

Seventh-day Adventist Schools (South Queensland) Limited



Department: Education	Description: Procedure
Administrative Area: Risk Management and Compliance	Type: Mandatory
Document Name: Child Protection Procedures	Issue Date: 24 September 2020
Document ID: SQS105.008.EDU	Review Date: Term 3 - 2022

Brisbane Adventist College Child Protection Procedures

Purpose:	The purpose of this policy is to provide a policy as part of Seventh-day Adventist Schools (South Queensland) Ltd.'s written processes about how [Brisbane Adventist College] will respond to harm, or allegations or harm, to students under 18 years old, and the appropriate conduct of the school's staff and students, 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 Seventh-day Adventist Schools (South Queensland) Ltd. and covers information about the reporting of harm and abuse	
References:	<ul style="list-style-type: none"> • Child Protection Act 1999 (Qld) • Child Protection Regulation 2011 (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 2011 (Qld) • Dispute Resolution and Discipline Policy • Performance and Conduct Policy • Child Risk Management Strategy (for the <i>Working with Children (Risk Management and Screening) Act 2000</i> (Qld)) • Work Health and Safety Policy Statement (for the <i>Work Health and Safety Act 2011</i> (Qld)) 	
Status:	Approved	Supersedes: SQS105.007.EDU
Policy Owner:	Seventh-day Adventist School (South Queensland) Limited	
Authorised by:	Education Director	Date of Authorisation: 24 September 2020

Approved by:	This policy has been ratified by the Board of Directors of Seventh-day Adventist Schools (South Queensland) Limited as the Child Protection Procedures for Seventh-day Adventist Schools (South Queensland) Limited.	
	Pr Brett Townend Board of Directors Chairperson:	Date of Approval: 25/09/2020
	Pr Colin Renfrew Board of Directors Secretary:	Date of Approval: 25/09/2020
Review Cycle:	Reviewed Biennially (every two years)	Next Review Date: Term 3 - 2022
Review Team:	Board of Directors, NSSAB, AdSafe, Chief Education Officer, Project Officers	
Revised by: David Rodgers (3 October 2017)	Section: Whole document	Details of Changes: Changed document title Updated whole document to version 5 Updated formatting
Steve Cowley (2 August 2018)	1.9 Reporting Physical and Sexual Abuse Legislation Appendix A	Listed the prescribed information as required by the <i>Child Protection Regulations, 2011, Section 10</i> in the reporting of harm, or a suspicion of harm, caused by physical or sexual abuse Updated the document to reflect the current legislation: <ul style="list-style-type: none"> • <i>Education (Accreditation of Non-State Schools) Act 2017</i> • <i>Education (Accreditation of Non-State Schools) Regulation 2017</i> Added the reporting form for <i>Report of Harm, Suspected Harm, Sexual Abuse, Suspected Sexual Abuse or likely Sexual Abuse to a Student (SQS118.002.ADM)</i>
Steve Cowley (27 August 2018)	Title page - References Footnotes	Added <i>Child Protection Regulation 2011 (Qld)</i> Amended the section and sub-section references to match with the <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i>
Vanessa Woodman (5 August 2019)	Title page – References	Updated <i>Education (General Provisions) Regulation 2006 (Qld) to 2017</i> Removed Document ID from SQ Policies to enable accurate updating (including Section 1.6) Removed SQS015.001.ADM WHS Policy and Procedures which is currently not in force
Vanessa Woodman (5 August 2019)	Sections 1.7 and 1.8 including Footnotes	Updated the sections and corresponding Footnotes to match the current legislation of the <i>Education (General Provisions) Regulation 2017 (Qld)</i>
Vanessa Woodman (5 August 2019)	Section 1.9	Updated Department of Communities, Child Safety and Disability Services to the Department of Child Safety, Youth and Women

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Revised by: Vanessa Woodman (5 August 2019)	Section: Appendix A	Details of Changes: Updated the subtitle reference to the <i>Education (General Provisions) Regulation 2017 (Qld)</i>
Vanessa Woodman (24 September 2020)	Section 1.7 (b) & Section 1.8 (b)	Replaced 'pre-preparatory' with 'kindergarten' as per Section 366 and 366A of the <i>Education (General Provisions) Act 2006 (Qld)</i> .
Vanessa Woodman (24 September 2020)	Section 1.7 & Section 1.8	Added ' <u>immediately</u> ' to the paragraph regarding if the first person is the school's Principal, where they 'must also <u>immediately</u> give a copy of the report to a director of the school's governing body' as per Section 366(2B) and 366A(4) of the <i>Education (General Provisions) Act 2006 (Qld)</i> .

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1.1 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:
 1. Has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 2. 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:
 1. The other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
 2. The relevant person has less power than the other person;
 3. There is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

1.2 Health and Safety

The school has written processes in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation¹.

1.3 Responding to Reports of Harm

When the school receives any information alleging 'harm'² 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 policy³.

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.15*

² *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)*

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

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1.4 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 students⁴.

1.5 Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to:-⁵

- [Mrs Leanne Entermann]

or

- [enter the name of another staff member at the school/college]

1.6 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 body⁶. Reports will be dealt with via *Complaints and Dispute Resolution Policy* and *Guidelines for Handling Complaints and Appeals*.

1.7 Reporting Sexual Abuse⁷

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 age 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.

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 (Education CEO, Conference President, Conference Secretary or Conference CFO) immediately.

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

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 immediately give a copy of the report to a director of the school's governing body.

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(3)*

⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

⁷ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

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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 sexually abused, or is suspected to have sexually abused, the student;
 - iii. The identity of anyone else who may have information about the abuse or suspected abuse⁸.

1.8 Reporting Likely Sexual Abuse ⁹

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 kindergarten age 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.

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 of the school's governing body 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 immediately 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;
 - 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 the suspected likelihood of abuse¹⁰.

⁸ *Education (General Provisions) Regulation 2017 (Qld) s.68*

⁹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

¹⁰ *Education (General Provisions) Regulation 2017 (Qld) s.69*

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1.9 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 Child Safety, Youth and Women (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 particulars¹¹:

- a) The child's name and sex;
- b) The child's age;
- c) Details of how to contact the child;
 - The address at which the child usually lives
 - The name and address of the school the child attends
- d) Details of the harm to which the reportable suspicion relates;
- e) Particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- f) Particulars of the identify of any other person who may be able to give information about the harm to which the reportable suspicion relates.

1.10 Awareness¹²

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. Staff will be informed through the process of compulsory annual training. Students will be informed through posters, notices and awareness sessions during chapel programs. Parents will be informed through newsletters.

1.11 Training¹³

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. Annual training will be delivered to school staff in group training sessions at the beginning of the school year. Training will be delivered by a designated person with appropriate experience and knowledge of the requirements of the Child Protection Risk Management Strategy. On line training through the safety management web site will be a requirement for any staff members who are not present for the group session or who begin their employment after the training session has been conducted.

¹¹ *Child Protection Regulation 2011(Qld) s.10*

¹² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a) and s.16(4)(b)*

¹³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)*

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1.12 Implementing the Processes¹⁴

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.

1.13 Accessibility of Processes¹⁵

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.

1.14 Complaints Procedure¹⁶

Suggestions of non-compliance with the school's processes may be submitted as complaints under Seventh-day Adventist Schools (South Queensland) Ltd. Dispute Resolution/Complaints Handling Procedure.

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(4)(b)

¹⁶ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)

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Report of Harm, Suspected Harm, Sexual Abuse, Suspected Sexual Abuse or likely Sexual Abuse to a Student

(In Accordance with s.69 of the *Education (General Provisions) Regulation 2017* and s.10 of the *Education (Accreditation of Non-State Schools) Regulation 2017*)

School Name:	Phone:	Fax:
Address:		

DETAILS OF STUDENT/CHILD HARMED OR SUSPECTED OF BEING HARMED:	
Legal Name:	Preferred Name:
DOB:	Gender:
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:

PERSON ALLEGED TO HAVE CAUSED THE HARM OR SUSPECTED 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	
Name of Person if known:	

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM (Attach extra pages if necessary).	
• Time and date of the incident,	
• source of information,	
• details of person alleged to have caused the harm,	
• physical appearance of any injury	
• ongoing safety concerns	
• disclosures made by student	
• previous incidents of harm	
• Behavioural indicators of harm	
• presence of any medical needs or developmental delays	
• if the information relates to an unborn child, the alleged risk to the unborn child	
Parent/carer knowledge of incident and their response:	
Names of Other People Who May Have Knowledge of the Incident:	
Other services or supports currently in place to support the student – Please include contact with other professionals (police, medical, community)	
Additional information provided as an attachment YES <input type="checkbox"/> NO <input type="checkbox"/>	

Person making report (First Person) to the police or Department of Communities (Child Safety Services) if not the Principal:	Signature:	Date:
Name:		
Position:		
Principal:	Signature:	Date:
Principal's email address:		

ACTION TO BE TAKEN (Tick the Appropriate suspected harm/risk of harm type below)		
<input type="checkbox"/>	Sexual abuse	Fax or email this form to: Queensland Police Services (QPS)
<input type="checkbox"/>	Physical Abuse	Fax or email this form to: Queensland Police Services (QPS) OR Department of Communities (Child Safety Services)
<input type="checkbox"/>	Emotional Abuse	
<input type="checkbox"/>	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.

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