



Child Protection Policy

Sponsor¹

The sponsor of this policy is the Chief Financial Officer.

Purpose:

The purpose of this policy is to provide written processes about the health and safety of the Toowoomba Grammar School staff and students and about the appropriate conduct of the School's staff and students.

Scope:

This policy applies to staff, students, contractors and volunteers at Toowoomba Grammar School and covers information about the reporting of:

- Inappropriate behaviour;
- Harm;
- Suspected harm;
- Sexual abuse;
- Suspected sexual abuse;
- Likely sexual abuse.

Responsibility:

Board of Trustees

Point of Contact:

Headmaster

Definitions and Legislation:

A **Student** is any person regardless of age who is enrolled at the School.

Harm, caused to a student, is any detrimental effect of a significant nature on the student'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

¹ The term "sponsor" is used with the intent of identifying positions to assist in developing and amending respective policies. It is not intended to imply any other legal responsibility.

- (3) Harm can be caused by-
- (a) a single act, omission or circumstance; or
 - (b) a series or combination of acts, omissions or circumstances.

Sexual abuse, in relation to a student, includes sexual behaviour involving the student and another person in the following circumstances -

- (a) the other person bribes, coerces, exploits, threatens or is violent toward the student;
- (b) the student has less power than the other person;
- (c) there is a significant disparity between the student and the other person in intellectual capacity or maturity.

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.
(Section 10 of the *Child Protection Act, 1999*)

Relevant Legislation

Child Protection Act 1999 (Qld)
Education and Training Legislation Amendment Act 2011
Commission for Children and Young People and Child Guardian Act 2000 (Qld)
Commission for Children and Young People and Child Guardian Regulation 2001 (Qld)
Education (General Provisions) Act 2006 (Qld)
Education (General Provisions) Regulation 2006 (Qld)
Education (Queensland College of Teachers) Act, 2005 (Qld)
Education (Accreditation of Non-State Schools) Act 2001 (Qld)
Education (Accreditation of Non-State Schools) Regulation 2001(Qld)
Education Services for Overseas Students (ESOS) Act 2000 (Cth)
Education (Overseas Students) Act 1996 (Qld)
Working with Children (Risk Management and Screening) Act 2000 (Qld)
Working with Children (Risk Management and Screening) Regulations 2011 (Qld)

Health and Safety:

The School will protect students from harm as far as it is reasonably able. The safety, wellbeing and best interests of the students are of primary importance. The School will ensure the health and safety of staff in accordance with Workplace Health and Safety legislation.

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.

The School will ensure that staff and volunteers have a positive notice (“blue card”) as required by the Commission for Children and Young People and Child Guardian Act 2000 or that they are registered teachers.

Inappropriate Behaviour:

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

- (a) The Headmaster, Deputy Headmaster, Head of Senior School or
- (b) The Head of Junior School, or Deputy Head of Junior School.

Dealing with Information about Inappropriate Behaviour:

A staff member who receives a report or becomes aware of inappropriate behaviour must report it to the Headmaster or Deputy Headmaster or Head of Senior School or Head of Junior School or Deputy Head of Junior School. Where the Headmaster is the subject of the report of inappropriate behaviour, the staff member must inform the Chairman of the Board of Trustees or a member of the Board of Trustees.

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 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.

Reporting Sexual Abuse under *Education (General Provisions) Act 2006*:

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 attending the School;
- (b) 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 Headmaster, Deputy Headmaster or to the Chairman of the Board of Trustees or a member of the Board of Trustees, who will then report to a police officer immediately.

If the staff member who becomes aware or reasonably suspects sexual abuse is the Headmaster or Deputy Headmaster, the Headmaster or Deputy Headmaster 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 Chairman of the Board of Trustees or a member of the Board of Trustees.

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 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.

Where the Headmaster is the subject of the report of sexual abuse, the staff member must inform the Chairman of the Board of Trustees or a member of the Board of Trustees, who will then report to a police officer immediately.

Reporting Likely Sexual Abuse under *Education (General Provisions) Act 2006* :

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 attending the School;
- (b) 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 Headmaster, Deputy Headmaster or to the Chairman of the Board of Trustees or a member of the Board of Trustees, who will then report to a police officer immediately.

If the staff member who becomes aware or reasonably suspects likely sexual abuse is the Headmaster or Deputy Headmaster, the Headmaster or Deputy Headmaster must give a written report about the likely sexual abuse to a police officer immediately and must also give a copy of the report to the Chairman of the Board of Trustees or a member of the Board of Trustees.

A report under this section must include the particulars required by s.68A 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 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 is suspected to be likely to abuse the student;
 - (iii) the identity of anyone else who may have information about the suspected likelihood of abuse.

Where the Headmaster is the subject of the report of likely sexual abuse, the staff member must inform the Chairman of the Board of Trustees or a member of the Board of Trustees, who will then report to a police officer immediately.

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 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 Headmaster.

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.

Accessibility of Policy:

This policy is accessible on the School website and Intranet and will be available on request from the School's administration. Each new staff member will be made aware of the policy as part of their induction.

Awareness of Policy:

Staff and students will be made aware of the policy by its display on the School website and Intranet.

This policy should also be discussed / handed out each year at a staff meeting.

Form for Reporting:

Attached to this policy is a form for reporting.

Private and Confidential

Report of Harm, Suspected Harm, Sexual Abuse, Suspected Sexual Abuse or Likely Sexual Abuse

Date:
School:
School Phone:
School Fax:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
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):			
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"/>				
OTHER HOUSEHOLD MEMBERS: (All known names of children, family and significant others).				
Name	Date of Birth	Sex	Relationship to Student	School

COURT ORDERS IN PLACE (e.g. Child Protection, Domestic Violence, Family Court)	
Family Court Order	Please Specify Details:
Domestic Violence Order	Please Specify Details:
Child Protection Order	Please Specify Details:

PERSON ALLEGED TO HAVE CAUSED THE HARM		
<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 HARM, SUSPECTED HARM, SEXUAL ABUSE, SUSPECTED SEXUAL ABUSE, OR LIKELY SEXUAL ABUSE (Attach extra pages if necessary).



Details of any harm and/or risk of harm to the student - please include: Time and date 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 to the Statutory Agency if not the Headmaster:	Signature:	Date:
Position:		
Headmaster:	Signature:	Date:
Headmaster's email address:		
Response requested by School:		

ACTION TO BE TAKEN (Tick the Appropriate suspected harm of harm type below)

<input type="checkbox"/> Sexual abuse		Fax or email this form to: - Queensland Police Services (QPS)
<input type="checkbox"/> Harm - physical, emotional, psychological or neglect		Fax or email this form to: - Queensland Police Services (QPS) or - Department of Communities (Child Safety Services)

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.