Child Protection Policy

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

SILVER LINING FOUNDATION AUSTRALIA LTD ('SLFA') CAIRNS SILVER LINING SCHOOL: VERSION 1, APRIL 2022

Child Protection Policy

Purpose:	The nurnese of this policy is to pro	avida writtan processos about	
Fulpose.	The purpose of this policy is to provide written processes about –		
	under 18 years of age; and	nd to harm, or allegations of harm, to students d the school's staff and students.	
Scope (policy applies to):	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.		
Accreditation and Governance Requirements of the school:	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 <u>Education (General Provisions) Act 2006 (Qld)</u> and section 13E of the <u>Child Protection Act 1999 (Qld)</u> . ¹ The Child Protection Policy is a <u>mandatory</u> policy required for school accreditation and legal purposes. Mandatory policies are those that the school's governing body is responsible for overseeing as part of their governance responsibilities; the policy should be reviewed annually.		
Status:	Approved.	Supersedes : n/a – this is Version 1.	
Status: Authorised by:	Approved. School Governing Body	Supersedes: n/a – this is Version 1.Date of Authorisation: April 2022	
	 School Governing Body Child Protection Act 1999 (Qld) Child Protection Regulation 20 Education (General Provisions) Education (General Provisions) Education (Accreditation of Non Education (Accreditation of Non Education (Accreditation of Non Education (Queensland College Working with Children (Risk Ma Working with Children (Risk 2020 (Qld) Criminal Code Act 1899 (Qld) SLFA Complaints Handling Pol SLFA Child Risk Management Management and Screening) A Queensland College of Teacher for Queensland Teachers QCT Code of Ethics for Teacher 	Date of Authorisation: April 2022 11 (Qld) Act 2006 (Qld) Act 2006 (Qld) Regulation 2017 (Qld) n-State Schools) Act 2017 (Qld) n-State Schools) Regulation 2017 (Qld) e of Teachers) Act 2005 (Qld) anagement and Screening) Act 2000 (Qld) K Management and Screening) Regulations licy (and Procedure) t Strategy (for the Working with Children (Risk Act 2000) rs ('QCT') Professional Boundaries: A Guideline ers in Queensland k Health and Safety Act 2011 (Qld))	
Authorised by: References and Related	 School Governing Body Child Protection Act 1999 (Qld) Child Protection Regulation 20 Education (General Provisions) Education (General Provisions) Education (Accreditation of Note Education (Accreditation of Note Education (Queensland College Working with Children (Risk Mathematication) Education (Queensland College Working with Children (Risk Mathematication) SLFA Complaints Handling Pol SLFA Child Risk Management Management and Screening) A Queensland College of Teachers QCT Code of Ethics for Teachers SLFA WHS Policy (for the Worr Child Protection Reporting Forr Annually (or more often if required or in) 	Date of Authorisation: April 2022 11 (Qld) Act 2006 (Qld) Act 2006 (Qld) Regulation 2017 (Qld) n-State Schools) Act 2017 (Qld) n-State Schools) Regulation 2017 (Qld) e of Teachers) Act 2005 (Qld) anagement and Screening) Act 2000 (Qld) K Management and Screening) Regulations licy (and Procedure) t Strategy (for the Working with Children (Risk Act 2000) rs ('QCT') Professional Boundaries: A Guideline ers in Queensland k Health and Safety Act 2011 (Qld)	
Authorised by: References and Related Policies:	 School Governing Body Child Protection Act 1999 (Qld) Child Protection Regulation 20 Education (General Provisions) Education (General Provisions) Education (Accreditation of Non Education (Accreditation of Non Education (Accreditation of Non Education (Accreditation of Non Education (Queensland College Working with Children (Risk Ma Working with Children (Risk 2020 (Qld) Criminal Code Act 1899 (Qld) SLFA Complaints Handling Pol SLFA Child Risk Management Management and Screening) A Queensland College of Teacher for Queensland Teachers QCT Code of Ethics for Teacher SLFA WHS Policy (for the Wor Child Protection Reporting For Annually 	Date of Authorisation: April 2022 11 (Qld) Act 2006 (Qld) Act 2006 (Qld) Regulation 2017 (Qld) n-State Schools) Act 2017 (Qld) n-State Schools) Regulation 2017 (Qld) e of Teachers) Act 2005 (Qld) anagement and Screening) Act 2000 (Qld) K Management and Screening) Regulations Icy (and Procedure) t Strategy (for the Working with Children (Risk Act 2000) rs ('QCT') Professional Boundaries: A Guideline ers in Queensland k Health and Safety Act 2011 (Qld))	

¹ 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	April 2022	April 2023		

Table of Contents

Policy Review Records	3
Policy Statement	5
Definitions	5
Health and Safety	5
Responding to Reports of Harm	6
Conduct of Staff and Students	6
Reporting of Inappropriate Behaviour	6
How the School will Deal with a Report of Inappropriate Behaviour	7
Obligation to Report Sexual Abuse	7
Obligation to Report Likely Sexual Abuse	8
Mandatory Reporting by a 'Relevant Person' of a 'Reportable Suspicion' of Physical or Sexual Abuse	8
Types and Examples of Abuse	9
Physical Abuse	9
Neglect	9
Sexual Abuse	10
Emotional/Psychological Abuse	10
Signs of Harm or Risk of Harm	10
Bullying, Discrimination and Sexual Harassment	10
Support	11
Confidentiality	11
Policy Awareness	11
Accessibility of Processes	11
Training	11
Implementing the Child Protection Policy	11
Record Keeping	12
Insurer	12
Liability and Defamation Protection	12
Complaints Procedure	12
Guides for Decision Making and a Summary of Reporting Harm	12
Child Protection Report Form	18
Contact Details for Reporting	20

Policy Statement

The school 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.

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

Definitions

- Section 9 of the <u>Child Protection Act 1999 (Qld)</u> What is "harm":
 - (1) *<u>Harm</u>*, 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 <u>Education (General Provisions) Act 2006 (Qld)</u> Definitions for the reporting of "sexual abuse" –
 - ⇒ <u>Sexual abuse</u>, 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.
 - ⇒ <u>Relevant Person</u> see below at 'Reporting Sexual Abuse' and 'Reporting Likely Sexual Abuse' as to who is a "relevant person".

Health and Safety

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

Responding to Reports of Harm

When the school receives any information alleging 'harm'² 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 <u>physical or sexual abuse</u> 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'.³

Conduct of Staff and Students

All staff, contractors and volunteers (including 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, volunteers (and work experience or vocational placement persons) must not cause harm to students.⁴

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 and work experience and vocational placements). The Queensland College of Teachers (QCT) <u>Professional Boundaries: A Guideline for Queensland Teachers</u> document and the QCT <u>Code of Ethics for Teachers in Queensland</u> outlines the professional conduct and behaviour required of approved teachers in Queensland.⁵ The 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, work experience or vocational placement person or another person to be inappropriate, the student should report the behaviour to the -

- School Principal Nicole Reardon;
- Teacher Sigita Ulanas
- Indigenous Elder David Hudson; or
- Another senior staff member⁶ Kristian Wale or Catrina Moller.

² Child Protection Act 1999 (Qld) s 9 ('CPA'); Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) reg 16(7) ('EANSSR'): the definition of harm for this regulation is the same as in section 9 of the CPA.

³ EANSSR reg 16(1), (2).

⁴ EANSSR reg 16(1)(b).

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

⁶ EANSSR regs 16(2)(a) and 16(3).

How the School will Deal with a Report of Inappropriate Behaviour

A staff member, volunteer (including work experience or vocational placement) 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 <u>chairman@slfa.edu.au</u>.⁷ Reports will be dealt with under the school's **Complaints Handling Policy** in the first instance.

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 –

- 1) a student under 18 years attending the school;
- 2) a kindergarten aged child registered in a kindergarten learning program at the school;
- 3) 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.⁸

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

If the *first person* who becomes aware or reasonably suspects sexual abuse is the school Principal, the Principal must give:

- a written report about the abuse, or suspected abuse to a Police Officer *immediately*, and
- a copy of the written report to a Director of the school's governing body immediately.¹⁰

The Principal should email the report to the board chair at <u>chairman@slfa.edu.au</u>.

A report about sexual abuse under section 366 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;

⁷ EANSSR reg 16(1)(a), (2)(b).

⁸ Education (General Provisions) Act 2006 (Qld) s 366(1)–(2) ('EGPA').

⁹ EGPA s 366(4).

¹⁰ EGPA s 366(2A)–(2B).

(iii) the identity of anyone else who may have information about the abuse or suspected abuse.¹¹

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) <u>reasonably suspects</u>, in the course of their employment at the school, that any of the following is <u>likely to be</u> 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.¹²

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.¹³

If the *first person* who reasonably suspects likely sexual abuse is the school Principal, the Principal must give:

- a written report about the suspicion to a Police Officer *immediately;* and
- a copy of the written report to a Director of the school's governing body.¹⁴

The Principal should email the report to the board chair at <u>chairman@slfa.edu.au</u>.

A report under section 366A 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.¹⁵

Mandatory Reporting by a 'Relevant Person' of a 'Reportable Suspicion' of Physical or Sexual Abuse¹⁶

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

¹¹ 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).

¹² EGPA s 366A(1)–(2).

¹³ EGPA s 366A(6).

¹⁴ EGPA s 366A(3)(a), (4).

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

¹⁶ EANSSR reg 16 (2)(d); CPA s 13E.

section 13E(1) of the *Child Protection Act*¹⁷ forms a *'reportable suspicion'* about a child in the course of their engagement in their profession, they must make a written report.¹⁸

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.¹⁹

The relevant person (i.e. registered school teacher) must give:

- a written report to the Chief Executive of the <u>Department of Children</u>, <u>Youth Justice and</u> <u>Multicultural Affairs (aka 'Child Safety Services') at the relevant Regional Intake Services</u> <u>location</u>.²⁰ (or another department administering the *Child Protection Act 1999*); and
- a copy of the written report to the school Principal.

A report under section 13E 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.²¹

Types and Examples of Abuse

(<u>Note:</u> 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 <u>'Child Abuse: What you need to know</u>'.²²

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).

¹⁷ CPA s 13E(1).

¹⁸ CPA s 13E(3).

¹⁹ CPA s 13E(2).

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

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

²² <u>https://secure.communities.qld.gov.au/cbir/PrescribedEntityChildSafetyReport;</u>

https://www.csyw.qld.gov.au/child-family/protecting-children/resources-publications (as at 16 April 2021)

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 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.²³

Bullying, Discrimination and Sexual Harassment

The school 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, the school recognises that bullying, discrimination and sexual harassment may amount to 'harm' to a student, therefore <u>if harm is reasonably suspected</u>, it **must be managed**

CAIRNS SILVER LINING SCHOOL: Child Protection Policy - Version 1, April 2022

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

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*.

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 SLFA website – <u>http://www.silverlining.org.au/</u>.²⁴

A copy of this policy and the *Child Risk Management Strategy* will be provided to new staff and volunteers on induction and the *Child Protection Policy* will be referred to regularly in staff meetings.

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), SLFA's internal SharePoint system, the school's Principal and the SFLA website – <u>http://www.silverlining.org.au/</u>.²⁵

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.²⁶ Furthermore, staff will regularly discuss child protection policy and procedures at staff meetings and records of staff participation will be kept. Staff can also access child protection training through Independent Schools Queensland's professional learning hub – <u>Connect and Learn</u>.

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.²⁷

²⁴ EANSSR reg 16(4)(a).

²⁵ EANSSR reg 16(4)(b).

²⁶ EANSSR reg 16(4)(c).

²⁷ EANSSR reg 16(4)(d).

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.

Liability and Defamation Protection

A person acting reasonably, honestly and in good faith by providing information to a person (such as the school's 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.²⁸

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*.²⁹

Note: Reporting under this policy fulfils the obligations for reporting a child sexual offence that is being or has been committed against a child by an adult under the *Criminal Code Act 1899* (Qld) section 229BC.³⁰

Guides for Decision Making and a Summary of Reporting Harm

Decision Trees - The following *'decision-making trees'* assist with the decision-making process for reporting. Staff should refer to the decision tree 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 <u>Child protection guide</u>, 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 <u>Child protection guide procedures manual</u>.³¹

School staff with a concern about the welfare of a student that <u>does not</u> meet the threshold required to report to Department of Children, Youth Justice and Multicultural Affairs may contact <u>Family and Child Connect (FaCC)</u> 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.

²⁸ CPA ss 245W, 159Q, 159R.

²⁹ EANSSR regs 16(5), 16(6).

³⁰ Criminal Code Act 1899 (Qld) s 229BC (4)(b).

³¹ <u>https://www.csyw.qld.gov.au/about-us/partners/child-family/our-government-partners/queensland-child-protection-guide</u>

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.

Child Protection Decision Support Tree for Principals and Board Directors



Child Protection Decision Support Tree for Teachers



Child Protection Decision Support Tree for Non-Teaching Staff





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

CPR: Child Protection Act 1999 EGPX: Education (General Provisional Act 2006 FaCC: Fairnily and Child Connect OCT: Education (Rocential College of Tescheral Act 2005 Accreditation Regulation - Education (Accreditation of Non-State Schook) 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 www.isq.qld.edu.au

Summary of Reporting Harm

Child Protection

SUMMARY OF REPORTING HARM

wно	ABUSE TYPE	TEST	REPORT TO	LEGISLATION
All staff	Sexual	Awareness or a reasonable suspicion Sexually abused or likely to be sexually abused	Principal or Board, through to Police immediately	EGPA, sections 366 and 366A
Teacher	Sexual and physical	Significant harm; and 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; and Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulations, section 16
All staff	Any	Not of a level that is otherwise reportable to Child Safety, refer with consent	Principal, through to Family and Child Connect	CPA, sections 13B and 159M
Principal	Any	Not of a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA, sections 13B and 159M
Any member of the public	Any	Significant harm; and Parent may not be willing and able	Child Safety	CPA, section 13A
Any adult*	A child sexual offence against a child by another adult	Reasonable belief and, at the relevant time, the child is or was: – under 16 years; or – a person with an impairment of the mind	Police	Criminal Code section 229BC
Employing authorities (Principal/Board)	Harm or likely harm due to the conduct of a teacher	When you start dealing with an allegation; and When you finish dealing with an allegation	Queensland College of Teachers	QCT, sections 76 and 77

* 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.

OTHER RESOURCES TO SUPPORT YOUR DECISION MAKING

- Online Child Protection Guide
- Traffic Light Resource for sexual behaviour in children and young people
- <u>eSafety Commissioner Toolkit for Schools</u>
- <u>Be You</u>
- Headspace Schools
- <u>National Association for Prevention of Child abuse and Neglect (NAPCAN)</u>
- Queensland Family & Child Commission
- National Principles for Child Safe Organisations

FURTHER INFORMATION School Services 07 3228 1593 | office@isq.qld.edu.au



*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 1 April 2022)		
Date: / / Day: Phone:	School	
School Name:		
School Email:		
School site address:		

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:			
Legal Name:			
Preferred Name:		D.O.B:	
Cultural Background:		Sex:	Year Level:
Primary language spoken:			
Identifies as: Aboriginal only Torres Strait Islander only Both Aboriginal and Torres Strait Islander Other:			
Does student have a disability verified under I Disability Category:	EAP? 🗆 Yes	□ No	
Student's Residential Address:			
Student's Phone #:	Student's Person Mobile #:	nal	

FAMILY DETAILS				
Parent/Caregiver 1				
Relationship to Student:				
Address (if different from student):				
Phone: (H)	(W)	(M)		
Parent/caregiver 2:				
Relationship to Student:	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?				

STUDEN	IT/CH	LD HARMED OR AT R	RISK OF HARM/ABUSE:		
Legal Na	ime:			Report Date:	
PERSON			ED THE HARM OR ABUS	SE	
□ Paren ⁻	t/carer	□ Adult family me	ember 🗆 Other Adult	family membe	r
□ Other	adult	□ Child family me	ember	er child	🗆 Unknown
			HICH LED TO THE SUSPICION		
pages if ne					
incident, sc of any injur behavioura to an unbo	purce of y; imme al indica rn child	information; details of persor idiate and ongoing safety con tors of harm; presence of an the alleged risk to the unboi	b the student – please include: n alleged to have caused the harm icerns; any disclosures made by s y medical needs or developmenta rn child.	n or sexual abuse; student; any previo al delays; and, if th	physical appearance us incidents of harm; ie information relates
Additional	l inform	nation provided as an attac	hment: 🗆 YES 🗆 NO		
Nome of a	1 all maa	mhar making ranart			
		mber making report I making the report):			
Position:			Signature:	Date:	
Principal:			Signature:	Date:	
Principal's	s email	address:			
State the response requested by school (if any): ACTION TAKEN					
	AKEN				
Form		Queensland Police Servic		apoturo	
		Date:	Time: Si	gnature:	d Safety Services'
Form emailed	AKEN	Date:	Time: Si Youth Justice and Multicultural	•	d Safety Services')
Form emailed to: (tick which agencies		Date: Department of Children, N Date:	Time: Si Youth Justice and Multicultural Time: S	l Affairs (aka 'Chil	d Safety Services')
Form emailed to: (tick which		Date: Department of Children, Y	Time: Si Youth Justice and Multicultural Time: S	l Affairs (aka 'Chil	d Safety Services')
Form emailed to: (tick which agencies form was sent to) Confirm re	Ceipt c	Date: Department of Children, M Date: Family and Child Connec Date: f emailed form by checking	Time: Si Youth Justice and Multicultural Time: S	Affairs (aka 'Chil ignature: ignature: hoever form was	emailed to, asking
Form emailed to: (tick which agencies form was sent to) Confirm re	eceipt c	Date: Department of Children, M Date: Family and Child Connec Date: of emailed form by checking report was received. Conf al report and support docum or). Storage - Principal to sto	Time: Si Youth Justice and Multicultural Time: S t Time: S g sent items and contacting wi	I Affairs (aka 'Chil ignature: ignature: hoever form was □ Yes □ I is against Principa	emailed to, asking No al, give to board

(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 <u>Triple Zero (000)</u>.

Department of Children, Youth Justice & 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 <u>Child Safety Services</u> 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 <u>Regional Intake</u> <u>Service</u> (RIS) – phone <u>Far North Queensland RIS</u> on 1300 684 062
 - → 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 Brisbane <u>Child Safety After Hours Service Centre</u> ('CSAHSC') on <u>1800 177 135</u> (free call, Qld only). The service operates 24 hours a day, 7 days/week.
- An <u>online report</u> form may be used via the following weblink should the report form in this policy be unable to be completed. <u>https://secure.communities.qld.gov.au/cbir/home/ChildSafety</u>

Queensland Police Services

Cairns Police Station	(Open 24 Hours 7 Days)
Phone	(07) 4030 7000
Address	5 Sheridan Street, Cairns City, Qld, 4870

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 <u>http://familychildconnect.org.au/</u> Phone 13-32-64 ('13-FAMILY')

SLFA Director of the school's Governing Body

Email: <u>chairman@slfa.edu.au</u> (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 -<u>https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-</u> <u>abuse/child-abuse/reporting-child-abuse</u> or <u>https://www.health.qld.gov.au/clinical-</u> practice/guidelines-procedures/patient-safety/duty-of-care/child-protection