Child Risk Management Strategy

(This strategy should be read in conjunction with the Child Protection Policy)

SILVER LINING FOUNDATION AUSTRALIA LTD ('SLFA')

Desert Mob Silver Lining School

Child Risk Management Strategy

Purpose:	The purpose of this strategy is to make all SLFA employees aware of the legal obligation of the Silver Lining Foundation Australia ('SLFA') and its Schools to promote and protect the rights, interests and wellbeing of children and young people who enrol in SLFA's Schools in Queensland.[1] The law requires the SLFA and its Schools to develop and implement risk management strategies and screening processes for persons employed by the SLFA (and volunteers) so as to eliminate and minimise risk to student safety to ensure the safety and wellbeing of all students.[2]
Scope:	Students and staff, including full-time, part-time, permanent, fixed-term and casual staffs, as well as contractors, volunteers and people undertaking work experience or vocational placements.
Accreditation and Governance Requirements:	To attain and maintain accreditation, the School must develop and implement student welfare processes which comply with the requirements of health and safety under the *Work Health and Safety Act 2011* (Qld), and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).[3] The School must also have written processes about the appropriate conduct of staff and students and how the School will respond to harm or allegations of harm to students under 18 years of age.[4]
	This Child Risk Management Strategy policy is a <u>mandatory</u> policy which is required for accreditation and legal purposes. Mandatory policies are those that the SLFA Board is responsible for overseeing as part of their governance responsibilities and this policy should be reviewed annually.
Status:	Approved.	**Supersedes**: This Version 2 supersedes Version1.
Authorised by:	School Governing Body	**Date of Authorisation**: September 2021
References and Related Policies:	*Working with Children (Risk Management and Screening) Act 2000 (Qld)* *Working with Children (Risk Management and Screening) Regulation 2020* (Qld) *Child Protection Act 1999* (Qld) *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020 (Qld)* *Education (Accreditation of Non-State Schools) Act 2017* (Qld) *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) *Education (General Provisions) Act 2006* (Qld) *Education (General Provisions) Regulation 2017* (Qld) *Education Services for Overseas Students (ESOS) Act 2000* (Cth) *Education (Overseas Students) Regulation 2018* (Qld) *Education (Queensland College of Teachers) Act 2005* (Qld) - Education and Care Services National Law (Queensland) - Education and Care Services National Regulations - Criminal Code Act 1899 (Qld) - Blue Card Services Qld - Child and Youth Risk Management Strategy Toolkit - SLFA Restricted Person Declaration Form (re: Blue Card) - Blue Card System: Data and Resources	
Review Date:	Annually	**Next Review Date**: September 2022
Policy Owner:	SLFA School Governing Body (the Board of Directors).	

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[1] *Working with Children (Risk Management and Screening) Act 2000* (Qld) ss 171–172.
[2] *Working with Children (Risk Management and Screening) Regulations 2020* (Qld) s 5.
[3] Education (Accreditation of Non-State Schools) Regulation 2017 s 15.
[4] Education (Accreditation of Non-State Schools) Regulation 2017 s 16.

Policy Review Records

Version Number	Date of Authorisation	Review Due Date	Date Reviewed	Review Outcome
1	September 2020	September 2021	September 2021	Policy amended to reflect legislative changes made under the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020* (Qld) (which came into effect as of 5th July 2021), and the *Working with Children (Risk Management and Screening) Regulation 2020* (Qld) which replaces the repealed 2011 regulation.
2	September 2021	September 2022		

Contents

Definitions

'Head of Campus' – the role of Head of Campus is likened to that of school Principal. The Head of Campus fulfils the responsibilities and role the of 'Principal' as provided in relevant legislation. (i.e. where this policy refers to 'Principal', the term should be interpreted as meaning the 'Head of Campus').

1. Statement of Commitment

The welfare and best interests of a child are paramount, and every child is entitled to be cared for in a way that protects the child from harm and promotes the child's wellbeing.[5] The Desert Mob Silver Lining School ('the School') is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at the School and their protection from foreseeable harm through the implementation of this child risk management strategy and a Child Protection Policy.[6] In practice, the School is committed to acting in accordance with the *Working with Children (Risk Management and Screening) Act 2000* (Qld) ('the Act") to promote the safety and wellbeing of students through the implementation of the measures outlined below in the following numbered points.

2. Code of Conduct (Staff)

At the School, we expect and require our staff to conduct themselves as follows:

> School staff are expected to always behave in ways that promote the safety, welfare, and well-being of our students. Staff must actively seek to prevent harm to students, and to support those who have been harmed.

Specific responsibilities include:

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

The *Staff Code of Conduct* policy provides more extensive information on the requirements and expectations of SLFA staff.

This commitment is evidence of School's fulfilment of the requirements of the *Working with Children (Risk Management and Screening) Regulation 2011* (Qld) ("the Regulations"), Schedule 1, regulation 2(2).

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[5] *Working with Children (Risk Management and Screening) Act 2000* (Qld) s 5.
[6] *Working with Children (Risk Management and Screening) Regulation 2011* (Qld) regulation 3, Schedule 1 reg. 2(1); *Working with Children (Risk Management and Screening) Act 2000* (Qld) s 173.

3. Recruitment, Selection, Training and Management Procedures

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

- Ensure that its **recruitment and selection procedures** act to reduce the risk of harm to children from staff via:
  — Accurate position descriptions, including whether the successful applicant must be a teacher registered with the Queensland College of Teachers (who has been subject to relevant police and other safety checks), whether a Blue Card is necessary for the successful applicant, the responsibilities and supervision associated with the position, the nature and environment of the service provided to students, and the experience and qualifications required by the successful applicant.
  — Advertising the position with a clear statement about the School's commitment to safe and supportive work practices and identifying that candidates will be subject to a teacher registration check or Blue Card screening, a police check, referee checks, identification verification and the requirement to disclose any information relevant to the candidates' eligibility to engage in activities including children.
  — A selection process that includes assessing the application via an interview process and referee and other checks (as identified above) based on the accurate position description.
  — A probationary period of employment, which allows the School to further assess the suitability of the new staff and to act as a check on the selection process.

- Ensure that its **training and management procedures** act to reduce the risk of harm to students from staffs via:
  — Management processes that are consistent, fair, and supportive.
  — Performance management processes to help staff to improve their performance in a positive and supportive manner.
  — Supportive processes for staff when they are experiencing challenges, such as mentoring, mediation, conflict resolution, coaching, additional training, and external support and counselling services.
  — An induction program which thoroughly addresses the School's policies and procedures, particularly its expectations regarding child risk management and to assist staff to understand their role in providing a safe and supportive environment for students.
  — Training new and existing staff on an ongoing basis to enhance skills and knowledge and to reduce exposure to risks, as follows:
    — the School's policies and procedures
    — identifying, assessing, and minimising risks to students
    — handling a disclosure or suspicion of harm to a child.
  — Keeping a record of the training provided to staff.
  — Exit interviews to assist the School to identify broader issues of concern that may impact on the safety and wellbeing of students at the School.

This commitment is evidence of School's fulfilment of the requirements of Schedule 1 regulation 2(3) of the Regulations.

4. Handling Disclosures or Suspicions of Harm

Any of the types of concerns or reports below should be reported and managed under the SLFA's *Child Protection Policy*:

- All staff with concerns about sexual abuse or likely sexual abuse or a child sexual offence committed by an adult.
- Teachers, nurses and early childhood education and care professionals with concerns of sexual or physical abuse.
- All staff who have received a report of inappropriate behaviour by another staff member.

To report any type of harm, all staff should use the '*Report of Suspected Harm or Sexual Abuse Form'* in Appendix 2 of this document or alternatively in the *Child Protection Policy*.

Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the School's Head of Campus will report to the Queensland College of Teachers any investigations into allegations of harm caused, or likely to be caused, to a student because of the conduct of a relevant teacher at the school.

This commitment is evidence of School's fulfilment of the requirements of Schedule 1 regulation 2(4) of the Regulations.

5. Managing Breaches of this Child Risk Management Strategy

The School is committed to appropriately managing breaches of this *Child Risk Management Strategy* ('the CRM Strategy') in accordance with its other relevant policies as appropriate in the circumstances, such as its *Child Protection Policy*, *Staff Code of Conduct, Sexual Harassment Policy, Anti-Discrimination Policy, Bullying Policy, Complaints Handling Policy* and Employment Contracts.

This is evidence of fulfilment of the requirements of Schedule 1, regulation 2(5) of the Regulations.

6. Implementing and Reviewing the Child Risk Management Strategy

This CRM Strategy in its entirety and its related policies and procedures are evidence of fulfilment of the requirements of Schedule 1, reg. 2(6)(a) of the Regulations, relating to implementation.

The introduction to this CRM Strategy and the "Compliance and Monitoring" section below states the School's commitment to reviewing the CRM Strategy annually and are evidence of fulfilment of the requirements of Schedule 1, regulation 2(6)(a) of the Regulations relating to review.

7. Blue Card Policies and Procedures

The School is committed to acting in accordance with Chapters 7 8 of the Act relating to the screening of staff (including volunteers) in such a way that limits risks to children. In particular, the School will:

- Require relevant prospective staff, volunteers, trainee students and SLFA Board Directors to have working with children authority, and check the validity and appropriateness of any currently held notices, in accordance with School's position descriptions and the Act prior to the commencement of their engagement.
- Not allow a person to continue to work with children if their child authority is cancelled or suspended or a negative notice is received after a change of police information.

- Have all relevant prospective staff and volunteers engaging in Restricted Employment acknowledge and sign a [Restricted Person Declaration Form](#) declaring they are not a restricted person prior to commencing their engagement.
- Not allow a person relying on an exemption to continue to work with children if they become a restricted person.
- Link and delink individuals as they commence and conclude their engagement with the School.
- Appoint an SLFA School contact person who will be responsible for managing the working with children screening process and all related documentation and records.
- Keep written records of all the above actions, decisions, and outcomes, including the dates of expiry of each working with children authority.
- Ensure that all information in relation to working with children is kept confidential.
- Act to remind staff to keep their working with children authority up to date and apply for a renewal prior to expiry.
- Take appropriate action if a staff member, volunteer, trainee student or SLFA School Board Director fails to submit a renewal application prior to their working with children authority expiring.

This commitment is evidence of School's fulfilment of the requirements of Schedule 1, regulation 2(6)(b) of the Regulations.

8. High Risk Management Plans

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

This commitment is evidence of School's fulfilment of the requirements of Schedule 1, regulation 2(7) of the Regulations.

9. Strategies of Communication and Support

The School's commitment to making this CRM Strategy available to students, parents/carers, and staff (including volunteers) is via its *Staff Code of Conduct*, the School's administration office and the SLFA's website - http://www.silverlining.org.au/ . This is evidence of fulfilment of the requirements of Schedule 1, regulation 2(8)(a) of the Regulations.

The School is committed to training staff in relation to risks to students and will conduct this training regularly via annual formal training events, informal updates at staff meetings and regular discussions between managers and their staff. This is evidence of fulfilment of the requirements of Schedule 1, regulation 2(8)(b) of the Regulations.

Responsibilities

The School is responsible for developing and implementing this CRM Strategy and related policies and procedures to ensure it fulfils its obligations.

All staff at the SLFA and the SLFA's Schools are responsible for acting in compliance with this CRM Strategy and related policies and procedures.

Compliance and Monitoring

The School is committed to the annual review of this CRM Strategy. The School will also record, monitor, and report to the SLFA Board Directors, the SLFA Executive Officer and Executive Management staff regarding any breaches of the CRM Strategy.

In addition, the School is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

Related Documents

- Child Protection Policy (and Procedures)
- Complaints Handling Policy (and Procedures)
- Staff Code of Conduct
- SLFA Blue Card Register
- SLFA Performance Management Procedures

Helpful Links

- Independent Schools Queensland's **Child Protection Decision Support Trees** which are included in the SLFA's Child Protection Policy or via ISQ's Member Hub (after registration access is granted by ISQ).
- Department of Child Safety, Youth and Woman - Child Protection Guide.
- Department of Children, Youth Justice and Multicultural Affairs – Child Protection Guide Procedures Manual and Fact Sheet.
- Blue Card Services resources

Appendices

- Appendix 1 - Summary of Reporting Harm
- Appendix 2 – Report of Suspected Harm or Sexual Abuse Form

Appendix 1

Summary of Reporting Harm

NB: A reference to 'Principal' in this guide means the **"Head of Campus"**

Refer to the *Child Protection Policy* for Decision Making Trees/Flowcharts which will assist with when reporting is required and a more in depth version of this Summary of Reporting Harm.

Who	What abuse	Test	Report to	Legislation
All staff	Sexual	Awareness or a suspicion Sexually abused or likely to be sexually abused	Principal, through to police	EGPA sections 366 and 366A
Teacher	Sexual and physical	Significant harm Parent may not be willing and able	Confer with Principal, report to Child Safety	CPA sections 13E and 13G
All staff	Physical, psychological, emotional, neglect, exploitation	Significant harm Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulations section 16
All staff	Any	Not a level that is otherwise reportable to Child Safety, refer <u>with</u> consent	Principal, through to Family and Child Connect	CPA Sections 13B and 159M
Principal	Any	Not a level that is otherwise reportable to Child Safety, refer <u>without</u> consent	Family and Child Connect	CPA Sections 13B and 159M
Any member of the public	Any	Significant harm Parent may not be willing and able	Child Safety	CPA section 13A
Any adult	A child sexual offence against a child by another adult	Gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed and (b) at the relevant time, the child is or was— (i) under 16 years; or (ii) a person with an impairment of the mind.	Police	Criminal Code section 229BC

Appendix 2

Child Protection Report Form

(Version 3 September 2021)

Private and Confidential

Report of Suspected Harm or Sexual Abuse

Date:
School Name:

School Phone:	School Email:

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

Legal Name:	Preferred Name:
DOB:	Sex:
Year Level:	Cultural Background:

Primary language spoken:

☐ Aboriginal   ☐ Torres Strait Islander   ☐ Both Aboriginal and Torres Strait Islander   ☐ None /Unknown

Does student have a disability verified under an EAP? Yes ☐ No ☐	Disability Category:
Student's Residential Address (where they live/sleep):	Student's Phone #:
	Student's 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

☐ Parent/carer   ☐ Adult family member   ☐ Other Adult family member   ☐ Other adult

☐ Child family member   ☐ Student/other child   ☐ Unknown

STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE (as stated on previous page)	
Legal Name:	Date:

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 including:: Time, date and 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.
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 PERSON MAKING THE REPORT IF NOT THE HEAD OF CAMPUS (PRINCIPAL)		
Name of staff member:		
Position:	**Signature:**	**Date:**
Head of Campus to sign this report made by staff member.		
Head of Campus Name:	**Signature:**	**Date:**
Head of Campus's email address:		
Response requested by school about the report:		

ACTION TAKEN		
Form was emailed to: *(tick which agencies form was sent to)*	☐	Queensland Police Services (QPS) **Date:** **Time:** **Signature:**
	☐	Department of Children, Youth Justice and Multicultural Affairs (aka 'Child Safety Services') **Date:** **Time:** **Signature:**
	☐	Family and Child Connect **Date:** **Time:** **Signature:**
Record keeping:		Original report and support documents given to Head of Campus. (Head of Campus to store report in secure location. NB: if allegation is against Head of Campus, report to go to a board Director). Head of Campus received: **Date:** **Time:** **Signature:**

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)
Confirm receipt of emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.