Child Protection Risk Management Strategy and Procedure for Education Services

Responsibility: The Baptist Union of Queensland trading as Carinity

Points of Contact: Chief Executive Officer  
Executive Manager – Education Services

Implementation: 12/03/2012  
Review: Biennial  
Revised 27/11/13; 22/04/2014; 5/2/2015.

CEO Approval:

1 PURPOSE

The purpose of this strategy and procedure is to provide to Carinity schools and staff written processes to be undertaken for the purpose of reducing the risk of harm to children and to ensure compliance with the Carinity Child Protection Policy and associated legislative obligations.

2 SCOPE

This strategy and procedure applies to students, staff members, volunteers, contractors and people undertaking work experience or vocational placements at Carinity Schools and covers information about reporting of harm and sexual abuse.

This strategy should be read in conjunction with the Carinity Child Protection Policy, Code of Conduct, Employee Guidelines and Volunteer Guidelines.

3 DEFINITIONS

Child in need of Protection (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.

Harm (Section 9 of the Child Protection Act 1999) 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.
Inappropriate behaviour includes but is not limited to any behaviour of an unacceptable or unprofessional nature, between students and staff or volunteers, including words, that is contrary to what is required by the Carinity Code of Conduct and contractual obligations.

Parent: A parent of a child is the child’s mother or father, or a person who exercises parental responsibility for the child. However a person standing in the place of a child on a temporary basis is the parent of the child.

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.

Reasonable suspicion means a suspicion that would be formed by a reasonable person based on evidence (specific facts or circumstances) available to them.

Respondent is a staff member, volunteer, other member of the school community or student who is the subject of an allegation or reasonable suspicion of causing harm to a student.

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

4 Risk Management Activities

Risk Management Activities

Accessibility and Awareness

The Principal will ensure that the Carinity Child Protection Policy and this document are made available:

- to staff members generally via the Carinity Intranet;
- to each new staff member, on induction;
- to staff, families and students by its display on the school website;
- to agreed contractors; and
- on request, to staff, families and students from the school reception.

The Principal will ensure that all staff acknowledges that they have received training in the Carinity Child Protection Policy and Child Protection Strategy and Procedure for Education Services (refer to Agreement to Comply with Child Protection Risk Management Strategy and Procedure for Education Services).

Carinity’s policy, strategy and attitude towards child protection is conveyed via the newsletter on a regular basis, including details about how to report harm or suspected harm. Students are also informed at assembly and in regular classroom meetings about how to protect themselves and who to report to if they are concerned about their safety.

Blue Cards

All staff members, including Board members, and other people in contact with students of the school, must have current prescribed notices (blue cards) where required by legislation.
Each school maintains a register of:
- all teacher registration numbers; and
- all blue card numbers of non-registered teacher staff members and the dates for renewal.

Head Office maintains a register of:
- all blue card numbers of Board members and the dates for renewal.

**Choosing Staff**
Carinity recognises that risk management for child protection begins with the recruiting, screening and selection of the right people to work in schools, and continues by having consistent procedures in place for all staff and contractors to follow, with adequate management and supervision to ensure they comply with these procedures.

Carinity, therefore, has written policies on the recruitment and selection and management of staff members and contractors. Refer to Carinity Recruitment and Selection Policy, Recruitment and Selection Procedure, Volunteer Management Policy and Volunteer Management Procedure.

**Confidentiality**
Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. Carinity is unable to promise absolute confidentiality since applicable legislation and its policies will require disclosing, internally and externally, certain details involved in responding to disclosures.

**Conduct of staff members and students**
All staff and contractors must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff and contractors must not cause harm to students (refer - Protocols of this procedure).

**Complaints**
Suggestions of non-compliance with the school’s processes may be submitted as complaints under Carinity’s Complaint Management Policy and Complaint Management Procedure.

**Criminal Law**
Where there are allegations of criminal misconduct, the allegations should be referred to the police.

**Defamation**
A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability.

**Disciplinary action**
Carinity staff members who fail to comply with the Carinity Education Child Protection – POLICY and Child Protection Risk Management Strategy and Procedure for Carinity Education Services may face disciplinary action and termination of their employment.

**End of Term Child Protection Policy and Child Protection Risk Management Meeting**
Chairperson will be the School Principal or his/her delegate.

Members will include staff working at the school.

**Operating Procedures**
- meetings will be held quarterly at the end of each term
- the Chairperson shall prepare Agendas and issue Notice of Meetings
- the Chairperson or nominated person will take notes of proceedings and prepare Minutes of meeting. Minutes will be made available to participants and included in the Principal’s monthly report to the Executive Manager Education Services.

**Main function**
- discuss key issues relating to child protection
- one staff member will present a child protection case study
- to recommend any procedural or administrative changes relating to child protection at the school.
Harassment, Discrimination and Victimisation

Carinity Schools have a responsibility to take reasonable steps to promote a learning environment free from harassment, discrimination and victimisation. To this end, Carinity has processes in place to assist in the management of an appropriate learning environment.

Health and Safety

Carinity has written health and safety policy in place.

Induction

Carinity has a written induction process which applies to all staff members during the first twelve months of appointment, and includes procedures for making staff members aware of the legislation on Child Protection and the Carinity Code of Conduct.

The Induction process includes, but is not limited to:

- professional development about identifying and reporting harm or suspected harm and sexual abuse
- making staff aware of the protocols for the protection of children (refer to Protocols of this procedure)
- working through policies and procedures related to child protection

Police Action

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing internal enquiries or disciplinary proceedings. This does not preclude the Principal from seeking advice from police regarding the duty of care to existing students which may involve the standing down of a staff member during an investigation. The police are not required to inform the school about their investigation.

Professional Development

All staff members are required, on an annual basis, to sign a register that they have read and understood Carinity’s Child Protection Policy and Child Protection Strategy and Procedure for Education Services. In addition, Carinity provides professional development in relation to child protection on a regular basis and a record is kept of such activities.

At least one staff meeting per term includes discussion of a child protection case study.

Protocols

It is a requirement that:

- staff members are not alone with individual students in areas where they cannot be seen by other staff members or students;
- all interviews with a student in relation to behaviour management issues are carried out in the presence of at least two members of staff;
- staff members do not use their private vehicles to transport students without the permission of the Principal;
- staff members do not provide students with personal contact details (e.g. home/ mobile phone numbers and personal email addresses); and
- staff members do not have current students as friends on social networking sites such as Facebook.
Review of this procedure
Carinity will ensure this procedure is reviewed at least once every 2 years or sooner as changes in legislation deem it necessary.

Support
The school will offer support for both the student who has been or is suspected of having been harmed and the respondent through professional external counselling services, even if allegations have not yet been proven or disproven.

Teachers
If the respondent is a registered teacher, the school will give notification of the matter to the Queensland College of Teachers, if required to do so under applicable legislation.

Volunteers
Volunteers within the school environment who are parents of students who are enrolled at a Carinity school do not require a current positive suitability notice ‘Blue Card’ where they are engaged in volunteer activities not involving overseeing, guiding and/or leading students (e.g. a parent making materials), and/or they are in the constant presence of a staff member (e.g. a parent facilitating a reading group within a teacher directed classroom).

Volunteers attending ‘Going Out’ activities where they will be escorting children outside of the school environment without the presence of a staff member, must have a current positive suitability notice ‘Blue Card’.

5 PROCEDURE

When a Carinity 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 minimise any likely harm to the extent it reasonably can.

Reporting Inappropriate Behaviour
How a student reports inappropriate behaviour of a staff member.
If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to any of the following staff:
- The School Principal or
- School Counsellor or
- Health and Well Being Coordinator or
- Any other member of staff.

How a staff member must deal with information about 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 the Executive Manager Education Services or Chief Executive Officer (refer to Allegation of Inappropriate Behaviour by an Employee Form).

How the Principal must report inappropriate behaviour.
The Principal must:
- Consult as appropriate to decide on the investigation process
- Establish that the matter is inappropriate behaviour and not harm or sexual abuse
- If inappropriate behaviour commence an investigation and notify the Executive Manager Education Services
- Take appropriate action based on findings
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 pre-preparatory aged child registered in a pre-preparatory learning program at the school;
(c) a person with a disability who:
   (i) under s.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 the Executive Manager Education Services or the Chief Executive immediately.

If the staff member 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 the Executive Manager Education Services or the Chief Executive immediately.

‘Under section 366B of the Education (General Provisions) Act 2006, the directors of a school’s governing body may delegate the directors’ function under section 366 to an appropriately qualified individual (this cannot be the Principal or any other staff member of the school). Directors should ensure they are well briefed about the requirements of section 366B before undertaking a delegation of this function.)’

A report under this section must include the particulars required by s.68 of the Education (General Provisions) Regulation 2006 which are currently:

(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;
(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

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 pre-preparatory aged child registered in a pre-preparatory learning program at the school;
(c) a person with a disability who:
   (i) under s.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 Executive Manager Education Services or the Chief Executive immediately.
'Under section 366B of the Education (General Provisions) Act 2006, the directors of a school’s governing body may delegate the directors’ function under section 366A to an appropriately qualified individual (this cannot be the Principal or any other staff member of the school). Directors should ensure they are well briefed about the requirements of section 366B before undertaking a delegation of this function.)'

If the staff member who becomes aware or 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 the Executive Manager Education Services or the Chief Executive immediately.

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 (additional responsibilities for doctors, registered nurses and teachers)**

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 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 or teacher 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 or teacher 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.
### Reporting Harm Obligations Summary for Carinity Education Services

**Child Protection Guide (QLD)** is a web-based decision support tool to assist professionals to report their concerns to the appropriate statutory agency or refer children and their families to a family support service.

**Family and Child Connect (FCC)** is a service which provides an identifiable and easily accessible central referral point for families and professional to access family services.

<table>
<thead>
<tr>
<th>Legislation</th>
<th>If</th>
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</table>
| Reporting of sexual abuse or likely sexual abuse under sections 366 and    | You are a school staff member; and You are aware or reasonably suspect that a student has been, or is likely to be, sexually abused by another person                                                     | 1. Complete the school’s reporting form  
2. Discuss your concerns with your Principal  
3. The Principal will make a report to the Police  
4. The Principal will inform the Governing Body of the report  
   - If you suspect the Principal is involved in the abuse, directly inform the Governing Body of your concern which will report it to the Police  
5. Keep appropriate records of your decisions and actions                                                                                     |
| 366B of the Education (General Provisions) Act 2006                          |                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                     |
| You are a Principal or a member of the Governing Body; and                  | A staff member, including a teacher, reports a concern that a student has been, or is likely to be, sexually abused by another person; and You are aware or reasonably suspect the harm to have been caused or is likely to be caused | 1. Ensure that the school’s reporting form is completed  
2. Make a report to the Police  
3. Inform the Governing Body of the report  
4. Keep appropriate records of your decisions and actions                                                                                       |
|                                                                            |                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                     |
| Reporting of sexual and physical abuse under sections 13E and 13G of the    | You are a teacher; and You have a “reportable suspicion”, i.e. a reasonable suspicion that a student—  
(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 | 1. Complete the school’s reporting form  
2. Discuss your concerns with your Principal  
3. Work through the Child Protection Guide with the Principal  
4. The Principal will make a report to Child Safety  
5. The Principal will inform you of their report  
   - This fulfils your duty to report, as you now know that Child Safety is aware of the concern  
   - If you suspect the Principal is involved in the abuse, directly inform the Governing Body of your report  
6. Keep appropriate records of your decisions and actions                                                                                     |
| Child Protection Act 1999                                                  |                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                     |
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<td></td>
<td>You are a Principal or a member of the Governing Body; <strong>and</strong></td>
<td>1. Ensure that the school’s reporting form is completed</td>
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<td></td>
<td>A teacher reports a reportable suspicion to you; <strong>and</strong></td>
<td>2. Work through the Child Protection Guide with the staff member</td>
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<td>You are aware or reasonably suspect the harm to have been caused and you are aware or reasonably suspect that the student may not have a parent willing and able to protect them</td>
<td>3. Make a report to Child Safety if necessary</td>
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<td>• Inform the teacher of your report so that their own duty to report is fulfilled</td>
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<td>4. Inform the Governing Body of the staff member’s report</td>
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<td>5. Keep appropriate records of your decisions and actions</td>
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<td></td>
<td>You are a school staff member, including a teacher; <strong>and</strong></td>
<td>1. Complete the school’s reporting form</td>
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<td></td>
<td>You have a concern about harm to a student that does not reach the level of reporting to Child Safety</td>
<td>2. Discuss your concerns with your Principal</td>
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<td>3. Work through the Child Protection Guide with the Principal</td>
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<td>4. Principal may decide to:</td>
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<td>• Offer support at the school level</td>
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<td>• Seek parental consent to refer to FCC and then make the referral, using the Family and Child Connect (FCC)-prescribed form</td>
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<td>• Refer a family to FCC without consent (a Principal-only power), using the FCC-prescribed form</td>
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<td>• If you are concerned that the Principal may be involved in the harm, directly report your concern to the Governing Body which may take similar action to the Principal</td>
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<td>5. Keep appropriate records of your decisions and actions</td>
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<td>You are a Principal or a member of the Governing Body; <strong>and</strong></td>
<td>1. Ensure that the school’s reporting form is completed</td>
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<td></td>
<td>A staff member, including a teacher, reports a concern about harm to a student that does not reach the level of reporting to Child Safety; <strong>and</strong></td>
<td>2. Work through the Child Protection Guide with the staff member</td>
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<td>You are aware or reasonably suspect the harm to have been caused</td>
<td>3. Decide to:</td>
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<td></td>
<td>• Offer support at the school level</td>
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<td>• Seek parental consent to refer to FCC and then make the referral, using the FCC-prescribed form</td>
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<td>• Refer a family to FCC without consent, using the FCC-prescribed form</td>
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<td>4. Keep appropriate records of your decisions and actions</td>
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<td>Reporting of harm behaviour under section 10 of the Education (Accreditation of Non-State Schools) Regulations 2001</td>
<td>You are a staff member; and You are aware or reasonably suspect that a student has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical, psychological, emotion abuse or neglect, or sexual exploitation; and You are aware or reasonably suspect that a student may not have a parent able and willing to protect the child from the harm</td>
<td>1. Complete the school’s reporting form 2. Discuss your concerns with your Principal 3. Work through the Child Protection Guide with the Principal 4. The Principal will make a report to Child Safety: The Principal will inform the Governing Body of the report - If you suspect the Principal is involved in the harm, directly inform the Governing Body of your concern which will report it to Child Safety 5. Keep appropriate records of your decisions and actions</td>
</tr>
<tr>
<td>Reporting of harm under section 10 of the Education (Accreditation of Non-State Schools) Regulations 2001</td>
<td>You are a Principal or a member of the Governing Body; and A staff member has reported a concern that significant harm (other than sexual abuse) has been caused or suspected to have been caused to a student that may not have a parent willing and able to protect them; and You are aware or reasonably suspect that the student may not have a parent willing and able to protect them</td>
<td>1. Ensure that the school’s reporting form is completed 2. Work through the Child Protection Guide with the staff member 3. Make a report to Child Safety 4. Inform the Governing Body of the report 5. Keep appropriate records of your decisions and actions</td>
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<tr>
<td></td>
<td>You are a student; and A staff member at the school has behaved in a way you consider is inappropriate</td>
<td>1. Report the behaviour to a stated staff member</td>
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<tr>
<td></td>
<td>You are a staff member; and A student has reported to you behaviour of another staff member that the student considers is inappropriate</td>
<td>1. Complete the school’s reporting form 2. Discuss the student’s report with your Principal 3. The Principal will take appropriate action in the circumstances - If you suspect the Principal is involved in the inappropriate conduct, directly inform the</td>
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<td></td>
<td>(note, if the inappropriate behaviour fits one of the types of harm identified above, follow that process as the priority)</td>
<td>Governing Body of your concern which will take action as appropriate</td>
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<td>You are a Principal or a member of the Governing Body; <strong>and</strong> A staff member has reported to you a student’s report of the inappropriate behaviour of another staff member (note, if the inappropriate behaviour fits one of the types of harm identified above, follow that process as the priority)</td>
<td>1. Interview the student reporting the behaviour</td>
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<td>1. Interview the staff member named in the report as engaging in inappropriate behaviour</td>
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<td>2. Interview any other person who may be able to provide useful information</td>
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<td>4. Take appropriate action on the basis of your investigation</td>
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<td>5. Report to the Governing Body as appropriate</td>
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<td>6. Keep appropriate records of your decisions and actions</td>
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**Reporting investigation of harm under section 76 of the Education (Queensland College of Teachers) Act 2005**

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<tr>
<th>Reporting investigation of harm under section 76 of the Education (Queensland College of Teachers) Act 2005</th>
<th>You are a Principal; <strong>and</strong> The school is investigating an allegation of harm caused, or likely to be caused, to a child because of the conduct of a teacher</th>
<th>1. As soon as practicable after the investigation starts, give notice to the Queensland College of Teachers</th>
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<td>2. The notice must include the following—</td>
<td>2. a) the name of the Principal;</td>
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<td>b) the name of the school;</td>
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<td>c) the name of the relevant teacher;</td>
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<td>d) the day the investigation started; and</td>
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<td>e) the allegation, particulars of the allegation and any other relevant information</td>
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**Self-Harm by Students**

During their schooling, some students may be at risk of harming themselves. This harm may occur with or without suicidal intent; or may be symptomatic of, or associated with, a known medical condition or intellectual disability.

Staff members who suspect or discover that a student has self harmed or is at risk of self harming must ensure the student’s immediate safety and arrange first aid in the first instance then report the incident to the Principal.

Not all cases of self-harm relate to suicidal intent. Students may engage in a variety of high risk behaviours, such as: alcohol/substance abuse; drug-taking; unsafe promiscuity; or cutting/burning oneself.

The school provides educational programmes to assist students to make appropriate choices in relation to drug and alcohol use and sexual activity.
**Recording and Reporting**

Each school keeps a register in the Principal’s office of all incidents related to sexual abuse, harm or inappropriate behaviour *(refer to Child Protection Register located at each school)*.

Where legislation requires, incidents of harm or suspected harm are reported to the relevant state authorities immediately, and the incident is noted in the register.

Where an incident of inappropriate behaviour is reported, full details, including the steps taken to resolve the incident, are entered in the register.

**RELATED DOCUMENTATION**

1. **Policies**
   - (a) Child Protection Policy
   - (b) Conflict of Interest Policy
   - (c) Complaints Management Policy
   - (d) Criminal History Checks Policy
   - (e) Incident Reporting and Incident Investigation Policy
   - (f) Privacy Policy
   - (g) Progressive Disciplinary Management Policy
   - (h) Recruitment and Selection Policy

2. **Procedures**
   - (a) Conflict of Interest Procedure
   - (b) Complaints Management Procedure
   - (c) Criminal History Checks - Procedure
   - (d) Incident Reporting and Incident Investigation Procedure
   - (e) Privacy Procedure
   - (f) Progressive Disciplinary Management Procedure
   - (g) Recruitment and Selection Procedure

3. **Forms**
   - (a) Agreement to Comply with Child Protection Risk Management Strategy and Procedure Education Services
   - (b) Carinity Incident Report Form
   - (c) Child Protection Reporting Form Education Services
   - (d) Allegation of Inappropriate Behaviour by an Employee Form

4. **Internal Documents**
   - (a) Carinity Code of Conduct
   - (b) Employee Guidelines for Education and Training Centres
   - (c) Volunteer Guidelines