



POLICY STATEMENT – CHILD PROTECTION

1. Purpose

The purpose of this policy forms part of Storyfest's written processes relating to how the Storyfest will respond to harm, or allegations of harm, to students under 18 years old, and the appropriate conduct of the Storyfest's staff comply with accreditation requirements.

2. Scope

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 Storyfest and covers information about the reporting of harm and abuse.

3. The Law

- *Child Protection Act 1999 (Qld)*
- *Education (General Provisions) Act 2006 (Qld)*
- *Education (General Provisions) Regulation 2017 (Qld)*
- *Working with Children (Risk Management and Screening) Act 2000 (Qld)*

4. Policy Review

Reviewed: Annually in February.

5. Policy Owner

Somerset Storyfest Ltd

6. 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.

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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

Health and Safety

Storyfest has written processes in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation.

Responding to Reports of Harm

When Storyfest 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 Storyfest’s Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy.

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.

Reporting Inappropriate Behaviour

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

- Ms Andrea Lewis, CEO

or

- Ms Airlie MacLachlan, Chair

Dealing with a Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the CEO. Where the CEO is the subject of the report of inappropriate behaviour, the staff member must inform a member of the Storyfest Board. Reports will be dealt with under the Storyfest Communication Protocol.

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 Storyfest, that any of the following has been sexually abused by another person:

- a student under 18 years;
- a kindergarten aged child registered in a kindergarten learning program
- a person with a disability who:-
 - under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education; and
 - is not enrolled in the preparatory year

then the staff member must immediately give a written report about the abuse or suspected abuse to the CEO or to the Chair of the Storyfest Board. A sample of the report form is available as Appendix 2 in this Policy.

The CEO or the Chair of the Storyfest Board 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 CEO, the CEO must immediately 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 Chair of the Storyfest Board immediately.

A report under this section must include the following particulars: -

- the name of the person giving the report (the **first person**).
- the student's name and gender.

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- c) details of the basis for the first person becoming aware, or reasonably suspecting, 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.

Reporting Likely Sexual Abuse

Section 366A of the *Education (General Provisions) Act 2006* states that: if a staff member reasonably suspects in the course of their employment any of the following is likely to be sexually abused by another person: -

- a) a student under 18 years participating in an activity delivered by Storyfest.
- b) a kindergarten aged child participating in an activity delivered by Storyfest.
- c) a person with a disability who: -
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being participating in an activity delivered by Storyfest;

then the staff member must immediately give a written report about the suspicion to the Storyfest's CEO or the Chair of the Storyfest Board.

The CEO or the Chair of the Storyfest Board must immediately give a copy of the report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the CEO, the CEO must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Chair of the Storyfest Board 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 gender.
- 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.

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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 during 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 CEO.

The mandatory reporting obligation is for the staff member to determine whether there is a reportable suspicion. The staff member may consult with the CEO or other colleagues as the reportable suspicion is being formed, but once formed, the obligation remains with the staff member to ensure that a report is, or has been, made.

This can be achieved either by the staff member reporting directly to Child Safety Services or by receiving, as a matter of urgency, written confirmation from the CEO that a written report has been submitted to Child Safety Services

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.

Awareness

Storyfest informs staff of its processes relating to the health, safety and conduct of staff and students in communications to them and a copy of this policy will be readily available for reference.

Training

Storyfest trains its staff annually at the commencement of each year in the processes relating to Child Protection and the health, safety and conduct of staff and students. All staff new to Storyfest complete the Child Protection Training during their induction. All

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staff are briefed about the importance of completing the Child Protection Training annually at the Whole Staff Meeting at the commencement of each school year.

Implementing the Processes

Storyfest will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually.

Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible to staff in shared files.

Complaints Procedure

Suggestions of non-compliance with Storyfest's processes may be submitted as complaints according to Storyfest's Communication Protocol and the Complaints Concerning Staff Policy.

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APPENDIX 1 WHO	ABUSE TYPE	TEST	REPORT TO	LEGISLATION
All staff	Sexual	Awareness or a reasonable suspicion Sexually abused or likely to be sexually abused	CEO or Chair of the Board, through to Police immediately	EGPA, sections 366 and 366A
Teacher	Harm	Significant harm; and Parent may not be willing and able	Report to CEO	CPA, sections 13E and 13G
All Staff	Physical, psychological, emotional, neglect, exploitation	Significant harm; and Parent may not be willing and able	CEO, through to Child Safety	Accreditation Regulations, section 16 and CPA, section 13A
All Staff	Any	Not of a level that is otherwise reportable to Child Safety, refer with consent	CEO, through to Family and Child Connect	CPA, sections 13B and 159M
Principal	Any	Not of a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA, sections 13B and 159M
Any member of the public	Any	Significant harm; and Parent may not be willing and able	Child Safety	CPA, section 13A
Any Adult*	A child sexual offence against a child by another adult	Reasonable belief and, at the relevant time, the child is or was:– under 16 years; or– a person with an impairment of the mind	Police	Criminal Code section 229BC
Employing Authorities (CEO/Board)	Harm or likely harm due to the conduct of a teacher	When you start dealing with an allegation; and When you finish dealing with an allegation	Queensland College of Teachers	QCT, sections 76 and 77

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