal's email address:

Response requested by school:

ACTION TAKEN

Form was given to (please tick which agencies the form was given to and add details below):	☐	Queensland Police Services (QPS)
	☐	Department of Families, Seniors, Disability Services and Child Safety
	☐	Family and Child Connect

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

Confirm receipt of received form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.

I am the Principal or Board Director of a school.



Child Protection Decision Tree

FOR PRINCIPALS
AND BOARD
DIRECTORS

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

A child is being sexually abused or is likely to be sexually abused, or is the victim of a child sexual offence.

EGPA s366 & 366A; Criminal Code s229BC

NO

YES

A child is being harmed due to physical, psychological or emotional abuse or neglect, or that a child is likely to be harmed in such a way.
CPA s13A & 13E; and Accreditation Regulation s16



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

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

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

YES

NO

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



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

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

YES

NO



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

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

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

I am a teacher* at a school.



Child Protection Decision Tree FOR TEACHERS

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

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

Complete the school report form

A child is being sexually abused or is likely to be sexually abused or is the victim of a child sexual offence.
EGPA s366 & 366A; Criminal Code s229BC

NO

YES

A child is being harmed due to physical, psychological or emotional abuse or neglect, or a child is likely to be harmed in such a way.
CPA s13E; and Accreditation Regulation s16

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

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

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

YES

NO

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

YES

NO

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

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

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

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

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



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

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

Sexual abuse
Physical abuse
Psychological/emotional abuse
Neglect.

Or is the victim of a child sexual offence.
*EGPA s366 & 366A; Criminal Code s229BC;
CPA s13A; and Accreditation Regulation s16*

Complete the school report form



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

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

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

Child Protection Decision Tree

FOR
NON-TEACHING
STAFF

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

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

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I am a volunteer at a school.



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

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

Sexual abuse
Physical abuse
Psychological/emotional abuse
Neglect.

Or is the victim of a child sexual offence.

Complete the school report form



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

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

They will also assess if a report to Child Safety or a referral to a support service is required, as soon as is reasonably practicable.

Child Protection Decision Tree FOR VOLUNTEERS

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