

# Child Protection Policy

*(This policy should be read in conjunction  
with the Child Risk Management Strategy)*

# Child Protection Policy

<b>Purpose:</b>	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 of age; and (b) the appropriate conduct of the school's staff and students.	
<b>Scope (policy applies to):</b>	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Silver Lining Foundation Australia (SLFA). The policy covers information about the reporting of harm and abuse to students under 18 years of age.	
<b>Accreditation and Governance Requirements of the school:</b>	To attain and maintain accreditation, a school must implement written student welfare processes about the appropriate conduct of staff and students, how a student or person can submit a report of harm or inappropriate conduct by a staff member and how a school will respond to harm or allegations of harm to students. Processes for reporting must comply with sections 366 and 366A of the <a href="#">Education (General Provisions) Act 2006 (Qld)</a> and section 13E of the <a href="#">Child Protection Act 1999 (Qld)</a> . <sup>1</sup>  The Child Protection Policy is a <u>mandatory</u> policy required for school accreditation and legal purposes. Mandatory policies are those that the board is responsible for overseeing as part of their governance responsibilities; the policy should be reviewed annually.	
<b>Status:</b>	Approved.	<b>Supersedes:</b> Version 1 from July 2018
<b>Authorised by:</b>	School Governing Body	<b>Date of Authorisation:</b> September 2019
<b>References and Related Policies:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Child Protection Act 1999 (Qld)</a></li> <li>• <a href="#">Child Protection Regulation 2011 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Act 2006 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Act 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education (Queensland College of Teachers) Act 2005 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Act 2000 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</a></li> <li>• Complaints Handling Policy (and Procedure)</li> <li>• Child Risk Management Strategy (SLFA policy) (for the <i>Working with Children (Risk Management and Screening) Act 2000</i>)</li> <li>• Queensland College of Teachers ('QCT') <a href="#">Professional Boundaries: A Guideline for Queensland Teachers</a></li> <li>• QCT <a href="#">Code of Ethics for Teachers in Queensland</a></li> <li>• WHS Policy (for the <a href="#">Work Health and Safety Act 2011 (Qld)</a>)</li> </ul>	
<b>Review Date:</b>	Annually (or more often if required or in response to legislative changes).	<b>Next Review Date:</b> April 2022
<b>Policy Owner:</b>	SLFA School Governing Body (the Board of Directors).	

<sup>1</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) reg 16.

## Policy Review Records

Version Number	Date of Authorisation	Next Review Date	Date Reviewed	Review Outcome
1	July 2018	July 2019	September 2019	Policy modified in consideration of pending Blue Card laws in 2020. New Version 2 implemented.
2	September 2019	September 2020	April 2021	Legislative amendments incorporated into policy - <a href="#"><i>Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</i></a>
3	April 2021	April 2022		

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## Definitions

### Section 9 of the Child Protection Act 1999 (Qld) – What is ***harm***:

- (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.

### ■ Section 10 of the Child Protection Act 1999 (Qld) – Who is a ***child in need of protection***:

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 (Qld) – Definitions for the reporting of sexual abuse-

- ⇒ ***Sexual abuse***, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances –
- the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
  - the relevant person has less power than the other person;
  - there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.
- ⇒ ***Relevant Person*** – see below at 'Reporting Sexual Abuse' and 'Reporting Likely Sexual Abuse' as to who is a relevant person.

## Policy Statement

SLFA seeks to create a positive and supportive environment where staff, students, parents and carers are encouraged and feel they are able to raise concerns and make reports under this policy. The immediate and future wellbeing and welfare of children and young people must be the forefront for all concerns, enquiries and reports of harm. The policy does not intend to create a culture of suspicion or endorse the making of vexatious complaints.

SLFA is dedicated to educating staff, students, parents and carers and ensuring that school policies are appropriately and practically implemented. SLFA will ensure this policy and its procedures are reviewed on a regular basis to ensure that SLFA effectively addresses and endorses the safety and wellbeing of students.

## 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'<sup>2</sup> to a student (other than harm arising from physical or sexual abuse which must be reported immediately to Child Safety and/or police), 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 how school staff must manage harm, or allegations of harm, including physical or sexual abuse matters, is set out under this policy under 'Obligation to Report Sexual Abuse', 'Obligation to Report Likely Sexual Abuse' and 'Mandatory Reporting of a Reportable Suspicion'.<sup>3</sup>

## Conduct of Staff and Students

All staff, contractors and volunteers (which also includes people undertaking work experience or vocational placement at the school) must ensure that their behaviour towards and relationships with students reflect proper standards of care for students and must not be unlawful. Staff, contractors and volunteers must not cause harm to students.<sup>4</sup>

All staff, contractors and volunteers must not engage in physical or emotional abuse or engage in sexual conduct of any nature with a student. It is irrelevant whether the conduct is consensual or non-consensual, or whether the conduct is condoned by parents or carers. The age of the student is also irrelevant.

SLFA's *Code of Conduct (Staff)* sets out principles to be observed by all school staff (including volunteers). The Queensland College of Teachers (QCT) [\*Professional Boundaries: A Guideline for Queensland Teachers\*](#) document and the QCT [\*Code of Ethics for Teachers in Queensland\*](#) outlines the professional conduct and behaviour required of approved teachers in Queensland.<sup>5</sup> However, these QCT guidelines and ethics can be used to inform and guide *all school staff* (including those who are not registered teachers), about appropriate teacher-student relationships.

Failure of staff to behave in an appropriate manner towards students may result in criminal proceedings and/or disciplinary action, including dismissal.

## Reporting of Inappropriate Behaviour

If a student considers the behaviour of a staff member, contractor, volunteer or another person to be inappropriate, the student should report the behaviour to the –

- School Principal – Jay Jordan; or
- A staff member who is an Indigenous Elder; or
- Another senior staff member<sup>6</sup> - Kristian Wale or Catrina Moller.

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<sup>2</sup> *Child Protection Act 1999* (Qld) s 9 ('CPA'); *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) reg 16(7) ('EANSR').

<sup>3</sup> EANSR reg 16(1), (2).

<sup>4</sup> EANSR reg 16(1)(b).

<sup>5</sup> <http://www.qct.edu.au/standards-and-conduct/code-of-ethics>

<sup>6</sup> EANSR regs 16(2)(a) and 16(3).

## How the School will Deal with a Report of Inappropriate Behaviour

A staff member, volunteer or contractor 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 body (i.e. the board of directors) by emailing the board chair at [chairman@silverlining.org.au](mailto:chairman@silverlining.org.au)<sup>7</sup>

## Obligation to Report Sexual Abuse

**Section 366** of the *Education (General Provisions) Act 2006* (Qld) states that if a staff member of a non-State school (the *first person*) **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* (Qld) is being provided with special education at the school; and
  - (ii) is not enrolled in the preparatory year at the school,

then the staff member must give a written report about the abuse, or suspected abuse, to the school Principal or to a Director of the school's governing body immediately.<sup>8</sup>

The school's Principal or the Director of the school's governing body must *immediately* give a copy of a report they receive, to a Police Officer.<sup>9</sup>

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.<sup>10</sup>

The Principal should email the report to the board chair at [chairman@silverlining.org.au](mailto:chairman@silverlining.org.au).

A report under this section about sexual abuse must include the following details:

- a) the name of the person giving the report (the *first person*);
- b) the student's name and sex/gender;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware: -
  - (i) the student's age;
  - (ii) the identity of the person who has abused, or is suspected to have abused, the student;
  - (iii) the identity of anyone else who may have information about the abuse or suspected abuse.<sup>11</sup>

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<sup>7</sup> EANSSR reg 16(1)(a), (2)(b).

<sup>8</sup> *Education (General Provisions) Act 2006* (Qld) s 366(1)–(2) ('EGPA').

<sup>9</sup> EGPA s 366(4).

<sup>10</sup> EGPA s 366(2A)–(2B).

<sup>11</sup> EGPA s 366(2)(b), (2A)(b), (3); *Education (General Provisions) Regulation 2017* (Qld) reg 68(a)–(e) ('EGPR'); EANSSR reg 16(2)(c)(i).

## Obligation to Report *Likely Sexual Abuse*

**Section 366A** of the *Education (General Provisions) Act 2006* (Qld) states that if a staff member of a non-State school (the *first person*) **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* (Qld) 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 their suspicion to the school Principal or to a Director of the school's governing body immediately.<sup>12</sup>

The school's Principal or the Director of the school's governing body must immediately give a copy of a report they receive, to a Police Officer.<sup>13</sup>

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.<sup>14</sup> The Principal should email the report to the board chair at [chairman@silverlining.org.au](mailto:chairman@silverlining.org.au).

A report under this section, about *likely* sexual abuse, must include the following details:

- a) the name of the person giving the report (the *first person*);
- b) the student's name and sex/gender;
- 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 abuse.<sup>15</sup>

## Mandatory Reporting by a 'Relevant Person' of a 'Reportable Suspicion' of Physical or Sexual Abuse<sup>16</sup>

Under **Section 13E (3)** of the *Child Protection Act 1999* (Qld), if a doctor, a registered nurse, a teacher or an early education and care professional and other '**relevant persons**' listed under section 13E(1) of the *Child Protection Act*<sup>17</sup> forms a '**reportable suspicion**' about a child in the course of their engagement in their profession, they must make a written report.<sup>18</sup>

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

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<sup>12</sup> EGPA s 366A(1)–(2).

<sup>13</sup> EGPA s 366A(6).

<sup>14</sup> EGPA s 366A(3)(a), (4).

<sup>15</sup> EGPR reg 69(a)–(d); EGPA s 366A(2)(b), (3)(b), (5); EANSSR reg 16(2)(c)(ii).

<sup>16</sup> EANSSR reg 16 (2)(d); CPA s 13E.

<sup>17</sup> CPA s 13E(1).

<sup>18</sup> CPA s 13E(3).

- b) may not have a parent able and willing to protect the child from the harm.<sup>19</sup>

The relevant person (i.e. a registered school teacher) must give a written report to the Chief Executive of the [Department of Children, Youth Justice and Multicultural Affairs](#) (aka 'Child Safety Services').<sup>20</sup> (Note: a report may also be provided to another department administering the *Child Protection Act 1999*). A copy of the report must also be given to the school Principal.

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

- a) the student's name and sex/gender;
- b) the student's age;
- c) details of how to contact the student;
- d) details of the harm to which the reportable suspicion relates;
- e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering the harm to which the reportable suspicion relates;
- f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.<sup>21</sup>

## Types and Examples of Abuse

(Note! The following is not an exhaustive list of examples. The Department of Children, Youth Justice and Multicultural Affairs provides a more comprehensive list of examples and relevant information in their booklet '[Child Abuse: What you need to know](#)'.<sup>22</sup>

### Physical Abuse

Examples of physical abuse include hitting, shaking, throwing, burning, biting, poisoning, drowning, using a weapon to inflict punishment. Physical abuse does not always leave visible marks or injuries. It is not how bad the mark or injury is, but rather the act itself that causes the injury or trauma to the child.

### Neglect

Neglect occurs when a child's basic necessities of life are not met, and their health and development are affected. Examples of neglect include providing unhygienic or unsafe housing, failing to seek medical treatment when required, insufficient supervision, providing insufficient food, clothing or bedding. It can also include failing to act protectively in response to another person's actions (e.g. allowing a convicted child sex offender to have unsupervised contact with the child).

### Sexual Abuse

Sexual abuse can be physical, verbal or emotional in nature. It can include non-contact and contact activities. Examples include kissing, holding or otherwise touching a child in a sexual manner, exposing a sexual body part to a child, having sexual relations with a child under 16 years of age, using sexually explicit language which is not age or developmentally appropriate when communicating with a child, penetration of the vagina or anus by penis, finger or any other object, oral sex, rape, incest, having a child pose or perform in a sexual manner, forcing a child to watch a sexual act or pornographic material

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<sup>19</sup> CPA s 13E(2).

<sup>20</sup> CPA s 13E(3), 13G; <https://www.csyw.qld.gov.au/childsafety/child-safety-practice-manual/introduction/department-child-safety-youth-women>

<sup>21</sup> CPA s 13G(2); *Child Protection Regulation 2011* (Qld) reg 10(a)–(f) ('CPR').

<sup>22</sup> <https://secure.communities.qld.gov.au/cbir/PrescribedEntityChildSafetyReport>; <https://www.csyw.qld.gov.au/child-family/protecting-children/resources-publications> (as at 16 April 2021)

or child prostitution. Sexual abuse may also be suspected based on a child displaying sexualised behaviour which is considered outside the range of age-appropriate sexualised behaviours.

### ***Emotional/Psychological Abuse***

Examples of emotional/psychological abuse include rejection, hostility, and teasing/bullying, yelling criticism, exposure to domestic and family violence. Emotional abuse occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened.

### **Signs of Harm or Risk of Harm**

Harm can be physical, emotional and/or psychological. Examples of harm that can have a detrimental effect of a significant nature on a child's physical, psychological or emotional wellbeing may include internal injuries, burns or welts, fractures or broken bones, death, learning and developmental delays, neurological changes in a developing brain, fear, anxiety, depression, suicidal ideations, hyper vigilance, and disorganised attachment. Significant harm can also be in consequence of a pattern of harmful events and experiences that may have occurred in the past or are ongoing. When this occurs, it is considered to be cumulative harm.

There are some presenting behaviours or appearance concerns which may be linked to abuse. Examples include: showing wariness and distrust, rocking, sucking or biting, bedwetting or soiling, demanding or aggressive behaviour, sleeping difficulties including often being tired and falling asleep, withdrawing from normal activities, low self-esteem, self-harming, suicidal thoughts and attempts, having unexplained bruising, being vague about an injury, being overly obedient, being reluctant or fearful to go home, creating stories, poems or artwork about abuse, begging, stealing, hoarding, having matted hair, dirty skin, strong body odour, frequent illness, infections or sores and presenting as underweight or malnourished.<sup>23</sup>

### **Bullying, Discrimination and Sexual Harassment**

SLFA has a responsibility to take reasonable steps to promote a learning environment for students that is free from bullying, discrimination and sexual harassment. Concerns relating to these matters are addressed under each relevant policy and procedure:

- *Bullying Policy*
- *Behaviour Management Policy*
- *Disability Discrimination Policy*
- *Anti-Discrimination Policy*
- *Sexual Harassment Policy*
- *Staff Code of Conduct*

However, SLFA recognises that bullying, discrimination and sexual harassment may amount to 'harm' to a student, therefore if harm is reasonably suspected, it **must be managed**, without exception, **in accordance with the school's *Child Protection Policy*** and the procedures for reporting harm. Likewise, if sexual abuse or likely sexual abuse is reasonably suspected, it must be managed without exception in accordance with the school's *Child Protection Policy*.

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<sup>23</sup> <https://secure.communities.qld.gov.au/cbir/PrescribedEntityChildSafetyReport>

## Support

The School has a responsibility to offer a supportive environment for all students. The School will seek to provide appropriate support to a student who has been harmed or is at risk of harm or has been the subject of inappropriate behaviour. Appropriate support will also be provided to the student's parents / carers.

## Confidentiality

Each person who has access to information covered by this policy must observe appropriate confidentiality. The School is unable to guarantee absolute confidentiality as it is bound by certain legislative requirements and other school policies to disclose, internally and externally, certain details involved in responding to complaints. External authorities such as the Police and Child Safety Services can compel a person to provide information and give evidence about actions taken under this policy and produce any relevant documents.

## Policy Awareness

The School will inform staff, students and parents/carers of its processes relating to the health, safety, child protection and conduct of staff and students in communications to them through avenues such as staff inductions, ongoing training, regular discussions with students and publication of policy and processes on the school website – <http://www.silverlining.org.au/>.<sup>24</sup> A copy of this policy and the *Child Risk Management Strategy* will be provided to new staff and volunteers on induction. Reference to the *Child Protection Policy* will be made regularly in staff meetings.

## Training

The School will train staff in processes relating to the health, safety, child protection and conduct of staff and students on their induction and will refresh training annually.<sup>25</sup> Furthermore, staff will regularly discuss child protection policy and procedures at staff meetings and records of staff participation will be kept.

## Liability and Defamation Protection

A person acting reasonably, honestly and in good faith by providing information to a person (such as the School Principal, relevant school staff, SLFA Board Directors, Child Safety Services or Police) who needs to know that information for the purposes of this policy and other legal obligations under the *Child Protection Act 1999* (Qld) is generally excused from liability for defamation and liability for providing information.<sup>26</sup>

## Implementing the Child Protection Policy

The School will ensure it is implementing processes relating to the health, safety, child protection and conduct of staff and students by reviewing compliance with the processes annually.<sup>27</sup>

## Accessibility of Processes

Processes relating to the health, safety, child protection and conduct of staff and students are accessible from the School office and staff room (in a policy folder), company's IT server, the Principal

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<sup>24</sup> EANSSR reg 16(4)(a).

<sup>25</sup> EANSSR reg 16(4)(c).

<sup>26</sup> CPA ss 245W, 159Q, 159R.

<sup>27</sup> EANSSR reg 16(4)(d).

and the SFLA website - <http://www.silverlining.org.au/>.<sup>28</sup>

## Record Keeping

The School will maintain confidential records of all matters raised and dealt with under this policy. The School's *Privacy Policy* sets out how the School manages personal information provided to or collected by the School as required under the *Privacy Act 1988* (Cth).

## Insurer

The SLFA will keep its insurer informed about circumstances which may give rise to a claim under its insurance policies.

## Complaints Procedure

Suggestions of non-compliance with the school's processes in relation to the management of child protection matters which are dealt with under the *Child Protection Policy*, may be submitted as a complaint under the School's *Complaints Handling Policy*.<sup>29</sup>

## Guides for Decision Making and a Summary of Reporting Harm

**Flowcharts** - The following *Flowcharts* ('decision-making trees') can be used to assist with the decision-making process for reporting. Staff should refer to the flowchart applicable to their role.

**Summary for Reporting** - The *Summary for Reporting* document summarises the who, what, when, how, why to report.

**Guides** - The Queensland Government's Department of Children, Youth Justice and Multicultural Affairs provides the [Child protection guide](#), a web-based decision support tool that can assist professionals to report concerns to the appropriate statutory agency or refer children and their families to a family support service. A detailed procedure, cultural notes and glossary is contained in the [Child protection guide procedures manual](#).<sup>30</sup>

School staff with a concern about the welfare of a student that **does not meet the threshold required to report to Department of Children, Youth Justice and Multicultural Affairs** may contact **Family and Child Connect (FaCC)** to facilitate a referral of the family to an external agency for assistance. This is also the case if it is considered that a child is *likely* to become in need of protection and if the School considers preventative support should be provided to the child or the child's family.

Staff should ask the School Principal if they are unsure which 'decision-making tree' applies to them or discuss any other concerns or questions they may have about reporting and child protection except in cases where the concern relates to the Principal, in which case they should speak with the School's governing body.

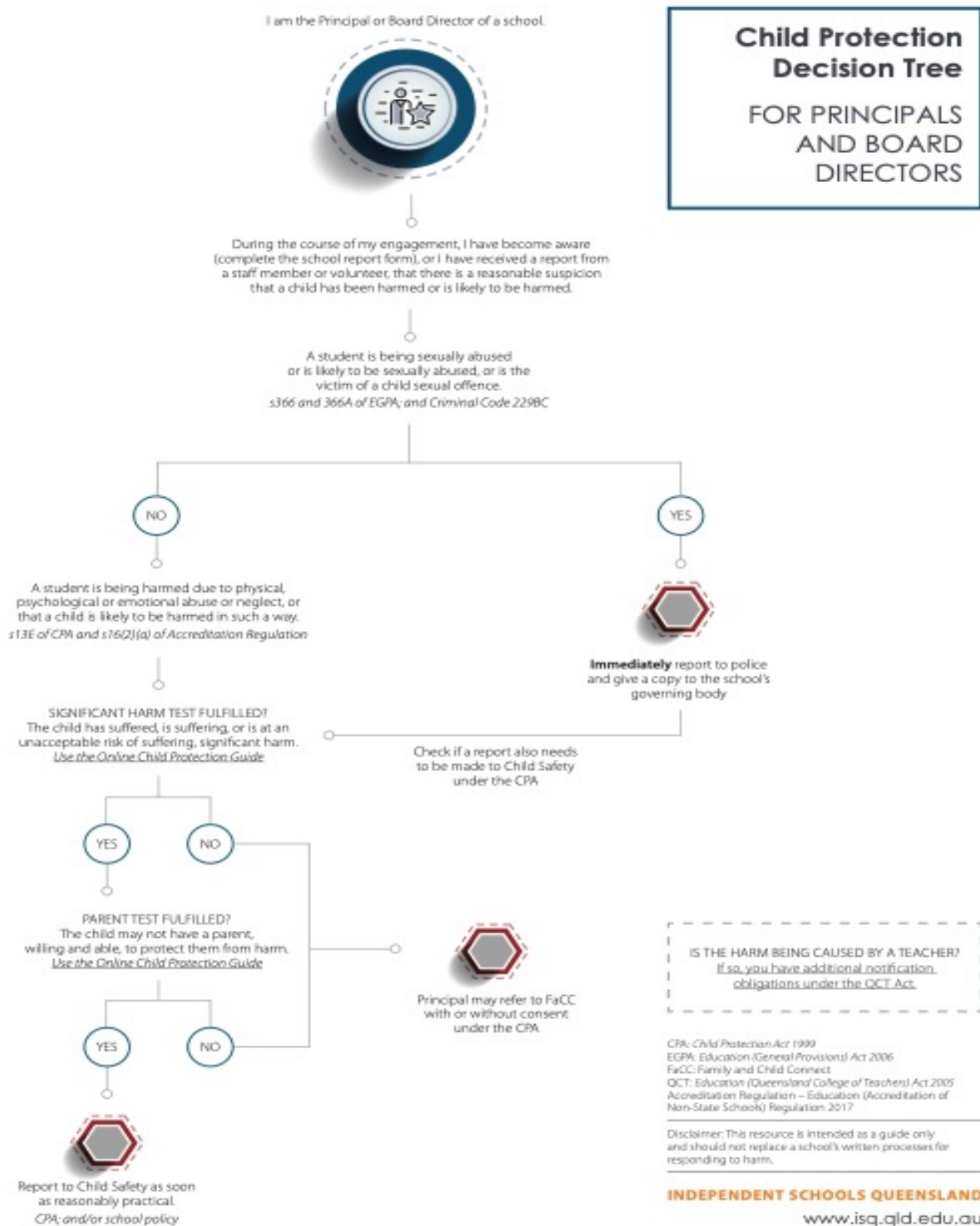
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<sup>28</sup> EANSSR reg 16(4)(b).

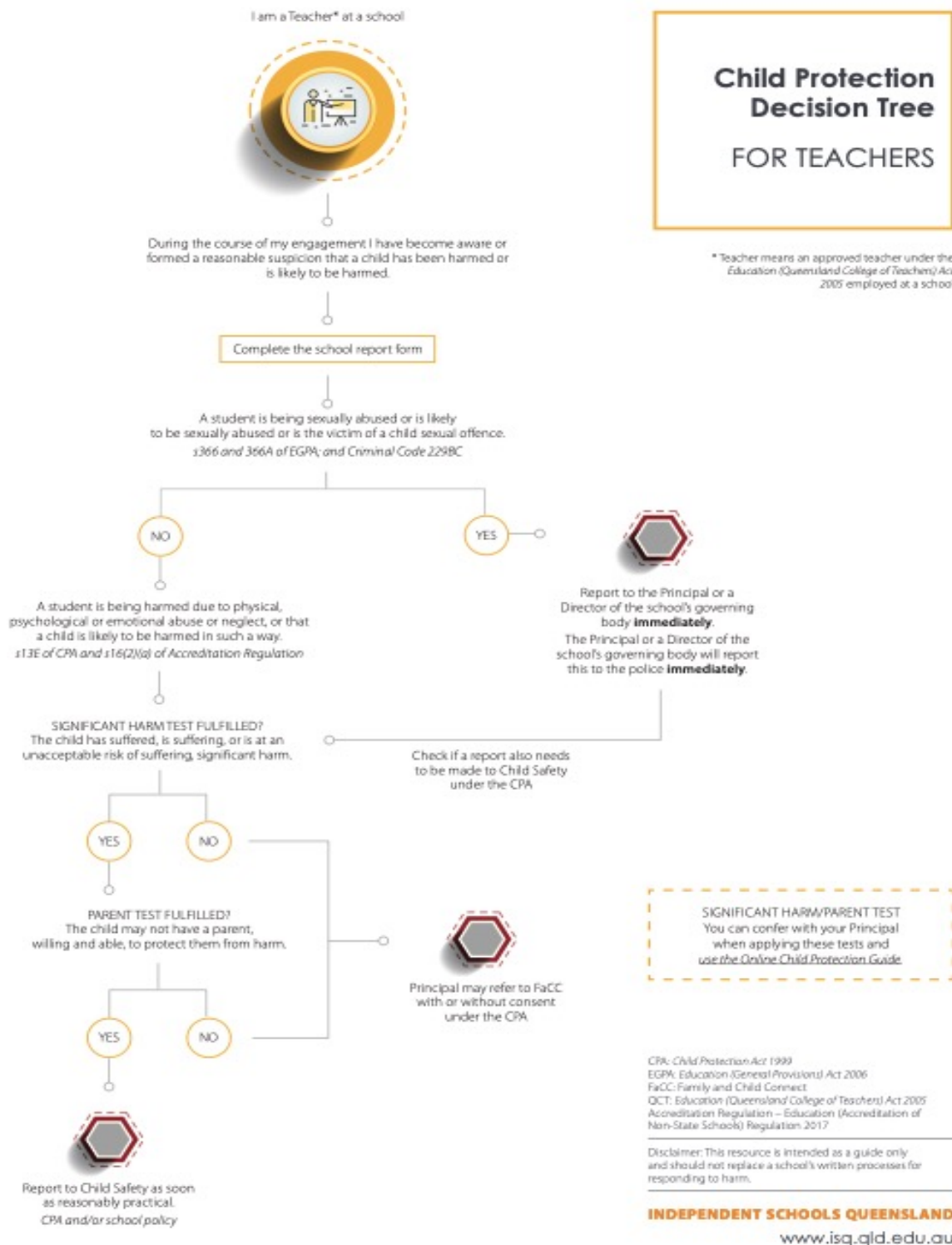
<sup>29</sup> EANSSR regs 16(5), 16(6).

<sup>30</sup> <https://www.csyw.qld.gov.au/about-us/partners/child-family/our-government-partners/queensland-child-protection-guide>

## Child Protection Decision Support Tree for Principals



## Child Protection Decision Support Tree for Teachers



## Child Protection Decision Support Tree for Non-Teaching Staff

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.  
s366 and 366A of EGPA; Criminal Code 2298Cs;  
13E of CPA, and s16(2)(a) of Accreditation Regulation

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

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

**INDEPENDENT SCHOOLS QUEENSLAND**  
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## Summary of Reporting Harm

Who	Abuse / Harm Type	Test for deciding whether to report	If test is satisfied, report to:	Legislation
<b>All staff</b>	Sexual	Awareness or a reasonable suspicion that child has been sexually abused or is likely to be sexually abused	Principal; who must then report it to Police (and School's Governing Body)	<i>EGPA</i> , sections 366 and 366A
<b>Teachers</b>	Sexual and physical	Suffered, suffering or at unacceptable risk of suffering significant harm; and a parent may not be willing and able to report to Child Safety	Confer with Principal; Teacher then reports to Child Safety	<i>CPA</i> , sections 13E, 13G, 13H
<b>All staff</b>	Physical, psychological, emotional abuse, neglect, exploitation	Suffered, suffering or at unacceptable risk of suffering significant harm; <u>and</u> a Parent may not be willing and able to report to Child Safety	Principal, who will then report to Child Safety	<i>Education (Accreditation of Non-State Schools) Regulation</i> , section 16(2)(a)
<b>All staff</b>	Any type of harm / abuse (e.g. as stated above)	Abuse/harm is not of a level that is otherwise reportable to Child Safety, refer to the relevant agency <i>with</i> consent	Principal, who will then contact Family and Child Connect (FaCC)	<i>CPA</i> , sections 13B(2), (3) and 159M - 'prescribed entity': (e)
<b>Principal</b>		Abuse/harm not of a level that is otherwise reportable to Child Safety, refer to the relevant agency <i>without</i> consent	Family and Child Connect (FaCC)	<i>CPA</i> , sections 13B(2), (3) and 159M - 'prescribed entity': (e)
<b>Any member of the public</b>		Suffered, suffering or at unacceptable risk of suffering significant harm; and parent may not be willing and able to report to Child Safety	Child Safety	<i>CPA</i> , section 13A
<b>Any adult*</b>		Adult has reasonable belief and, at the relevant time, the child is or was: under 16 years; or a person with an impairment of the mind.	Adult reports to Police	Criminal Code s 229BC (not yet in force).

\* This obligation is fulfilled if the adult has already reported the information under any of the previous provisions, or believes on reasonable grounds that another person has done or will do so.

# Child Protection Report Form

**Private and Confidential**

## Report of Suspected Harm or Sexual Abuse

(Version 3 April 2021)

Date:	School Phone:
School Name:	
School Email:	
School site address:	

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

Legal Name:	DOB:
Preferred Name:	Sex:
Cultural Background:	Year Level:
Primary language spoken:	
Identifies as: <input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander	
Does student have a disability verified under EAP? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Disability Category:	
Student's Residential Address:	
Student's Phone #:	Student's Personal Mobile #:

## FAMILY DETAILS

**Parent/Caregiver 1**

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

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

Legal Name:

Report Date:

**PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE**

- ☐ Parent/carer      ☐ Adult family member      ☐ Other 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 incident; location of incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and, if the information relates to an unborn child, the alleged risk to the unborn child.

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

Additional information provided as an attachment: YES ☐ NO ☐

**Name of staff member making report**  
(if not the Principal making the report):

<b>Position:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Principal:</b>	<b>Signature:</b>	<b>Date:</b>

**Principal's email address:**

**State the response requested by school (if any):**

**ACTION TAKEN**

<b>Form emailed to:</b> (tick which agencies form was sent to)	<input type="checkbox"/>	<b>Queensland Police Services (QPS)</b> Date: _____ Time: _____ Signature: _____
	<input type="checkbox"/>	<b>Department of Children, Youth Justice and Multicultural Affairs (aka 'Child Safety Services')</b> Date: _____ Time: _____ Signature: _____
	<input type="checkbox"/>	<b>Family and Child Connect</b> Date: _____ Time: _____ Signature: _____

**Confirm receipt of emailed form by checking sent items and contacting whoever form was emailed to, asking them to confirm report was received.** Confirm yes or no that this was done: Yes ☐ No ☐

<b>Record keeping:</b>	Original report and support documents goes to Principal (if allegation is against Principal, give to board Director). Storage - Principal to store report and supporting documents in secure location and restrict access.
	Report received by - <b>Date:</b> _____ <b>Time:</b> _____ <b>Signature:</b> _____

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

## Contact Details for Reporting

**If you believe a child is in immediate danger or a life-threatening situation call Triple Zero (000).**

### Department of Children, Youth Justice and Multicultural Affairs ('aka Child Safety Services')

If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of harm or is being neglected, contact [Child Safety Services](#) and talk to someone about your concerns.

A Child Safety Services' Regional Intake Service ('RIS') receives information and child protection concerns from community members, government and non-government agencies.

- Normal business hours - 9am to 5pm Monday to Friday - contact the [Regional Intake Service](#) (RIS) – phone [North Queensland RIS on 1300 706 147](#)
  - If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of experiencing harm, you need to contact a Child Safety Services' RIS.
  - Trained child protection workers will talk to you about your concerns for the child. They will record information you provide and gather other information that may be helpful in assessing the situation. The worker will then decide the best way of responding to the information you have provided – but remember there are legal, mandatory reporting obligations under this policy.
  - When you contact a RIS to report your concerns, your details will be confidential and your identity, if provided, will be protected by law.
- After hours - contact the [Child Safety After Hours Service Centre](#) ('CSAHC') on [1800 177 135](#) (free call, Qld only). The service operates 24 hours a day, 7 days a week.
- An [online report](#) form may be used via the following weblink should the report form in this policy be unable to be completed. <https://secure.communities.qld.gov.au/cbir/home/ChildSafety>

### Queensland Police Services

Townsville Police Station - (Open 24 Hours 7 Days)

Phone [\(07\) 4759 9777](#)

Address 134 Stanley Street, Townsville City, Qld, 4810

Ingham Police Station

(Station is open 24 Hours 7 Days, but no counter staff are on outside of business hours. So, ring station before 4.00pm close of business Monday–Friday to confirm whether someone will be there to speak with).

Phone [\(07\) 4776 5500](#)

Address 37 Palm Terrace, Ingham, Qld, 4850

### Family and Child Connect (FaCC)

Family and Child Connect is a local, community-based service that helps families to care for and protect their children at home, by connecting them to the right services at the right time.

Website <http://familychildconnect.org.au/>

Phone [13-32-64](#) ('13-FAMILY')

### SLFA Director of the school's Governing Body

Email: [chairman@silverlining.org.au](mailto:chairman@silverlining.org.au)

(NB: Label the subject line as 'Private & Confidential Child Protection')

### Not sure who to call?

If you aren't sure who to call, or for assistance to locate your nearest Child Safety Service Centre, contact the Child Safety Services' Enquiries Unit on [1800 811 810](#) (Qld only) or [\(07\) 3224 8045](#). The Queensland Government provides more information about child abuse and reporting at - <https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/child-abuse/reporting-child-abuse> or <https://www.health.qld.gov.au/clinical-practice/guidelines-procedures/patient-safety/duty-of-care/child-protection>