# Child Risk Management Strategy

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

SILVER LINING FOUNDATION AUSTRALIA LTD ('SLFA')
SILVER LINING SCHOOL (CLUDEN) - VERSION 3 JUNE 2024

# Child Risk Management Strategy

Purpose:	The purpose of this strategy is to eliminate and minimise risk to student safety to ensure the safety and wellbeing of all students. As provided by the Working with <i>Children (Risk Management and Screening) Act 2000</i> (Qld) and its Regulations, Silver Lining Foundation Australia ('SLFA') will implement employment risk management strategies, practices and procedures to promote the wellbeing of students enrolled at the school and to protect them from harm. <sup>1</sup>				
Scope:	Students and employees, including full-time, employees, as well as contractors, volunteers vocational placements.	·			
Accreditation and Governance Requirements:	To attain and maintain accreditation a school must 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). <sup>2</sup> A school must also have written processes about the appropriate conduct of staff and students and how a school will respond to harm or allegations of harm to students. <sup>3</sup> The Child Risk Management Strategy policy is a mandatory policy required for school accreditation and legal obligation purposes. Mandatory policies are policies that a school governing body is responsible for overseeing as part of their governance obligations and responsibilities.				
Status:	Version 3 - Approved. Supersedes: Version 2 – Oct 2023.				
Authorised by:	School Governing Body (SLFA Board of Directors)  Date of Authorisation: June 2024.				
References and Related Policies:	<ul> <li>Working with Children (Risk Management and Screening) Act 2000 (Qld)</li> <li>Working with Children (Risk Management and Screening) Regulation 2020 (Qld)</li> <li>Child Protection Act 1999 (Qld)</li> <li>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</li> <li>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</li> <li>Education (General Provisions) Act 2006 (Qld)</li> <li>Education (General Provisions) Regulation 2017 (Qld)</li> <li>Education Services for Overseas Students (ESOS) Act 2000 (Cth)</li> <li>Education (Overseas Students) Regulation 2018 (Qld)</li> <li>Education (Queensland College of Teachers) Act 2005 (Qld)</li> <li>Education and Care Services National Law (Queensland)</li> <li>Education and Care Services National Regulations</li> <li>Criminal Code Act 1899 (Qld)</li> <li>Blue Card Services – Child and Youth Risk Management Strategy Toolkit</li> </ul>				
Review Date:	Annually	Next Review Date: June 2025.			
Policy Owner:	SLFA School Governing Body (the Board of Dire	ectors).			

<sup>&</sup>lt;sup>1</sup> Working with Children (Risk Management and Screening) Act 2000 (Qld) ss 171–172; Working with Children (Risk Management and Screening) Regulations 2011 (Qld) reg 3.

<sup>&</sup>lt;sup>2</sup> Education (Accreditation of Non-State Schools) Regulation 2017 s 15.

<sup>&</sup>lt;sup>3</sup> 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	August 2023	August 2024	October 2023	Update to reflect change of departmental name from Dept. Children, Youth Justice and Multicultural Affairs to Dept. Child Safety, Seniors and Disability Services.
2	October 2023	October 2024	June 2024	General amendments in response to the school working the through accreditation process. Addition of an Employee Declaration form and a Summary Table for reporting harm.
3	June 2024			

# Table of Contents

POI	LICY REVIEW RECORDS	3	,
DEF	FINITIONS	5	,
	ATEMENT OF COMMITMENT		
1.	CODE OF CONDUCT (STAFF)	5	,
2.	STAFF RECRUITMENT, SELECTION, TRAINING AND MANAGEMENT PROCEDURES	6	j
3.	HANDLING DISCLOSURES OR SUSPICIONS OF HARM		
4.	MANAGING BREACHES OF THIS CHILD RISK MANAGEMENT STRATEGY	7	,
5.	IMPLEMENTING AND REVIEWING THE CHILD RISK MANAGEMENT STRATEGY	7	7
6.	BLUE CARD POLICIES AND PROCEDURES		
7.	HIGH RISK MANAGEMENT PLANS	8	3
8.	STRATEGIES OF COMMUNICATION AND SUPPORT	8	3
RES	SPONSIBILITIES		
	MPLIANCE AND MONITORING		
	ATED DOCUMENTS AND RESOURCES		
	PFUL LINKS		
APF	PENDICES	10	)
Δ	PPENDIX 1	11	ı
•	Reporting by Legislation Table / Factsheet		
Α	PPENDIX 2		
	Summary of Reporting Harm Table		
Α	PPENDIX 3		
	Child Protection Report Form	16	ì
Α	PPENDIX 4	18	3
	Restricted Person Declaration Form		
Α	PPENDIX 5		
	Employee Policy Declaration Form		
Е	MPLOYEE POLICY DECLARATION	19	ļ

# **Definitions**

**Restricted Person** – A <u>restricted person</u> is a person who either:

- has been issued a negative notice;
- has a suspended blue card;
- is a <u>disqualified person</u>;
- has been charged with a disqualifying offence that has not been finalised; or
- is the subject of an adverse interstate Working with Children Check decision that is in effect.

**Restricted Employment** – <u>Restricted employment</u> refers to the situations or exemptions that allow a person to work with children without a blue card, such as if they are:

- a parent volunteering;
- a volunteer who is under 18;
- paid or unpaid staff who work in regulated child-related employment for not more than 7 days in a calendar year;
- a person with disability who is employed at a place where the person also receives disability services or NDIS supports or services;
- a secondary school student on work experience who carries out disability related work under the direct supervision of a person who holds a blue or exemption card.

These exemptions do not apply to a 'restricted person'. A restricted person must not start or continue to work or volunteer in restricted employment.<sup>4</sup>

#### **Statement of Commitment**

SLFA and its Silver Lining School (Cluden) ('the School') supports the rights of students enrolled at the School and is committed to taking all reasonable steps to provide them with a safe and supportive environment and promote their safety and wellbeing, and protection from foreseeable harm.<sup>5</sup>

In order to give practical effect to SLFA's and the School's commitment, SLFA and the School will act in accordance with its legal obligations under the *Working with Children (Risk Management and Screening) Act 2000* (Qld) ('the Act') and will implement the measures outlined below in points 1 to 8.

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

## 1. Code of Conduct (Staff)

At SLFA and the School, we expect and require our staff to conduct themselves in accordance with the SLFA *Code of Conduct (Staff)* policy and as follows:

SLFA and 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:

<sup>&</sup>lt;sup>4</sup> https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/rights-and-obligations/individuals

<sup>&</sup>lt;sup>5</sup> Working with Children (Risk Management and Screening) Regulation 2020 (Qld) Reg.3

- 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.

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

The SLFA Code of Conduct (Staff) policy provides more information about conduct requirements and expectations of SLFA and School staff.

# 2. Staff Recruitment, Selection, Training and Management Procedures

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

- SLFA's and the School's policies and procedures
- o identifying, assessing, and minimising risks to students
- o handling a disclosure or suspicion of harm to a child.
- Keeping a record of the training provided to staff.
- Exit interviews to assist SLFA and 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 SLFA's and the School's fulfilment of the requirements of Schedule 1, regulation 2(3) of the Regulations.

# 3. Handling Disclosures or Suspicions of Harm

Any of the types of concerns or reports below should be reported and managed under SLFA's and the School's *Child Protection Policy* and the child protection reporting procedures, as follows:

- all staff with concerns about sexual abuse or likely sexual abuse or 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 members should use the 'Report of Suspected Harm or Sexual Abuse Form' in Appendix 2 of this document (or in the Child Protection Policy).

Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the School Principal / 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.

Any report made under this section or the School's *Child Protection Policy* will fulfill the reporting obligations of all adults under the *Criminal Code Act 1899*.

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

## 4. Managing Breaches of this Child Risk Management Strategy

SLFA and the School is committed to appropriately managing breaches of this *Child Risk Management Strategy* in accordance with its other relevant policies as appropriate in the circumstances, such as its *Child Protection Policy*, *Code of Conduct (Staff)*, *Complaints Handling Policy* and employment contracts.

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

# 5. Implementing and Reviewing the Child Risk Management Strategy

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

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

#### 6. Blue Card Policies and Procedures

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

- Require relevant prospective or current staff, volunteers, trainee students and School Board Directors to have working with children authority and check the validity and appropriateness of any currently held notices, in accordance with SLFA's and the 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 working with child authority is cancelled or suspended or a negative notice is received after a change of police information.
- Have all relevant prospective employees 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 unlink individuals as they commence and conclude their engagement with SLFA and the School.
- Appoint a SLFA and school contact person who will be responsible for managing the screening process and all related documentation and records.
- Keep written records of all the above actions, decisions, and outcomes, including the dates for working with children authorities.
- Ensure that all information in relation to working with children authorities 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 an employee, volunteer, trainee student or SLFA Board Director fails to submit a renewal application prior to their working with children authority expiring.

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

## 7. High Risk Management Plans

SLFA and 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. SLFA and 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 SLFA's and the School's fulfilment of the requirements of Schedule 1, regulation (2)(7) of the Regulations.

# 8. Strategies of Communication and Support

SLFA's and the School's commitment to making this *Child Risk Management Strategy* available to students, parents/carers and staff via its SLFA intranet, the School's administration and SLFA's website at <a href="http://www.silverlining.org.au/">http://www.silverlining.org.au/</a> is evidence of fulfilment of the requirements of

Schedule 1 regulation 2(8)(a) of the Regulations.

SLFA and 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 the School Principal / Head of Campus, Senior or Executive management and their staff, and this is evidence of fulfilment of the requirements of Schedule 1, regulation 2(8)(b) of the Regulations.

# Responsibilities

SLFA and the School is responsible for developing and implementing this *Child Risk Management Strategy* and related policies and procedures to ensure it fulfils its obligations.

All staff at SLFA and the School are responsible for acting in compliance with this *Child Risk Management Strategy* and related policies and procedures.

# **Compliance and Monitoring**

SLFA and the School is committed to the annual review of this Strategy. SLFA and the School will also record, monitor, and report to SLFA's Board of Directors, the School Principal / Head of Campus, and Senior or Executive management regarding any breaches of the Strategy.

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

#### **Related Documents and Resources**

- Blue Card Services Organisation Portal
- Child Protection Policy (and Procedures)
- Child Protection Report Form
- Complaints Handling Policy (and Procedures)
- Code of Conduct (Staff)
- Complaints Handling Policy
- Restricted Person Declaration Form
- SLFA Risk Management Framework
- SLFA Performance Management System

# **Helpful Links**

- Independent Schools Queensland's Child Protection Decision Support Trees –
  accessible by staff after registering with ISQ's Member Hub or in SLFA's Child Protection
  Policy.
- Department of Child Safety, Seniors and Disability Services ('DCSSDS') Child Protection Guide resource.
- Blue Card Services resources

# **Appendices**

- Appendix 1 Child Protection Reporting by Legislation Factsheet The <u>Reporting</u>
   Table Factsheet below in this policy summarises the who, what, when, how, why to report.
- Appendix 2 <u>Summary of Reporting Harm Table</u> provides a quick view summary of roles and reporting responsibilities under the various Child Protection legislation.
- Appendix 3 Child Protection Report Form: Report of Suspected Harm or Sexual Abuse Form.
- Appendix 4 Restricted Person Declaration Form.
- Appendix 5 Employee Policy Declaration Form.

## **Appendix 1 – Child Protection - Reporting by Legislation Factsheet**

A guiding principle for all adults or persons is to contact <u>Child Safety Services</u> to discuss your concerns or to seek guidance on your reporting obligations if you are unsure.

The following pages in this policy contain a copy of child protection obligations in accordance with various legislation.

To use the following Child Protection – Reporting by Legislation table:

- 1. Decide on the type of abuse or harm first that you may or have to report listed in the 'Legislation' column.
- 2. Follow the other columns across the page which are relevant to the type of harm or abuse you have selected to report.

# Appendix 1

# Reporting by Legislation Table / Factsheet





# **FACT SHEET**

# Child Protection – Reporting by Legislation

Includes Criminal Code amendments in force from the 5<sup>th</sup> July 2021

Legislation	If	Then	Offence
Reporting of sexual abuse or likely sexual abuse under sections 366 and 366A of the Education (General Provisions) Act 2006	You are a school staff member, including a teacher; and     You are aware or reasonably suspect that a student under 18 has been, or is likely to be, sexually abused by another person	<ol> <li>Complete the school's reporting form</li> <li>Give the report to your principal immediately</li> <li>The principal will make a report to the Police         <ul> <li>As an alternative, the Act allows for giving your report to a Director of the Governing Body, who will forward it to the Police</li> </ul> </li> <li>Keep appropriate records of your decisions and actions</li> </ol>	Maximum penalty— 20 penalty units. (No penalty for likely sexual abuse)
	You are a principal or a director of the Governing Body; and  A staff member, including a teacher, reports a concern that a student under 18 has been, or is likely to be, sexually abused by another person  You are a principal; and	1. Receive the school's reporting form 2. Make a report to the Police immediately 3. Keep appropriate records of your decisions and actions  1. Complete the school's reporting form  2. Make a report to the Police	Maximum penalty— 20 penalty units. (No penalty for likely sexual abuse)  Maximum penalty—
	You are the first person to be aware or reasonably suspect a student under 18 has been, or is likely to be, sexually abused by another person	2. Make a report to the Police immediately 3. Give the Governing Body a copy of the report immediately 4. Keep appropriate records of your decisions and actions	20 penalty units. (No penalty for likely sexual abuse)
Reporting of sexual and physical abuse under sections 13E and 13G of the Child Protection Act 1999	You are a teacher, nurse or early childhood education and care professional; and You have a "reportable suspicion", i.e. a reasonable suspicion that a child— a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by sexual or physical abuse; and b) may not have a parent able and willing to protect the child from the harm	Complete the school's reporting form     Confer with the principal regarding your concerns     Work through the online Child Protection Guide with the principal     Report to Child Safety     Keep appropriate records of your decisions and actions	Nil s.13G(5) To remove any doubt, it is declared that a person does not commit an offence against this or another Act only because the person omits to do an act required under section 13E(3) or 13F(3) or this section.

#### Contact Us

For further information or if you have any questions please contact ISQ PH 32281593

uly 2021 Page 1 of 4





# **FACT SHEET**

Legislation	If	Then	Offence
Eugliote	You are a principal; and     A teacher confers with you regarding a reportable suspicion	Confer with the teacher regarding their concerns     Work through the online Child Protection Guide with the teacher     Report to Child Safety     Keep appropriate records of your decisions and actions	Nil
Referral of a concern about harm under section Chapter 5A of the Child Protection Act 1999	You are a school staff member, including a teacher; and You have a concern about harm to a child, caused by any type of abuse, that does not reach the level of reporting to Child Safety	1. Complete the school's reporting form 2. Discuss your concerns with your principal 3. Work through the online Child Protection Guide with the principal 4. Principal may decide to:	Nil
	You are a principal; and A staff member, including a teacher, reports a concern about harm to a child, caused by any type of abuse, that does not reach the level of reporting to Child Safety	1. Receive the school's reporting form 2. Work through the online Child Protection Guide with the staff member 3. Decide to: a) Offer support at the school level b) Seek parental consent to refer to FCC and then make the referral c) Refer a family to FCC without consent (a principal-only power) 4. Keep appropriate records of your decisions and actions	Nil
Reporting of harm (other than sexual abuse) under section 16 of the Education (Accreditation of Non-State Schools) Regulations 2017	You are a staff member; and You are aware or reasonably suspect that a student has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by any type of abuse (see below); and You are aware or reasonably suspect that a student may not have a parent able and willing to protect the child from the harm	Complete the school's reporting form     Discuss your concerns with your principal     Work through the online Child Protection Guide with the principal     The principal will make a report to Child Safety     Keep appropriate records of your decisions and actions	Nil

#### Contact Us

For further information or if you have any questions please contact ISQ PH 32281593

July 2021 Page 2 of 4





# **FACT SHEET**

Legislation	If	Then	Offence
	➤ Note, if the harm fits the EGPA or CPA processes identified above, follow that process/es as the priority		
	You are a principal; and A staff member has reported a concern that a student has suffered, is suffering, or is at unacceptable risk of suffering, significant harm and the student that may not have a parent willing and able to protect them  Note, if the harm fits the EGPA or CPA processes identified above, follow that process/es as the priority	Receive the school's reporting form     Work through the online Child     Protection Guide with the staff     member     Make a report to Child Safety     Keep appropriate records of your     decisions and actions	Nil
Reporting of inappropriate behaviour under section 16 of the	You are a student; and A staff member at the school has behaved in a way you consider is inappropriate	Report the behaviour to a stated staff member (in their Child Protection Policy schools must state at least 2 staff members to whom a student may report the behaviour)	Nil
Education (Accreditation of Non-State Schools) Regulations 2017	You are a staff member; and A student has reported to you behaviour of another staff member that the student considers is inappropriate  Note, if the inappropriate behaviour fits one of the types of harm identified above, follow that process as the priority	Complete the school's reporting form     Discuss the student's report with your principal     The principal will take appropriate action in the circumstances     Keep appropriate records of your decisions and actions	Potential penalty under the Criminal Code 1899 s.229BB and 229BC
	<ul> <li>You are a principal; and</li> <li>A staff member has reported to you a student's report of the inappropriate behaviour of another staff member</li> <li>Note, if the inappropriate behaviour fits one of the types of harm identified above, follow that process as the priority</li> </ul>	1. Receive the school's reporting form 2. Interview the student reporting the behaviour 3. Interview the staff member named in the report as engaging in inappropriate behaviour 4. Interview any other person who may be able to provide useful information 5. Take appropriate action on the basis of your investigation 6. Keep appropriate records of your decisions and actions	Potential penalty under the Criminal Code 1899 s.229BB and 229BC

#### Contact Us

For further information or if you have any questions please contact ISQ PH 32281593

Page 3 of 4





# **FACT SHEET**

	le.	I	0.00
Legislation	lf	Then	Offence
Reporting investigation of harm under section 76 and 77 of the Education (Queensland College of Teachers) Act 2005	<ul> <li>You are a principal; and</li> <li>The school is investigating an allegation of harm caused, or likely to be caused, to a child because of the conduct of a teacher</li> </ul>	<ol> <li>As soon as practicable after the investigation starts, give notice to the Queensland College of Teachers</li> <li>The notice must include the following—         <ul> <li>the name of the principal;</li> <li>the name of the school;</li> <li>the name of the relevant teacher;</li> <li>the day the investigation started; and</li> <li>the allegation, particulars of the allegation and any other relevant information</li> </ul> </li> <li>See the Employing Authority         <ul> <li>Guidelines for more information</li> </ul> </li> </ol>	Section 76  Maximum penalty— 40 penalty units.  Section 77  Maximum penalty— 40 penalty units.
Reporting belief of child sexual offence under section 229BC of the Criminal Code Act 1899	You are an adult; and You gain information that causes you to believe on reasonable grounds, or ought reasonably to cause you to believe, that a child sexual offence is being or has been committed against a child under 16 by an adult	Disclose the information to a police officer as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed; OR  Report via your Child Protection policy.  An adult has a reasonable excuse if— the adult has already reported the information under any of the following provisions, or believes on reasonable grounds that another person has done or will do so—  (i) the Child Protection Act 1999, chapter 2, part 1AA; (ii) the Education (General Provisions) Act 2006, chapter 12, part 10	Maximum penalty—3 years imprisonment. (5) An adult who, in good faith, discloses information mentioned in subsection (1)(a) to a police officer is not liable civilly, criminally or under an administrative process for making the disclosure.
Protecting a child from child sexual offence under section 229BB of the Criminal Code Act 1899	You are an accountable person; and you know there is a significant risk that another adult (the alleged offender) will commit a child sexual offence in relation to a child under 16; and The alleged offender is associated with an institution or a regulated volunteer; and the child is under the care, supervision or control of an institution; and You have the power or responsibility to reduce or remove the risk	Take actions to reduce or remove the risk     Keep appropriate records of your decisions and actions	Maximum penalty—5 years imprisonment.

#### Contact Us

For further information or if you have any questions please contact ISQ PH 32281593

July 2021 Page 4 of 4

# **Appendix 2 Summary of Reporting Harm Table**

## **Child Protection**

SUMMARY OF REPORTING HARM

WHO	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 and CPA, section 13A
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

<sup>\*</sup> 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>
- Be You
- <u>Headspace Schools</u>
- National Association for Prevention of Child abuse and Neglect (NAPCAN)
- Queensland Family & Child Commission
- National Principles for Child Safe Organisations

FURTHER INFORMATION School Services 07 3228 1593 | <u>office@isq.qld.edu.au</u>



# **Silver Lining School (CLUDEN)**

# Appendix 3

# **Child Protection Report Form**

(Version 5 October 2023)

# Private and Confidential

# **Report of Suspected Harm or Sexual Abuse**

SCHOOL DETAILS	_						
Report Date: dd / mm / yyyy	School	Name:					
School Phone:	chool Phone: School Email:						
School site address:							
DETAILS OF STUDENT/CHILD HAR	MED OR	AT RISK (	OF HARM/	ABUSE:			
Student's Legal Name:				DOB: dd / mm / yyyy			
Preferred or Other Known Name/s:				Current Year Level:			
Identifies as: □ Aboriginal □ Torres S	Strait Islan	der □ Abo	riginal & To	orres Strait Islander □ None			
Sex descriptor: ☐ Male ☐ Female [	☐ Any oth	er descripto	or of sex:				
Cultural Background:		Primary I	language s	poken:			
Disability verified under EAP? ☐ No ☐ Yes - if yes, Disability Category:							
Student's Residential Address (place whe	re they ordin	arily live, day to	o day – if unkn	nown, state the school's address):			
Home Phone:	Student's Mobile:						
FAMILY DADENT / CARED DETAIL							
FAMILY – PARENT / CARER DETAI Parent / Caregiver 1	LS						
Name:		Relat	ionship to	Student:			
Address (if different from student): ☐ Sa	ame as stu	dent, or					
Different address:							
Phone – Mobile:	lome:		W	/ork:			
Parent / caregiver 2:							
Name: Relationship to Student:							
Address (if different from student): ☐ Same as student, or Different address:							
Phone – Mobile:	lome:		V	/ork:			
Other family information							
Is the student in out of home care?	□ Yes	□ No					
Are there any Family Court or Domestic Violence orders in place? ☐ Yes ☐ No ☐ Unsure							

# **Silver Lining School (CLUDEN)**

NAME - STUDENT / CHILD HARME	ED OR AT RISK	COF HARM / A	ABUSE:			
Legal Name:		F	Report Date: do	d / mm / yyyy		
PERSON ALLEGED TO HAVE CAU	JSED THE HAI	RM OR ABUSE				
☐ Parent/carer ☐ Adult fami	lv member	☐ Other Ac	lult family mem	ber		
☐ Other adult ☐ Child fami	~	□ Student/	•	□ Unknown		
	iy mombor		outor orma			
PROVIDE ALL INFORMATION YOU HAVE (Attach extra pages of written information if more		THE SUSPICION (	OF HARM OR AB	USE		
State details of any harm and/or sexual abuse to the person alleged to have caused harm or sexual abuse; made by student; any previous incidents of harm; beh if the information relates to an unborn child, the allege	physical appearance of avioural indicators of h	of any injury; immediate arm; presence of any	e or ongoing safety co	ncerns; any disclosures		
Provide details of the identity of anyone els	e who may have it	oformation about	the harm or abuse	<u>.</u>		
Frovide details of the identity of anyone els	e willo illay ilave il	mormation about	ine nami or abuse	;·		
Additional information provided as an attachment: YES □ NO □						
, , , , , , , , , , , , , , , , , , ,						
Reporting Staff Member's Deta	ils					
Name of staff member making repor						
Position: ☐ Principal ☐ Teacher	Signature:		Date:	dd / mm / yyyy		
□ Other –	Oignature.		Bato.	aa / IIIII / yyyy		
School Principal / Head of Campus's	email address	:				
State any response the School is requ	esting (if anv):					
,	3 ( ),					
	11.00					
ACTION TAKEN - Who was report for			vanivad			
NB: In email to be sent to recipient with the repor	ľ	omini report was re	cerveu.			
☐ Queensland Police Services (QPS)	Recipient Email:	<del>-</del>	0: '			
	Date emailed:	Time:	Signature:			
☐ Dept. Children, Yth Justice & Multicultural	Recipient Email:					
Affairs (aka 'Child Safety Services')	Date emailed:	Time:	Signature:			
☐ Family & Child Connect	Recipient Email:					
	l D-4!!		Cianatura			
	Date emailed:	Time:	Signature:			
CONFIRM: Form received by recipient? ☐		Time:	Signature.			
CONFIRM: Form received by recipient?	Yes □No		·	Principal, give to		

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

## **Appendix 4**

#### **Restricted Person Declaration Form**

# Restricted Person Declaration Form (Blue Cards)

Silver Lining Foundation Australia Limited ('SLFA') must ensure that all commencing and continuing individuals, working or volunteering with children at SLFA and/or its Schools are not a **RESTRICTED PERSON**.

As of the 31 August 2020, <u>Blue Card Services</u> made changes whereby certain individuals are no longer able to rely on exemptions that previously allowed them to work or volunteer working 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 <u>restricted person</u> is a person who either:

- has been issued a negative notice;
- has a suspended blue card;
- is a <u>disqualified person</u>;
- has been charged with a disqualifying offence that has not been finalised; or
- is the subject of an adverse interstate Working with Children Check decision that is in effect.
- has been charged with a <u>disqualifying offence</u> which has not been finalised.

Restricted Employment – <u>Restricted employment</u> refers to the situations or <u>exemptions that allow</u> <u>a person to work with children without a blue card</u>, such as if they are:

- a parent volunteering;
- a volunteer who is under 18;
- paid or unpaid staff who work in regulated child-related employment for not more than 7 days in a calendar year;
- a person with disability who is employed at a place where the person also receives disability services or NDIS supports or services;
- a secondary school student on work experience who carries out disability related work under the direct supervision of a person who holds a blue or exemption card.

If you are a **restricted person**, who is wanting to work / volunteer with SLFA or its Schools or who is currently working / volunteering with SLFA or its Schools, it is an offence for you to commence or continue working or volunteering at SLFA or its Schools.

The maximum penalty for an offence is \$71,875.00 or 5 (five) years imprisonment. It is also an offence for SLFA (the employer) to engage/employ or continue to engage/employ a **restricted person.** The maximum penalty for an offence is \$28,750.00 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 <u>admin@slfa.edu.au</u>) 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, volunteer your time to work or provide child related contractor services with children at SLFA and/or its School (without requiring a Blue Card)? (Select one only) I am a parent of a student at the school in which I am volunteering; I am a volunteer who is under 18 years of age; I am an employee, volunteer or contractor engaging in child-related services, but not for more than 7 (seven) days in a calendar year. I, (Write full name) declare: 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: Version 2 June 2023

# **Silver Lining School (CLUDEN)**

# **Appendix 5**

## **Employee Policy Declaration Form**

<b>Employee Policy Declaration</b>	Empl	loyee	Polic	y Dec	laratior
------------------------------------	------	-------	-------	-------	----------

I, (insert full name) ......, acknowledge that I have read the *CHILD RISK MANAGEMENT STRATEGY* policy, that I understand its content and that any questions I may have had about this policy when reading it, I had clarified.

I understand it is my responsibility to perform any obligations and responsibilities under this policy to the best of my ability and that I should continue to seek clarification or ask questions about the policy and any of my obligations in the future if I need to or if I am unsure. I understand that I can seek assistance or guidance from my supervisor and other leadership and executive staff from the SLFA Central Office whenever I need to.

# **EMPLOYEE**

Employee' Signature:	Date:	dd / mm / yyyy				
Work Location: (e.g. school name, Central Office, Saddler Springs, etc)						

(Employee to have Principal/Supervisor sign below)

## **SUPERVISOR**

Principal's/*Exec. Officer's Name:		
Principal's/*Exec. Officer's Signature:	Date:	dd / mm / yyyy

# **RECORD KEEPING**

# Process after form is fully signed:

- Employee: SCAN completed form to admin@slfa.edu.au and your supervisor (e.g. Principal, Executive Officer)
- 2. Supervisor: FILE scanned form in employee's hardcopy HR folder on site.
- 3. <u>Central Office:</u> **SAVE** scanned form to relevant folder in school's 5 STAFF General Info / Staff PD & Training folder and **UPDATE** the Policy Training Register.
- **4.** Employee: keep a hard or digital copy of the signed form for your own personal records or email a copy to your personal email.

<sup>\*</sup>Note: Executive Officer's delegate may sign this form on their behalf.