

Child Risk Management Strategy

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

SILVER LINING FOUNDATION AUSTRALIA LTD ('SLFA')
Cairns 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 <i>Work Health and Safety Act 2011</i> (Qld), and the <i>Working with Children (Risk Management and Screening) Act 2000</i> (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: n/a - this is Version 1.
Authorised by:	School Governing Body (SLFA Board of Directors)	Date of Authorisation: April 2022
References and Related Policies:	<ul style="list-style-type: none"> • 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 • Child Protection Report Form • SLFA Restricted Persons Declaration Form (re: Blue Card) • Blue Card System: Data and Resources 	
Review Date:	Annually	Next Review Date: April 2023
Policy Owner:	SLFA School Governing Body (the Board of Directors).	

Policy Review Records

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.

Version Number	Date of Authorisation	Review Due Date	Date Reviewed	Review Outcome
1	April 2022	April 2023		

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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 Cairns 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 wellbeing 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).

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.

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.

- 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 Principal 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 and 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
- Restricted Person Declaration Form

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 3 – Restricted Persons Declaration Form

Appendix 1

Summary of Reporting Harm

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*****Private and Confidential*****Report of Suspected Harm or Sexual Abuse**

(Version 1 April 2022)

Date: ___ / ___ / _____	Day: _____	School Phone: _____
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: <input type="checkbox"/> Aboriginal only <input type="checkbox"/> Torres Strait Islander only <input type="checkbox"/> Both Aboriginal and Torres Strait Islander <input type="checkbox"/> Other:		
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)
Parent/caregiver 2:		
Relationship to Student:		
Address (if different from student):		
Phone: (H)	(W)	(M)
Is the student in out of home care? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Are there any Family Court or Domestic Violence orders in place? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unsure		

STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Report Date:

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE			
<input type="checkbox"/> Parent/carer	<input type="checkbox"/> Adult family member	<input type="checkbox"/> Other Adult family member	
<input type="checkbox"/> Other adult	<input type="checkbox"/> Child family member	<input type="checkbox"/> Student/other child	<input type="checkbox"/> Unknown

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).
<p>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.</p>
Please indicate the identity of anyone else who may have information about the harm or abuse:
Additional information provided as an attachment: <input type="checkbox"/> YES <input type="checkbox"/> NO

Name of staff member making report (if not the Principal making the report):		
Position:	Signature:	Date:
Principal:	Signature:	Date:
Principal's email address:		
State the response requested by school (if any):		

ACTION TAKEN	
Form emailed to: (tick which agencies form was sent to)	<input type="checkbox"/> Queensland Police Services (QPS) Date: _____ Time: _____ Signature: _____
	<input type="checkbox"/> Department of Children, Youth Justice and Multicultural Affairs (aka 'Child Safety Services') Date: _____ Time: _____ Signature: _____
	<input type="checkbox"/> Family and Child Connect 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: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Record keeping:	Original report and support documents go 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 - Date: _____ Time: _____ Signature: _____

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

Appendix 3

Restricted Person Declaration Form (Blue Cards)

Silver Lining Foundation Australia Limited ('SLFA') has a responsibility to ensure that all commencing and continuing individuals, working or volunteering with children, at SLFA are not a restricted person.

As of the 31 August 2020, [Blue Card Services](#) have made changes which mean certain individuals are no longer able to rely on the current exemptions to work or volunteer with children.

The amended legislation introduced 2 new terms—*restricted person* and *restricted employment*. It is now an offence for a restricted person to commence or continue working or volunteering in restricted employment.

A restricted person is a person who:

- has been issued a negative notice, or
- has a suspended blue card, or
- is a [disqualified person](#) or
- has been charged with a [disqualifying offence](#) which has not been finalised.

Restricted employment refers to the situations or exemptions that allow a person to work with children without a blue card. These include:

- a volunteer parent;
- a volunteer who is under 18;
- paid or unpaid staff who work in child regulated employment for not more than 7 days in a calendar year.

If you are a restricted person, it is an offence for you to commence or continue working or volunteering at SLFA. The maximum penalty for an offence is \$69,925 (500 penalty units) or 5 (five) years imprisonment. It is also an offence for SLFA to engage or continue to engage a restricted person. The maximum penalty is \$27,570 (200 penalty units) or 2 (two) years imprisonment.

If you become a restricted person whilst working or volunteering at SLFA you must cease all child related work immediately and notify Central Office (at admin@slfa.edu.au) that you are no longer able to work or volunteer for SLFA and/or the school.

DECLARATION

Which restricted employment exemption are you relying on so that you can work or volunteer your time to work with children at the SLFA and / or the school?

- a volunteer parent;
- a volunteer who is under 18 years of age; or
- child-related engagement for not more than 7 (seven) days in a calendar year.

I, _____ declare that:
(Write full name)

1. I am not a restricted person;
2. I understand it is an offence to start or continue working or volunteering in restricted employment if I am currently, or become, a restricted person; and
3. I will cease all child related work immediately and notify SLFA if my circumstances change.

Signature: _____ Date: ____ / ____ / ____

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