Child Protection Policy

Purpose:	The purpose of this policy is to provide written processes about – (a) how the school will respond to harm, or allegations of harm, to students under 18 years; and (b) the appropriate conduct of the school's staff and students; and (c) to comply with accreditation requirements.	
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 Discovery Christian College and covers information about the reporting of harm and abuse.	
Status:	Approved 4/08/20	**Supersedes**: Child Protection Policy Issued: 2019
Authorised by:	School Governing Body Chairperson	**Date of Authorisation**: 04/08/20
References:	• *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)* • Discovery Christian College Complaints Handling Policy • Discovery Christian College Child Risk Management Strategy (for the *Working with Children (Risk Management and Screening) Act* 2000 (Qld)) • Discovery Christian College Work Health and Safety Policy (for the *Work Health and Safety Act* 2011 (Qld)) • Discovery Christian College Child Protection Reporting Form • Royal Commission into Institutional Responses to Child Sexual Abuse Final Report 2017	
Review Date:	Annually	**Next Review Date**: February 2021
Policy Owner:	Discovery Christian College Executive Management Committee (Board) Chairperson	

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 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.

Health and Safety

The school 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) and the *Working with Children (Risk Management and Screening) Regulation 2020* (Qld).

Responding to Reports of Harm

When the school receives any information alleging 'harm'[1] 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 school's Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy[2].

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[3].

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

Reporting Inappropriate Behaviour

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

- Jacqueline Newell – College Chaplain
- Lee Franssen – Head of Primary
- Marteniekie Janse van Rensburg – Head of Secondary
- Joshua Counsel – Principal[4].

Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour 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 school's governing body (Executive Management Committee) [4]. Reports will be dealt with under the school's Complaints Handling Policy.

Reporting Sexual Abuse[5]

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 Principal or to a director of the school's governing body immediately.

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

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

If the first person who becomes aware or reasonably suspects sexual abuse is the school's 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.

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[6].

Reporting <u>Likely Sexual Abuse</u> [7]

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 pre-preparatory aged child registered in a pre-preparatory 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 principal or to a director of the school's governing body immediately.

The school's 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's 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.

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;

[6] *Education (General Provisions) Regulation 2017 (Qld) s.68*
[7] *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

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 abuse[8].

Reporting Physical and Sexual Abuse [9]

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, Youth and Woman (or another department administering the *Child Protection Act* 1999). The doctor, nurse, teacher or early childhood education and care professional should 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; and
b) include the information prescribed by regulation, to the extent of the person's knowledge[10].

Child Safety Regional Intake Service Contact Details

Bundaberg Child Safety Service Centre

Address: Level 1, Queensland Government Building46 Quay Street Bundaberg Qld 4670

Postal address: PO Box 1047Bundaberg Qld 4670

Phone: (07) 4154 9700

Gladstone Child Safety Service Centre

Address: 162 Goondoon Street Gladstone Qld 4680

Postal address: PO Box 536Gladstone Qld 4680

Phone: (07) 4843 7500

[8] *Education (General Provisions) Regulation 2017 (Qld) s.69*
[9] *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*
[10] See *Child Protection Regulation 2011 (Qld) s.10 "Information to be included in report to chief executive"*

Data Retention

The Royal Commission into Institutional Responses to Child Sexual Abuse has recommended retention of at least 45 years for records that may become relevant to an actual or alleged incident of child sexual abuse.

In response to this recommendation, Discovery Christian College will retain relevant documents in relation to sexual abuse on its information system for a period not less than 45 years.

Awareness

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students via the publication of this policy and the Child Risk Management Strategy on its website, through relevant employee handbooks and during the staff induction process. Students are advised of the reportable officers at College assemblies and during Pastoral Care classes.

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[11].

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[12]. The Executive Management Committee (Board) will be notified of this training and will be provided evidence of its completion. This may include, staff meeting agendas, staff induction agendas, child safety training completion certificates during the annual review of this policy and the Child Risk Management Strategy[13].

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[14].

Complaints Procedure

Suggestions of non-compliance with the school's processes may be submitted as complaints under the College's Complaints Handling Policy[15].

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[11] *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)*
[12] *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)*
[13] *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld) s.10(6)*
[14] *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)*
[15] *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)*