



Child Protection and Risk Management

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| Purpose: | This document explains: (a) how the school will respond to harm, or allegations of harm, to students under 18 years; (b) the appropriate conduct of the school's staff and students; and (c) our strategy to minimise risk to student safety ensuring the safety and wellbeing of all students. | |
| 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. | |
| Status: | Approved | Supersedes: Previous |
| Authorised by: | Chairperson | Date of Authorisation: May 2021 |
| References: | <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 2011 (Qld) • Education (Queensland College of Teachers) Act 2005 (Qld) • Education and Care Services National Law (Queensland) • Education and Care Services National Regulations • Child and Youth Risk Management Strategy Toolkit • DFS Complaints Handling Policy & Procedure • DFS Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011 (Qld)</i>) | |
| Policy Owner: | School Governing Body | Next Review Date: May 2022 |

Definitions

Section 9 of the *Child Protection Act 1999*: "Harm", to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.

- It is immaterial how the harm is caused.
- Harm can be caused by—
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
- Harm can be caused by—
 - a) a single act, omission or circumstance
 - b) a series or combination of acts, omissions or circumstances.

Section 10 of the *Child Protection Act 1999*: 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 *Education (General Provisions) Act 2006: "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.

Policy Statement

Darlingia Forest 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. We have 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).

Reporting Inappropriate Behaviour

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

- Gabrielle Kennedy
- Deborah Schiel Zaini

A staff member who receives a report of inappropriate behaviour must report it to the school 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. *Reports will be dealt with using the DFS Complaints Handling Policy and Procedure available on the school's website or on request from the school office.*

Reporting Sexual Abuse

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 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. *The staff member must use the 'Report of Suspected Harm or Sexual Abuse' in Appendix 1 of this document.*

The school principal or the director must immediately give a copy of the report to a police officer.

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 must also give a copy of the report to a director of the school's governing body immediately.

Reporting Likely Sexual Abuse

Section 366A of the *Education (General Provisions) Act 2006* 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: -
 - 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 school principal or to a director of the school's governing body immediately. *The staff member must use the 'Report of Suspected Harm or Sexual Abuse' in Appendix 1 of this document.*

The school principal or the director must immediately give a copy of the report to a police officer.

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 must also give a copy of the report to a director of the school's governing body immediately.

Reporting Physical and Sexual Abuse

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early 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 education and care professional must give a written report to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early education and care professional should give a copy of the report to the school principal. *Staff members must use the 'Report of Suspected Harm or Sexual Abuse' in Appendix 1 of this document.*

Awareness and Accessibility

Darlingia Forest School will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them, through staff inductions, whole school meetings, and enrolment interviews. This document, *DFS Child Protection Risk Management Policy and Strategy*, will also be available on request from the school administration and will be published on its website.

Training

The school will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually. Evidence of this training will include attendance registers, meeting agendas and minutes.

Implementing the Processes

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually. *See Policy Implementation below.*

Complaints Procedure

Suggestions of non-compliance with the school's processes may be submitted as complaints using *DFS Complaints Handling Policy and Procedure*.

Policy Implementation

1. Code of Conduct

At Darlingia Forest School we expect our employees and volunteers to always behave in ways that promote the safety, welfare and well-being of our students. Employees must actively seek to prevent harm to students, and to support those who have been harmed.

Specific responsibilities include:

- Employees 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, employees must exercise caution to ensure that the contact is appropriate and acceptable. Employees must always advise the student of what they intend doing and seek their consent.
- Employees 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.
- Employees must not have a romantic or sexual relationship with a student.

2. Recruitment, Selection, Training and Management Procedures

Darlingia Forest School is committed to recruiting, selecting, training and managing employees 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 employees via:
 - o **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, the responsibilities and supervision associated with the position, the nature and environment of the service provided to students, and the experience and qualifications required.
 - o **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.
 - o **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.
 - o **A probationary period** of employment, which allows the school to further assess the suitability of the new employee 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 employees via:
 - o Management processes that are consistent, fair and supportive.
 - o Performance management processes to help employees to improve their performance in a positive manner.

- o Supportive processes for staff when they are experiencing challenges, such as mentoring, mediation, conflict resolution, coaching, additional training, and external support and counselling.
- o An induction program which thoroughly addresses the school's policies and procedures, particularly its expectations regarding student risk management and to assist employees to understand their role in providing a safe and supportive environment for students.
- o 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.
- o Keeping a record of the training provided to employees.
- o 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.

3. Handling Disclosures or Suspicions of Harm

To report any type of harm, all staff members should use the 'Report of Suspected Harm or Sexual Abuse' Form in Appendix 1 of this document. Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the school principal of Darlingia Forest School 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.

4. Managing Breaches of this Child Risk Management Strategy

Darlingia Forest School is committed to appropriately managing breaches of this Child Protection Risk Management Policy & Strategy in accordance with its other relevant policies as appropriate in the circumstances, such as its Staff Code of Conduct and Complaints Handling Policy and Procedure.

5. Implementing and Reviewing the Child Risk Management Strategy

This document and its related policies and procedures are evidence of fulfilment of the requirements of the Regulations S3(1)(f)(i) relating to implementation. The introduction to this document and the "Compliance and Monitoring" section below state Darlingia Forest School's commitment to reviewing the Strategy annually and are evidence of fulfilment of the requirements of the Regulations S3(1)(f)(i) relating to review.

6. Blue Card Policies and Procedures

Darlingia Forest School is committed to acting in accordance with chapter 8 of the Act relating to the screening of employees in such a way that limits risks to children. In particular, the School will:

- Require relevant prospective or current employees, volunteers, trainee students and school board members to apply for a Blue Card or Exemption Notice, and check the validity and appropriateness of any currently held notices as appropriate, in accordance with Darlingia Forest School's position descriptions and the Act.
- Complete an *Authorisation to confirm a valid card* application when necessary.
- Submit a *Change in police notification* form when notified by employee that such a change has occurred.

- Not allow a person to continue to work with children if their Blue Card or Exemption Notice is cancelled or suspended or a negative notice is received after a change of police information.
- Submit a *No longer with organisation* form when appropriate.
- Appoint a 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 of expiry of Blue Cards and Exemption Notices.
- Ensure that all information in relation to Blue Cards and Exemption Notices is kept confidential.
- Act to remind employees to keep their Blue Card or Exemption Notice up to date.

7. High Risk Management Plans

Darlingia Forest School's Risk Management Framework is evidence of fulfilment of the requirements of the Regulations S3(1)(g).

8. Strategies of Communication and Support

Darlingia Forest School's commitment to making this Child Protection Risk Management document available to students, parents and employees via its enrolment package, employee handbook, school website is evidence of fulfilment of the requirements of the Regulations S3(1)(h)(i). Darlingia Forest School is committed to training employees in relation to risks to students and will conduct this training regularly via annual formal training events and informal updates at staff meetings, and this is evidence of fulfilment of the requirements of the Regulations S3(1)(h)(ii).

Responsibilities

Darlingia Forest School is responsible for developing and implementing this document and related policies and procedures to ensure it fulfils its obligations. All employees at Darlingia Forest School are responsible for acting in compliance with this document and related policies and procedures.

Compliance and Monitoring

Darlingia Forest School is committed to the **annual review** of this document. The school will also record, monitor and report to the school board and the school management regarding any breaches of the Strategy. In addition, Darlingia Forest School is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

Helpful Links

- Independent Schools Queensland's [**Child Protection Decision Support Trees**](#)
- Department of Child Safety, Youth and Women [**Child Protection Guide**](#) resource

Appendices

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

Appendix 1

Private and Confidential

Report of Suspected Harm or Sexual Abuse

| |
|--------------------------|
| Date: |
| School: |
| School Phone: |
| School Email and/or Fax: |

| DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE: | |
|--|----------------------------|
| Legal Name: | Preferred Name: |
| DOB: | Gender: |
| Year Level: | Cultural Background: |
| Primary language spoken: | |
| 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: |

| FAMILY DETAILS | | |
|--|--------------------------|------|
| Parent/caregiver 1: | Relationship to Student: | |
| Address (if different from student): | | |
| Phone: (H): | (W): | (M): |
| Parent/caregiver 2: | Relationship to Student: | |
| Address (if different from student): | | |
| Phone: (H): | (W): | (M): |
| Is the student in out of home care? Yes <input type="checkbox"/> No <input type="checkbox"/> | | |
| Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/> | | |

| PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE | | |
|---|--|--------------------------------------|
| <input type="checkbox"/> Adult family member | <input type="checkbox"/> Child family member | <input type="checkbox"/> Other adult |
| <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).

Details of any harm and/or sexual abuse to the student – please include: Time and date of the incident; location 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; 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.

Please indicate the identity of anyone else who may have information about the harm or abuse

Additional information provided as an attachment YES NO

Name of staff member making report if not the school principal:

| | | |
|--------------------------|-------------------|--------------|
| Position: | Signature: | Date: |
| school principal: | Signature: | Date: |

school principal email address:

Response requested by school:

ACTION TAKEN

| | | |
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| Form was faxed or 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 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.

Appendix 2

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 | school principal, through to police | EGPA sections 366 and 366A |
| Teacher | Sexual and physical | Significant harm Parent may not be willing and able | Confer with school 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 | school principal, through to Child Safety | Accreditation Regulations section 16 |
| All staff | Any | Not a level that is otherwise reportable to Child Safety, refer with consent | school principal, through to Family and Child Connect | CPA Sections 13B and 159M |
| School principal | Any | Not 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 Parent may not be willing and able | Child Safety | CPA section 13A |