



Child Protection Policy

Purpose

The purpose of this policy is to provide written processes and guidance for the safety of Agnew School staff and students, and about the appropriate conduct of the school's staff and students to comply with the legislation surrounding the protection of children.

The legislation relevant to this policy is:

Child Protection Act 1999

Education (General Provisions) Act 2006

Education (Accreditation of Non-State Schools) Regulation 2001

Working with Children Act 2000, and the,

Working with Children (Risk Management & Screening) Regulation 2011.

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 Agnew School and covers information about the reporting of harm and abuse.

Definitions

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.
 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.

- **Section 10 of the *Child Protection Act 1999*** - A “child in need of protection” is a student 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.

- **Part 10 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

Health and Safety

The school has written policies in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation.

Responding to Reports of Harm

When the school receives any information alleging 'harm' to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimize any likely harm to the extent it reasonably can. This is set out in the school's Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy.

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 students.

Reporting Inappropriate Behaviour

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

- (a) Head of Campus /Campus Site Co-coordinator
- or;
- (b) Child safety officer (appointed by the Head of Campus)

Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the Head of Campus. Where the Head of Campus is the subject of the report of inappropriate behaviour, the staff member must inform the Regional Principal or a member of the school's board.

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 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

then the staff member must give a written report about the abuse or suspected abuse to Head of Campus or to a Director of the school's board immediately.

If the staff member who becomes aware or reasonably suspects sexual abuse is the school's Head of Campus, the this staff member 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 the Regional Principal or a Director of the school's governing body.

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 abuse.

Reporting Likely Sexual Abuse ¹

Section 366A 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 is likely to be sexually abused by another person:-

- a) a student under 18 years attending the school;
- b) 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

then the staff member must give a written report about the suspicion to the Head of Campus or to a Director of the school's governing body immediately.

If the staff member who becomes aware or reasonably suspects sexual abuse is the school's Head of Campus, then this staff member 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 the Regional Principal or a Director of the school's governing body.

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 has abused, or is suspected to be likely to abuse, the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse.

Reporting Physical and Sexual Abuse

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse or a teacher forms a 'reportable suspicion' about a child in the course of their engagement in their profession, they must contact one of the following numbers and file a report:

- Child Safety Services on 13 QGOV (13 74 68)
- Child Safety After Hours Service Centre on 1800 177 135 or 07 3235 9999 (24 hours a day)
- your local police station about criminal matters related to child sexual abuse
- ChildWise National Child Abuse Prevention Helpline on 1800 991 099.

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.

A report under this section must include the following particulars:-

- a) state the basis on which the person has formed the reportable suspicion; and
- b) include the information prescribed by regulation, to the extent of the person's knowledge.

Where a report has been filed, the Regional Principal must be informed.

Awareness

The 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 and it will publish these processes 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.

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.

Accessibility of Processes

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

Complaints Procedure

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

Related Policies and Documents

- [Child Protection Act 1999 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(General Provisions\) Regulation 2006 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Act 2001 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2001 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Regulations 2011 \(Qld\)](#)
- Agnew School Complaints Policy/Procedure
- Agnew School Blue Card Policy/Procedure
- Agnew School Child Risk Management Strategy (for the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*)
- Agnew School Work Health and Safety Policy (for the *Work Health and Safety Act 2011 (Qld)*)

Policy Release Details

Date of Policy:

June 2017

Approved by Board:

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Annually