

	POLICY LOCATION: Staff Policies and Procedures
	POLICY NUMBER: RM005
	POLICY AREA: Risk Management
POLICY TITLE: Child Protection Policy	

1. PURPOSE

The purpose of this policy is to provide the process for the reporting requirements in relation to allegations of harm, sexual abuse or reasonable suspicions of sexual abuse or likely sexual abuse, of a child and how the College will manage such occurrences in accordance with applicable legislative requirements.

The purpose of this policy is to provide written processes about –

- how the College will respond to harm, or allegations of harm, to students under 18 years; and
- the appropriate conduct of the College's staff and students.
to comply with accreditation requirements.

2. SCOPE

This policy applies to all children and staff members, and where applicable any other person, and covers information about the reporting of harm and sexual abuse, or suspected sexual abuse, of a child.

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 Riverside Christian College.

3. POLICY STATEMENT

3.1 Health and Safety

The College has written processes in place for the purpose of ensuring compliance with applicable legislation, including:

- Workplace, Health and Safety Act 2011.
- Working with Children (Risk Management and Screening) Act 2000.
- Child Protection Act 1999.
- Child Protection Regulation 2023

3.2 Conduct of Staff Members

All staff members, contractors and volunteers must ensure that their behaviour towards, and relationships with, any child and/or children reflects proper standards of care for the child and/or children and does not cause the child and/or children any harm.

3.2.1 Reporting Inappropriate Conduct

If a child considers the conduct of a staff member to be inappropriate, the child should report the conduct immediately to the College's:

- Principal; or
- Head of College (Senior, Middle, Junior).

3.3 Dealing with Report of Inappropriate Conduct

A staff member who receives a report of inappropriate conduct must report the occurrence to the Principal or his delegate who shall report the matter to the Principal. Where the Principal is the subject of the report of inappropriate conduct, the staff member must inform a member of the College's governing body of the alleged inappropriate conduct. Reports will be dealt with under the College's Complaints Handling Policy. All reports shall be kept strictly confidential.

3.4 Responding to Reports of Harm

When the College receives information involving an allegation of harm or significant harm to a child (other than harm arising from physical and sexual abuse), the College is committed to managing the allegation confidentially, compassionately, and fairly so to minimise any likely harm to the extent it reasonably can.

The College's processes for:

- responding to allegations of physical or sexual abuse or suspicions of likely sexual or physical abuse, in accordance with the *Education (Accreditation of Non-State Schools) Regulation 2017* are set out in this policy; and
- responding to reports of alleged harm to a child in accordance with the *Child Protection Act 1999* are set out in the College's Child Risk Management Strategy.

3.5 Reporting Sexual Abuse or Likely Sexual Abuse Under the Education (General Provisions) Act 2006

Section 366 of the Education (General Provisions) Act 2006 (Qld) provides how sexual abuse or reasonable suspicion of sexual abuse are to be reported. Section 366A provides for how a reasonable suspicion of likely sexual abuse is to be reported.

If a staff member becomes aware, or reasonably suspects, in the course of their employment at the College, that any of the following has been sexually abused by another person, or is likely to be sexually abused by another person:

- 1) Child; Student under 18 years attending the College.
- 2) A kindergarten age child registered in a kindergarten learning program at the College; and
- 3) A person with a disability who under section 420(2) of the *Education (General Provisions) Act 2006* who is being provided with special education at the College and is not enrolled in the preparatory year at the College.

The staff member must provide a written report about the sexual abuse or likely sexual abuse to the Principal or to a Chair of the College's Governing Body immediately. The Principal or Chair of the Governing Body must immediately give a copy of the report to the Queensland Police Service and Child Safety authorities.

In the case of sexual abuse or likely sexual abuse, if the first person who becomes aware of, or reasonably suspects sexual abuse, is the College Principal, the Principal must give a written report about the sexual abuse, or likely sexual abuse to a police officer immediately. The Principal must also immediately give a copy of the report to the Chair of the school's governing body, as delegated by the Directors of the College Board through the unanimous approval of this policy.

The Child Risk Management Strategy outlines the particulars the report must include.

The person who is making the report does not contravene the requirement of confidentiality by reporting the information and is not liable, civilly, criminally or under an administrative process, for

giving the information contained in the report to someone else.

3.6 Mandatory Reporting by Persons Engaged in Particular Work

- (1) This section applies to a person (a relevant person) who is any of the following —
 - (a) a doctor;
 - (b) a registered nurse;
 - (c) a teacher;
 - (d) a police officer who, under a direction given by the commissioner of the police service under the Police Service Administration Act 1990,
 - (e) a person engaged to perform a child advocate function under the Public Guardian Act 2014; (f) an early childhood education and care professional.
- (2) If any of these persons forms a “reportable suspicion” about a child in the course of their profession”, they must make a written report to the Principal.
- (3) 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.

3.7 Contents of Report (Form)

A report (Form) under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**).
- b) the child’s name, age, and sex descriptor.
- c) Details on how to contact the child.
- d) details of the basis for the first person becoming aware, or reasonably suspecting, that the child has been sexually abused by another person.
- e) details of the sexual abuse and/or harm or suspected sexual abuse and/or harm.
- f) any of the following information of which the first person is aware:
 - i. the identity of the person who has abused, or is suspected to have abused, the child if known.
 - ii. the identity of anyone else who may have information about the Abuse or suspected Abuse.
 - iii. Names and contact details of legal guardians of the child.

3.8 Reporting Physical and Sexual Abuse Under the Child Protection Act 1999

Under Section 13E (3) of the Child Protection Act, if a staff member forms a reportable suspicion about a child in the course of their engagement in their profession, they must make a written report.

The written report must be presented to the Principal immediately. The Principal shall inform the staff member, in writing, of any actions taken in relation to the report. If the staff member does not believe the Principal has dealt with the matter in accordance with this policy, they must provide a written report to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or another department administering the CP Act). The staff member shall give a copy of the report to the Principal.

A report under this section must include the following particulars:

- a) state the basis on which the person has formed the Reportable Suspicion;
- b) include the information prescribed by regulation, to the extent of the person’s knowledge.

3.9 Awareness

The College will inform staff members, students and parents of its processes relating to the health, safety and conduct of staff members and students in communications to them. The College will publish this policy on its website.

3.10 Report Form

The report form provided for under Appendix 2 of the **Child Risk Management Strategy** should be used to complete a written report under this Policy.

3.11 Training

The College will train staff members in processes relating to their responsibilities relating to child protection requirements on their induction and will provide refresher training annually.

3.12 Implementation Process

The College will ensure it is implementing processes relating to their responsibilities relating to child protection requirements by auditing compliance with this policy annually.

3.12 Accessibility of Processes

Processes relating to their responsibilities relating to child protection requirements are accessible on the College's website and will be available on request from the College administration.

3.13 Complaints Procedure

Reports of non-compliance with the College's policy may be submitted as complaints under the College's complaints handling procedure.

3.14 Support, Protection and Confidentiality

The College is committed to providing support, protection and confidentiality to staff members and children and other persons who report inappropriate conduct, sexual abuse or likely sexual abuse, or any concerns about the health, safety and wellbeing of children in accordance with this Policy.

The College believes that providing adequate support to those who report such conduct in accordance with this policy is fundamental to encouraging persons to come forward and report such conduct and concerns in accordance with this policy.

As part of this commitment, the College will endeavour to ensure the confidentiality and protection of persons who make a report in accordance with this policy is maintained.

4. RESPONSIBILITIES

College Staff

All staff **as mandatory reporters** shall report all reports of, or suspicions of harm to a child or children to the Principal or his delegate. All reports shall be kept confidential.

The Principal

The Principal shall receive all reports and authorise the forwarding of the report to the appropriate regulatory authority. All reports shall be kept confidential.

The Board Chair

The Board Chair shall receive all reports and authorise the forwarding of the report to the appropriate regulatory authority. All reports shall be kept confidential.

5. DEFINITIONS

Child means any individual or individuals under the age of 18.

Child in need of protection means 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.

College means Riverside Christian College.

First Person means a staff member who becomes aware or reasonably suspects in the course of their employment that any of the following has been the subject of harm or sexual abuse or likely sexual abuse as defined under sections 366 and 366A of the *Education (General Provisions) Act 2006*:

- a) a Student;
- b) A kindergarten age child registered in a kindergarten learning program at the College; and
- c) **a person with a disability who under section 420 (2), is being provided with special education at the College and is not enrolled in the preparatory year at the College.**

The College's Governing Body means the staff members whom occupy the following positions:

- a) Board Chair
- b) Board of Directors

Harm or Significant Harm: (Section 9 of the Child Protection Act 1999)

1. In relation to a child, means any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
2. It is immaterial how the harm is caused.
3. Harm can be caused by:
 - (a) physical, psychological or emotional abuse or neglect; or
 - (b) sexual abuse or exploitation.
4. Harm can be caused by:
 - (a) a single act, omission or circumstance; or
 - (b) a series or combination of acts, omissions or circumstances.

Reasonably Suspects means suspects on grounds that are reasonable in the circumstances.

Relevant Person means any of the following who is, or is reasonably suspected of being, the subject of sexual abuse or likely or suspected sexual abuse:

- (a) a student.
- (b) a person with a disability who under section 420(2), is being provided with special education at the school and is not enrolled in the preparatory year.
at the College.

Reportable Suspicion (Section 10 of the Child Protection Act 1999 – A Child in need of protection is a child means 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.

Student means a child enrolled at the College.

Staff Member means an individual employed, appointed or engaged to work in or as part of the College, whether as an educator or otherwise, and includes the nominated supervisor and a person employed, appointed or engaged as a volunteer.

Sexual Abuse (Section 364 of the Education (General Provisions) Act 2006) means 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.

WWCRMS Act means the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

WWCRMS Regulations means *Working with Children (Risk Management and Screening) Regulations 2020* (Qld).

WHS Act means *Work Health and Safety Act 2011* (Qld)

6. REFERENCES

[Child Protection Act 1999 \(Qld\)](#)

[Child Protection Regulations 2023](#)

[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 \(Qld\) Work Health and Safety Act 2011 \(Qld\)](#)

[Criminal Code Act 1899 \(sections 229 BB and 229BC\)](#)

7. RELATED DOCUMENTS

Riverside Christian College Staff Code of Conduct Riverside Christian

College Complaints Handling Policy

Riverside Christian College Complaints Handling Procedure

Riverside Christian College Child Risk Management Strategy 2020 (Version 2) (for the *Working with Children (Risk Management and Screening) Act 2000* (Qld))

Riverside Christian College Work Health and Safety Policy (for the *Work Health and Safety Act 2011* (Qld))

Report of Suspected Harm or Sexual Abuse

POLICY APPROVAL		
Name	Position	Date
Board Chair	Chair, MCEF LTD	March 2022

Version No:	Document Revision Date	Description of Change	Document Owner	Position Title	Next Review Date
8	March 2022	Amended to reflect current practices	Board	Chair	March 2023
9	October 2023	Amended to reflect Child Protection Regulation 2023	Board	Chair	October 2024

Appendix 1

Summary of Reporting Harm

Who	What abuse	Test	Report to	Policy	Legislation
All Staff Members	Sexual	Awareness or reasonable suspicion of sexual abuse or reasonably suspects likely to be sexually abused	Principal or Delegate or Chair of College's Governing Body who must immediately report to QLD Police.	Child Protection Policy	EGPA sections 366 and 366A
Teacher, early childhood education and care professional, a person engaged to perform a child advocate function under the <i>Public Guardian Act 2014</i>	Sexual and physical	Reasonable suspicion Child suffered, is suffering or at unacceptable risk of suffering significant harm. Parent may not be willing and able to protect Child from harm	Confer with Principal and/or delegate and report to Child Safety	Child Protection Policy	CPA sections 13E and 13G
All Staff Members and Children	Physical, psychological, emotional, neglect, exploitation	Significant harm Parent may not be willing and able to protect Child from Harm	Principal and or delegate and, report to Child Safety	Child Protection Policy	Accreditation Regulations section 16
All Staff Members	Any	Not a level that is otherwise reportable to Child Safety, or, likely to become a child in need of protection, refer with consent	Principal, through to Family and Child Connect	Child Protection Policy and Child Risk Management Policy	CPA Sections 13B and 159M
Any person	Any	Reasonable suspects Child may need protection or unborn Child may be in need of protection after he or she is born.	Child Safety	Child Protection Policy and Child Risk Management Policy	CPA section 13A

APPENDIX 2

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:	Sex Descriptor:
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 <input type="checkbox"/> NO <input type="checkbox"/>		
Name of staff member making report if not the Principal:		
Position:	Signature:	Date:
Principal:	Signature:	Date:
Principal's email address:		
Response requested by school:		
ACTION TAKEN		
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.