

Purpose:	<p>The purpose of this policy is to provide written processes about –</p> <ul style="list-style-type: none"> (a) how Westside Christian College (the College) will respond to harm, or allegations of harm, to students under 18 years; and (b) the appropriate conduct of College staff <p>The College is committed to providing education and care to children and young people in an environment that supports their holistic formation and learning journey.</p> <p>The College has a zero tolerance for abuse or other behaviours that might cause harm to a child or young person. The College is committed to acting in the best interests of children and young people attending the College and keeping them safe from harm.</p>		
Scope:	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 the College, including the kindergarten, and covers information about the reporting of harm and abuse.		
Status:	Approved	Version	1.2
Drafted by	Matthew Teale HRC Manager	Supersedes:	Child Protection Policy and Procedure 1.0 (Jul 23)
Authorised by:	Darren Oliver Board Chairman	Date of Authorisation:	23 April 2024
References:	Legislation		Other College Policies/documents
	<ul style="list-style-type: none"> • Child Protection Act 1999 (Qld) • Education (General Provisions) Act 2006 (Qld) • Education (General Provisions) Regulation 2017 (Qld) • Education (Accreditation of Non-State Schools) Act 2017 (Qld) • Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) • Working with Children (Risk Management and Screening) Act 2000 (Qld) • Working with Children (Risk Management and Screening) Regulations 2020 (Qld) • Criminal Code Act 1899 (sections 229BB and 229BC) • Child Protection Regulation 2023 		<ul style="list-style-type: none"> • Complaints Handling Policy and Procedure • Child Risk Management Strategy (for the <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>) • Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011 (Qld)</i>) • Child Protection Reporting Form • Staff Code of Conduct • Behaviour Management Guidelines published in the student handbooks.
Review Date:	Annually	Next Review	April 2025
Policy Owner:	The Board		

Revision/Modification History			
Date	Version	Summary	Policy/Procedure
06 October 2023	1.1	Amend Child Protection Regulation 2011 to Child Protection Regulation 2023; include details from Part 2 Protection of children – mandatory reporting Section 4 in reporting; include reference to specifically note students over 18 years of age and their parents/guardians	Child Protection Policy and Procedure
12 April 2024	1.2	Added 'immediately' to paragraph under 'reporting sexual abuse', in reference to giving a report to a member of the governing body	Child Protection Policy and Procedure

Definitions

- Under section 9 of the *Child Protection Act 1999 (Qld)* - "Harm", to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
 1. It is immaterial how the harm is caused.
 2. Harm can be caused by—
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
 3. Harm can be caused by—
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.
- Under section 10 of the *Child Protection Act 1999 (Qld)*- 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.
- Under section 364 of the *Education (General Provisions) Act 2006 (Qld)* - "Sexual abuse", 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.
- Under section 9 of the *Civil Liability Act 2003 (Qld)* defines a foreseeable risk as a risk of which the person knew or reasonably ought to have known;

A determination that the likelihood of an event occurring is not far-fetched or fanciful.

Health and Safety

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

Responding to Reports of Harm

Information relating to physical or sexual abuse is handled under obligations to report set out in this policy¹. When the College receives any information alleging 'harm'² to a student (other than harm arising from physical or sexual abuse) 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 College's Child Risk Management Strategy.

In considering how this should best be dealt with by the College, reference should be made to the College's Code of Conduct for Staff, the Student Behaviour Management Guidelines, Anti-bullying and/or anti-harassment policy, and external support agencies depending on who is alleged to have caused the harm and where it is alleged to have occurred.

The Child Protection Reporting form (Appendix 1) should be completed and forwarded to the College Child Protection Officer or Delegate. In the absence of a College Protection Officer or Delegate, the Child Protection Reporting Form must be provided to the Principal. However, if the Principal is the person alleged to have caused the harm, the report should be forwarded to the Board Chair or a member of the Board.

Conduct of Staff and Students

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students³.

Reporting Inappropriate Behaviour

College employees hold a unique position of influence, authority, trust and power in relation to students at the College. It is expected that all employees of the College exercise their responsibilities in a way that maintains professional boundaries with regards to their relationship with students at all times.

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to:

Campus	Name	Role	Email
Primary Students	Mr Steven Johnson	Teacher	sjohnson@wcc.qld.edu.au
	Mrs Taryn Behr	Teacher	tbehr@wcc.qld.edu.au
	Mrs Lauren Gehrke	Deputy Head of Primary	lgehrke@wcc.qld.edu.au
	Mrs Kathryn Innes	Head of Primary	kinnes@wcc.qld.edu.au
Secondary Students	Mr Benjamin Baker	Teacher	bbaker@wcc.qld.edu.au
	Mrs Karen Pike	Teacher	kpike@wcc.qld.edu.au
	Mrs Kerrie Anglin	Deputy Head of Secondary	kanglin@wcc.qld.edu.au
	Mr Joshua Mansfield	Head of Secondary	jmansfield@wcc.qld.edu.au

or

- Mr Matthew Teale, Human Resource and Compliance Manager (mteale@wcc.qld.edu.au)
- Mr Craig Schmidt, Principal⁴ (cschmidt@wcc.qld.edu.au).

Dealing with a Report of Inappropriate Behaviour

¹ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)

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

³ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)

⁴ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)

A staff member who is notified or witnesses inappropriate behaviour towards a child 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 Board⁵.

Reports will be dealt with under the College's Complaints Handling Policy, and/or Grievance Policy.

Reporting Sexual Abuse⁶

Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member becomes aware, or reasonably suspects, in the course of their employment at the school, that any of the following has been sexually abused by another person:

- a) a student under 18 years attending the school.
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who:
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school.

then the first person must give a written report about the abuse, or suspected abuse, to the Principal or to a director of the school's governing body (the Board) immediately.

The school's Principal or director of the school's governing body (the Board Chair) must give a copy of the report to a police officer immediately.

If the College Principal is the first person who becomes aware or reasonably suspects sexual abuse, the Principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also immediately give a copy of the report to director of the College's governing body (the Board Chair).

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware:
 - i. the student's age;
 - ii. the identity of the person who has abused, or is suspected to have abused, the student;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse⁷.

Reporting Likely Sexual Abuse⁸

Section 366A of the *Education (General Provisions) Act 2006* (Qld) states that if a staff member reasonably suspects in the course of their employment at the school, that any of the following is likely to be sexually abused by another person:

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who:

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

⁷ *Education (General Provisions) Regulation 2017 (Qld) s.68*

⁸ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

- i. under section 420(2) of the *Education (General Provisions) Act 2006* 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 suspicion to the Principal or to a director of the school's governing body (Board Chair) immediately.

The school's Principal or the Board Chair must immediately give a copy of the report to a police officer.

If the school's Principal is the first person who reasonably suspects likely sexual abuse, the Principal must give a written report about the suspicion to a police officer immediately and must also immediately give a copy of the report to the Board Chair.

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- 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 abuse⁹.

Reporting Physical and Sexual Abuse ¹⁰

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher, or an early childhood education and care professional forms a 'reportable suspicion' about a child in the course of their engagement in their profession, they must make a written report.

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.

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Child Safety, Seniors and Disability Services (or another department administering the *Child Protection Act 1999*).

For teachers and early childhood professionals at the College, this would involve making a report to the Child Safety Regional Intake Service, South West (West Moreton), which is based in Ipswich and open from 9am to 5pm. The contact number for this service is 1800 316 855. Outside of these hours, the Child Safety After Hours Service Centre can be contacted on phone (freecall) 1800 177 135. A copy of the report should also be given to the Principal.

A report under this section must include the following particulars:

- a) the child's name, age and sex descriptor;
- b) details of how to contact the child;

Examples of how to contact a child

 - the address at which the child usually lives
 - the name and address of the school the child attends
- c) details of the harm to which the reportable suspicion relates;

⁹ *Education (General Provisions) Regulation 2017 (Qld) s.69*

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

- d) 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;
- e) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates

Responsibilities under *Criminal Code Act 1899* (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years, or a person with an impairment of the mind.

Failure to Report¹¹

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

Failure to Protect¹²

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

Awareness

The College will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in written communications to them at least twice a year and it will publish these processes on its website¹³.

Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the College website and will be available on request from the College administration¹⁴.

Training

The College will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually¹⁵.

Implementing the Processes

The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually¹⁶.

Complaints Procedure

¹¹ *Criminal Code Act 1899 (Qld) s.229BC*

¹² *Criminal Code Act 1899 (Qld) s.229BB*

¹³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)*

¹⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)*

¹⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)*

¹⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)*

Suggestions of non-compliance with the school's processes may be submitted as complaints under the Complaints Handling and Grievance Policy and Procedure¹⁷.

Important Contact Details

Queensland Police Service 000 (in emergency) or Goodna Police Station (07) 3436 2999
 Department of Child Safety, Youth and Women 1800 177 135 or (07) 3235 9999
 Family and Child Connect 13 32 64 or at <https://familychildconnect.org.au/>



Westside
 Christian College
 Achievement Belonging Care

Report of Suspected Harm or Sexual Abuse

Private and Confidential

Date:
School: Westside Christian College
School Phone: (07) 3437 9000
Principal's Email: cschmidt@wcc.qld.edu.au

Details of Student/Child harmed or at risk of harm/abuse	
Legal Name:	Preferred Name:
DOB:	Sex descriptor:
Year Level:	Cultural Background:
Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander <input type="checkbox"/>	
Does the student have a disability verified under EAP: Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability Category:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

Person alleged to have caused the harm or abuse
Adult family member <input type="checkbox"/> Child family member <input type="checkbox"/> Other Adult <input type="checkbox"/> Student/other child <input type="checkbox"/> Unknown <input type="checkbox"/>
PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).
Details of any harm and/or sexual abuse to the student – please include: Time and date of the 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; parenting and protective capacity; behavioral 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. Provide your response below:

¹⁷ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)

Please indicate the identity of anyone else who may have information about the harm or abuse:
Additional information provided as an attachment YES <input type="checkbox"/> NO <input type="checkbox"/>

Reported by		
	x	
Name of staff member making report to the Statutory Agency	Signature	Date
Position:		
Email address of reporting staff member:		

Action taken		
Form was emailed to (please tick which agencies the form was sent to)	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Communities, Child Safety and Disability Services
	<input type="checkbox"/>	Family and Child Connect

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

Confirm receipt of faxed or emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.