POLICY
LEQ Child Protection - Reporting Concerns of Harm, Abuse and Reportable Conduct Policy

LEQPD-3

Purpose:	This policy outlines the LEQ System's processes for safeguarding the safety and wellbeing of children and students, and particularly: (a) responding to actual or allegations of harm, abuse and reportable conduct; and (b) ensuring appropriate conduct by Workers and other children or students.
Level & Scope:	LEQ System, including all Schools and Services. Workers, 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 St James Lutheran College and Kindergarten. The policy will not be altered by LEQ Schools, or Colleges.

Status:	v1.2	**Supersedes**: Child Protection Policy
Authorised by:	CLEQ	Minor Amendments only
		Date of Authorisation: 1 September 2026

References:

- *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)
- *Education and Care Services National Law (Queensland)*
- *Education and Care Services National Regulations*
- *Child Protection Act 1999* (Qld)
- *Child Protection Regulation 2023* (Qld)
- *Working with Children Act 2000* (Qld)
- *Working with Children (Risk Management and Screening) Regulation 2020* (Qld)
- *Child Safe Organisations Act 2024* (Qld)
- *Criminal Code Act 1899* (Qld)
- LEQ Child & Cultural Safety Statement of Commitment
- LEQ Safeguarding Framework
- LEQ Child & Student Safety & Wellbeing Policy
- LEQ Reporting Concerns of Harm and Abuse in Schools Procedure
- LEQ Reporting Reportable Conduct in Schools Procedure
- LEQ Reporting Concerns of Harm and Abuse in Services Procedure
- LEQ Reporting Reportable Conduct in Services Procedure
- LEQ Complaints Resolution Framework
    - Enterprise Agreement Complaints Policy & Procedure
    - Governance & Executive Complaints Policy & Procedure
    - Community Complaints Policy & Procedure
- St James Lutheran College and Kindergarten policies and procedures including:

- Risk Management Policy
- Work Health and Safety Policy
- Report of Suspected Harm or Sexual Abuse Form
- Code of Conduct for Staff

- Resources
  - Queensland Family and Child Commission (**QFCC**) *Guide to Queensland's Reportable Conduct Scheme*
  - Queensland College of Teachers Employing Authority Notifications about Teacher Conduct Policy
  - Independent Schools Queensland's Child Protection Decision Support Trees
  - Blue Card Services resources

Review:	Annually	**Next Review Date**: 2 June 2027
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	Staff:	Required – Councils, Schools and Services
	Parents:	Required – Parent Portal
	Students:	Required – Student Portal

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Definitions & Abbreviations

Approved Provider	A person or organisation that holds a provider approval under the National Law, which authorises them to operate one or more approved early childhood education and care services in Queensland.
child[1]	A child is an individual under 18 years.
child in need of protection[2]	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.
Child Safety Services	Department of Families, Seniors & Disability Services and Child Safety.
CLEQ	Council of Lutheran Education Queensland.
grooming	Actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child's inhibitions in order to sexually abuse the child. For example, offenders (such as a staff member or volunteer) could use grooming to gain access to children to harm them. Grooming is a criminal offence and prohibited conduct at St James Lutheran College and Kindergarten. Not all offenders use grooming techniques. Some behaviour which may not amount to criminal behaviour may still, however, be unacceptable and be grounds for disciplinary action. Grooming can be difficult to identify as the behaviour by itself may not be abusive or overtly sexual. St James Lutheran College and Kindergarten is aware that such behaviour may appear to constitute legitimate interactions with a child but may mask unacceptable behaviour.
harm[3]	Harm to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by: • physical, psychological or emotional abuse or neglect; or • sexual abuse or exploitation. Harm can be caused by: • a single act, omission or circumstance; or • a series or combination of acts, omissions or circumstances (e.g. grooming).
Head of Entity[4]	The person legally responsible for compliance with the Reportable Conduct Scheme, including notification to the QFCC.
LEQ Executive Director	The Executive Director of the LEQ Secretariat.
LEQ Secretariat	Lutheran Education Queensland Secretariat.
LEQ System	All Lutheran Education Queensland schools, colleges, early childhood education and care services.

[1] *Child Protection Act 1999* (Qld), s8.
[2] *Child Protection Act 1999* (Qld), s10.
[3] *Child Protection Act 1999* (Qld), s9.
[4] *Child Safe Organisations Act 2024* (Qld), s7.

Mandatory reporter	A mandatory reporter is a doctor, registered nurse, teacher, early childhood education and care professional, or any other relevant person under section 13E of the *Child Protection Act 1999* (Qld).
National Law	*Education and Care Services National Law (Queensland).*
National Quality Framework	Australia's system for ensuring that early childhood education and care services are: • safe • high quality • continuously improving. It provides a national approach to regulation, assessment, and quality improvement.
National Quality Standard	The standards that define the quality areas, standards, and elements that early childhood education and care services must meet to ensure children's safety, health, wellbeing, and developmental outcomes. It provides a consistent framework for assessing and rating services, promoting continuous improvement and transparency for families.
National Regulations	*Education and Care Services National Regulations.*

Nominated Supervisor	A Nominated Supervisor is a person in an early childhood education and care service who:
	• is nominated by the approved provider of the service
	• has consented in writing to the nomination
	• meets the minimum requirements under the *National Regulations*, including:
	  ○ being at least 18 years old; and
	  ○ having adequate knowledge and understanding of education and care provision; and
	  ○ having the ability to effectively supervise and manage the service.

Nominated Supervisor	The Nominated Supervisor of St James Lutheran Kindergarten.
Person with Management or Control	An individual who has authority, responsibility, or significant influence over the planning, direction, or control of the activities or delivery of an early childhood education and care service. This includes people within or outside the approved provider entity.
Principal	The principal of St James Lutheran College.
QCT	Queensland College of Teachers.
QFCC	Queensland Family & Child Commission.
QPS	Queensland Police Service.
Reportable Allegation	An allegation or other information that leads a person to form a reasonable belief that a Worker of St James Lutheran College and Kindergarten has committed Reportable Conduct or misconduct that may involve Reportable Conduct[5]. Reportable Conduct does not need to have occurred during the course of the Worker performing work for St James Lutheran College and Kindergarten[6]. For example, it may occur while the Worker is off duty or out of hours.

[5] *Child Safe Organisations Act 2024* (Qld), s27(1).
[6] *Child Safe Organisations Act 2024* (Qld), s27(2).

Reportable Conduct	Conduct by a Worker that is: • a child sexual offence • sexual misconduct in relation to, or in the presence of, a child • ill-treatment of a child • significant neglect of a child • physical violence against a child • behaviour that causes significant emotional or psychological harm to a child[7] Conduct is Reportable Conduct whether or not a criminal proceeding in relation to the conduct has been commenced or concluded[8]. Conduct may be Reportable Conduct if it is engaged in a single act or omission, or as a series of acts or omissions, even if each act or omission does not, of itself, amount to reportable conduct[9] (for example, grooming). Reportable Conduct does not include conduct that is reasonable for the discipline, management or care of the child having regard to the characteristics of the child (including their age, developmental stage and health) and any code of conduct of professional standard applying to the conduct[10]. Reportable Conduct may include allegations or convictions related to former workers of St James Lutheran College and Kindergarten, where the conduct occurred during a period when the Worker was performing work for St James Lutheran College and Kindergarten [11]. Refer to the QFCC's Guide to the Reportable Conduct Scheme for examples of what is Reportable Conduct.
Reportable Conviction	of a Worker of St James Lutheran College and Kindergarten, is a conviction for an offence committed by the Worker against a State or Commonwealth law that may involve reportable conduct. This includes a finding of guilt, and an acceptance of a guilty plea, whether or not the conviction is recorded, and a spent conviction, or a conviction that has become spent[12].
Sexual abuse[13]	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.
student	A person enrolled at a school or college.
teacher	includes early childhood teachers.
Worker	Any person engaged by St James Lutheran College and Kindergarten in full-time, part-time, permanent, fixed term and casual capacity, as well as those in a paid or unpaid capacity, including employees, volunteers, contractors, people undertaking work experience or vocational placements, and others performing work.

[7] *Child Safe Organisations Act 2024* (Qld), s26(1).
[8] *Child Safe Organisations Act 2024* (Qld), s26(2).
[9] *Child Safe Organisations Act 2024* (Qld), s26(3).
[10] *Child Safe Organisations Act 2024* (Qld), s26(4).
[11] *Child Safe Organisations Act 2024* (Qld), s32.
[12] *Child Safe Organisations Act 2024* (Qld), s28.
[13] *Education (General Provisions) Act 2006* (Qld), s364.

Part 1 - General

Health and Safety

St James Lutheran College and Kindergarten 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 Check Act 2000* (Qld).

Responding to Reports of Harm

When St James Lutheran College and Kindergarten receives any information alleging *'harm'*[14] to a child or 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 may include reporting to Child Safety Services). Information relating to physical or sexual abuse is handled under obligations to report set out in this policy[15] and the LEQ Child & Student Safety & Wellbeing Policy.

Appendix 1 of this Policy sets out a list of types of harm that must be reported under this Policy and who (and to whom) that harm should be reported to.

Consultation and Support in Responding to Reports of Harm

Engaging in consultation is a key part of responding to child and student safety and wellbeing concerns. Workers may confer, meaning formally consult and document agreed actions with appropriate colleagues such as the Principal (for a report in St James Lutheran College), or Nominated Supervisor (for a report in St James Lutheran Kindergarten), or other leaders responsible for child or student safety and wellbeing to determine whether a reasonable suspicion of abuse, harm, or inappropriate behaviour exists. Conferring is encouraged to support informed decision-making but does not replace the obligation to report.

Workers must not confer with any colleague who may be involved in the concern, as this compromises impartiality. Under no circumstances should the source of concern or any person potentially involved be notified that a report of harm has been raised.

Confidentiality is essential. Information must only be shared with relevant colleagues and only to the extent necessary to support child or student safety and uphold these processes.

Conferral may provide critical context, such as:

- Additional information about the child, student, family, or worker;
- Clarification of whether harm is *"significant"*;
- Insight into whether a parent is able and willing to protect the child or student.

Workers are also encouraged to use decision-support tools such as the QFCC's Guide to Queensland's Reportable Conduct Scheme and Queensland Child Protection Guide, and refer to:

- The relevant Code of Conduct for guidance on inappropriate worker behaviour;
- Queensland College of Teachers resources on professional standards; and
- Relevant materials and documented contacts available.

Note: Conferral supports decision-making but does not remove the Worker's legal obligation to report concerns as outlined in these processes.

Conduct of Workers towards Children or Students

All Workers must ensure that their behaviour towards and relationships with children or students reflect proper standards of care for children or students. Workers must not cause harm to children or students[16].

[14] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld,) s16(7): the definition of *'harm'* for this regulation is the same as in s9 of the *Child Protection Act 1999* (Qld).
[15] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(1).
[16] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(1).

St James Lutheran College Responsibilities

All Workers of St James Lutheran College must report any concern about the behaviour of a Worker at St James Lutheran College towards a student immediately to the Principal.

Where the concern involves the Principal, the report must be made to the St James Lutheran College Council Chair at schoolcouncilchair@stjameslc.qld.edu.au or directly to the LEQ Executive Director at safeguarding@leq.lutheran.edu.au.

If the concern relates to Reportable Conduct, refer to Part 5 of this Policy (**Part 5 – *QFCC* - Reportable Conduct Scheme**).

The Principal (or the School Council Chair, or the LEQ Executive Director, if the concern involves the Principal) must:

- immediately escalate any such concerns about behaviour of a Worker to the LEQ Secretariat via the approved reporting or assurance process; and
- implement immediate actions to ensure student safety, with the safety and wellbeing of students as the paramount consideration.

If the concern involves the Principal, the School Council Chair, or the LEQ Executive Director, must also take any steps that are required to be done by the Principal under the LEQ Reporting Concerns of Harm & Abuse in School Procedure.

St James Lutheran Kindergarten Responsibilities

All Workers of St James Lutheran Kindergarten must report any concern about the behaviour of a Worker at St James Lutheran Kindergarten towards a child immediately to the Nominated Supervisor.

Where the concern involves the Nominated Supervisor, the report must be made immediately to the LEQ Executive Director at safeguarding@leq.lutheran.edu.au.

If the concern relates to Reportable Conduct, refer to Part 5 of this Policy (**Part 5 – *QFCC* - Reportable Conduct Scheme**).

The Nominated Supervisor must also inform the Principal of St James Lutheran College. The Nominated Supervisor must:

- immediately escalate any such concerns about behaviour of a Worker to the LEQ Secretariat via the approved reporting or assurance process; and
- implement immediate actions to ensure child safety, with the safety and wellbeing of children as the paramount consideration

Parallel Reporting Processes

One matter under this policy may give rise to multiple parallel reporting processes.

Mandatory reporting obligations arise in relation to reports of sexual abuse or likely sexual abuse.

Child protection reporting obligations apply when the concern relates to harm or risk of harm caused by a parent, caregiver, or other person outside the organisation.

The Reportable Conduct Scheme applies when the behaviour of a Worker towards a child or student is Reportable Conduct.

A report under the Reportable Conduct Scheme about a teacher will also likely trigger a reporting obligation to the Queensland College of Teachers[17].

In some circumstances, multiple reporting pathways may apply and must be actioned.

If unsure, Workers must report the concern to the Principal (if the report is about a Worker at St James Lutheran College) and/or the Nominated Supervisor (if the report is about a Worker at St James Lutheran Kindergarten).

[17] Queensland College of Teachers Employing Authority Notifications About Teacher Conduct Policy.

Part 2 – Reporting Inappropriate Behaviour

Reporting Inappropriate Behaviour in St James Lutheran College

St James Lutheran College must have at least two designated staff members known as Child Safe Contacts[18] to whom children and students can report concerns about the behaviour of another staff member that they consider inappropriate.

The names, position and contact details of the Child Safe Contacts will be displayed in the format as set out in Appendix 2 of this Policy, and will be communicated in this format to staff, students, and parents/carers by prominently displaying the names in student and parent portals, as well as in visible and easily accessible areas throughout St James Lutheran College, including around classrooms and common areas. Details of the designated staff members are maintained in a central register, which is reviewed and updated regularly to ensure accuracy and accessibility.

St James Lutheran College will keep the details under Appendix 2 up to date

Dealing with Report of Inappropriate Behaviour in St James Lutheran College

A Worker 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 Worker must inform the Chair of the St James Lutheran College Council[19].

If the Principal, or the Chair of St James Lutheran College Council (if the report is about the Principal), receives a report of inappropriate behaviour, the Principal, or the Chair of St James Lutheran College Council, will apply its written processes about how St James Lutheran College responds to reports of harm, or allegations of harm, or appropriate conduct of Workers. These processes may include the LEQ Reporting Reportable Conduct in Schools Procedure.

Reporting Inappropriate Behaviour in St James Lutheran Kindergarten

If a child or parent considers the behaviour of a staff member to be inappropriate, the child or parent should report the behaviour to the Nominated Supervisor, or the LEQ Secretariat.

This information should match the details of contacts displayed around St James Lutheran Kindergarten

Dealing with Report of Inappropriate Behaviour in St James Lutheran Kindergarten

A Worker who receives a report of inappropriate behaviour must report it to the Nominated Supervisor.

The Nominated Supervisor must report the inappropriate behaviour to the LEQ Executive Director at safeguarding@leq.lutheran.edu.au.

The Nominated Supervisor must also inform the Principal of St James Lutheran College.

[18] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(3)

[19] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(2).

Part 3 – *Police* - Reporting Sexual Abuse & Likely Sexual Abuse

Reporting under this part will comply with:

- for reporting in St James Lutheran College, the LEQ Reporting Harm & Abuse in Schools Procedure; and
- for reporting in St James Lutheran Kindergarten the LEQ Reporting Harm & Abuse in Services Procedure.

Reporting Sexual Abuse[20] in St James Lutheran College

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;

then the staff member must immediately give a written report about the abuse or suspected abuse to the:

- Principal; or
- the LEQ Executive Director[21] at safeguarding@leq.lutheran.edu.au

The Principal or LEQ Executive Director must give a copy of the written report to a police officer immediately.

The Principal must also send a copy of the written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

If the first person who becomes aware or reasonably suspects sexual abuse is the 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 written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

Reporting Likely Sexual Abuse [22] in St James Lutheran College

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 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 immediately give a written report about the suspicion to the:

- Principal; or
- the LEQ Executive Director[23] at safeguarding@leq.lutheran.edu.au

The Principal or LEQ Executive Director must give a copy of the written report to a police officer immediately.

[20] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(2)(c).
[21] The Lutheran Church of Australia Queensland District has delegated its director's reporting function under s366 and 366A of the *Education (General Provisions) Act 2006* (Qld) to the LEQ Executive Director in line with s366B.
[22] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(2)(c).
[23] The Lutheran Church of Australia Queensland District has delegated its director's reporting function under s366 and 366A of the *Education (General Provisions) Act 2006* (Qld) to the LEQ Executive Director in line with s366B.

The principal must also send a copy of the written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

If the first person who reasonably suspects likely sexual abuse is the 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 LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

Reporting Sexual Abuse in St James Lutheran Kindergarten

If a staff member becomes aware, or reasonably suspects, in the course of their employment at the Service, that any of the following has been sexually abused by another person:

a) a child attending the Service;
b) a person with a disability who is being provided with special education at the Service.

then the staff member must give a written report about the abuse or suspected abuse to the Nominated Supervisor who must send a copy of the report to a police officer immediately.

The Nominated Supervisor must also send a copy of the written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

If the first person who becomes aware or reasonably suspects sexual abuse is the Nominated Supervisor, the Nominated Supervisor must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

The LEQ Secretariat will, as soon as possible, notify the Principal of St James Lutheran College.

Reporting Likely Sexual Abuse in St James Lutheran Kindergarten

If a staff member reasonably suspects in the course of their employment at the Service, that any of the following is likely to be sexually abused by another person:

a) a child attending the Service;
b) a person with a disability who is being provided with special education at the Service.

then the staff member must give a written report about the abuse or suspected abuse to the Nominated Supervisor who must send a copy of the report to a police officer immediately.

The Nominated Supervisor must also send a copy of the written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

If the first person who reasonably suspects likely sexual abuse is the Nominated Supervisor, the Nominated Supervisor must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

The LEQ Secretariat will, as soon as possible, notify the Principal of St James Lutheran College.

Part 4 – Child Safety – Reporting Physical and Sexual Abuse

Reporting under this part will comply with:

- for reporting in St James Lutheran College, the LEQ Reporting Harm & Abuse in Schools Procedure; and
- for reporting in St James Lutheran Kindergarten, the LEQ Reporting Harm & Abuse in Services Procedure.

Reporting Physical and Sexual Abuse [24]

Under Section 13E (3) of the *Child Protection Act 1999*, if a mandatory reporter 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[25].

For the purposes of making the written report, the mandatory reporter will confer with the Principal. If the allegation is against the Principal, the mandatory reporter will confer with the LEQ Executive Director.

The Principal or LEQ Executive Director, as applicable will then provide the written report to the Chief Executive of Child Safety Services.

The Principal or LEQ Executive Director must confirm in writing that a written report has been made to Child Safety Services and provide a copy of the report to:

- the mandatory reporter, if the child or student is enrolled at St James Lutheran College; and
- the Nominated Supervisor, if the child or student is enrolled at St James Lutheran Kindergarten.

The Principal must immediately send a copy of the written report to the LEQ Executive Director immediately at safeguarding@leq.lutheran.edu.au.

[24] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(2)(d).

[25] *Child Protection Act 1999* (Qld), s13E(2).

Part 5 – *QFCC* - Reportable Conduct Scheme

Reporting under this part will comply with:

- for reporting in St James Lutheran College, the LEQ Reporting Reportable Conduct in Schools Procedure; and
- for reporting in St James Lutheran Kindergarten, the LEQ Reporting Reportable Conduct in Services Procedure.

Head of Entity

For the purposes of the Reportable Conduct Scheme, the Head of Entity is the LEQ Executive Director.

The *Child Safe Organisations Act 2024* (Qld) requires the Head of Entity to:

- ensure the LEQ System has the systems required under the Reportable Conduct Scheme[26];
- provide an initial, interim and final report (with information required under law) on Reportable Allegations or Reportable Convictions[27]; and
- investigate Reportable Allegations or Reportable Convictions[28].

The LEQ Executive Director may delegate management of tasks under this policy (for example, to a Director of Reportable Conduct or Director of Safeguarding, Principal or External Investigator), but cannot delegate their legal duties under the *Child Safe Organisations Act 2024* (Qld).

Collaboration

The LEQ Executive Director (or their delegate) will collaborate with:

- the Principal of St James Lutheran College, if the report relates to a Worker of St James Lutheran College; and
- the Principal of St James Lutheran College, and the Nominated Supervisor of St James Lutheran Kindergarten, if the report relates to a Worker of St James Lutheran Kindergarten.

Making a Report to the Head of Entity

All Workers at St James Lutheran College and Kindergarten who become aware of information that leads them to form a reasonable belief that a Worker at St James Lutheran College and Kindergarten has committed:

- Reportable Conduct, or
- misconduct that may involve Reportable Conduct, or
- has a Reportable Conviction,

must immediately report the information to the LEQ Executive Director at ReportableConduct@leq.lutheran.edu.au.

It is irrelevant whether the conduct occurred while the person was performing work at St James Lutheran College and Kindergarten or occurred outside of St James Lutheran College and Kindergarten 's context; it must still be reported to the LEQ Executive Director.

If the Reportable Conduct or Reportable Conviction is about the LEQ Executive Director, the Worker must also report it directly to the QFCC.

If unsure, a person may discuss their concerns with the Principal (if the Worker is engaged at St James Lutheran College) or the Nominated Supervisor (if the Worker is engaged at St James Lutheran Kindergarten).

[26] *Child Safe Organisations Act 2024* (Qld),s30.
[27] *Child Safe Organisations Act 2024* (Qld),s35, 37.
[28] *Child Safe Organisations Act 2024* (Qld),s36.

Dealing with a Reportable Allegation or Reportable Conviction

Stage 1: Document, Assess and Notify[29]

Upon receiving notice of Reportable Conduct, the primary consideration must be the protection of children from harm and prioritisation of their safety, wellbeing and best interests.

The LEQ Executive Director must provide an initial report to the QFCC as soon as practicable and within three (3) business days of becoming aware of a reportable allegation or conviction (unless the QFCC agrees to an extension of time).

Stage 2: Investigate and Update[30]

Investigation

Where reasonably practicable to do so, the LEQ Executive Director must ensure an investigation commences as soon as practicable and provide information to the QFCC about the investigation.

The LEQ Executive Director is responsible for ensuring that investigations are conducted appropriately having regard to procedural fairness and natural justice, regardless of whether the investigation is undertaken internally or outsourced to an external investigator.

Where appropriate, the LEQ Executive Director may request the QFCC to investigate.

St James Lutheran College and Kindergarten will cooperate with any investigation led by the LEQ Executive Director (or their delegate), or the QFCC if the QFCC investigates, or appoints a sector regulator to investigate, or supervises an investigation about the Reportable Conduct or Reportable Conviction.

Interim Risk Assessment and Update

Ongoing risk assessments will be done throughout a Reportable Conduct Scheme matter. The LEQ Executive Director must provide an update on any action, including risk management action, taken in response to the Reportable Allegation or Reportable Conviction in an interim report to the QFCC.

Stage 3: Finalise, Report and Implement[31]

Finalise and Report

The LEQ Executive Director will provide a final report to the QFCC as soon as practicable after the investigation is completed, unless:

- a sector regulator has conducted an investigation and given St James Lutheran College and Kindergarten written notice asking it to end the investigation under section 42 of the *Child Safe Organisations Act 2024* (Qld); or
- the QFCC gives written notice St James Lutheran College and Kindergarten that it will investigate under section 43(2)(c) of the *Child Safe Organisations Act 2024* (Qld).

Implement Actions and Continuous Improvement

The LEQ Secretariat and the St James Lutheran College and Kindergarten will ensure it maintains secure records of the investigation including:

- the final report
- decisions and actions taken
- communications and notifications
- safety plans and risk assessment documents

[29] *Child Safe Organisations Act 2024* (Qld), s33 to 35; Child Safe Standards 5 and 8.
[30] *Child Safe Organisations Act 2024* (Qld), s35 to 36.
[31] *Child Safe Organisations 2024* (Qld), s37.

Part 6 - Other Matters

Responsibilities under Criminal Code Act 1899 (Qld)

Failure to Report[32]

Under section 229BC of the *Criminal Code Act 1899* (Qld), all adults, inclusive of parents/guardians, volunteers and students 18 years or older must report sexual offences against a child by another adult to police. This obligation applies where, at the relevant time, the child is or was under 16 years or a person with an impairment of the mind. Reports must be made as soon as reasonably practicable after the person forms, or ought reasonably to have been formed, the belief that a sexual offence has occurred.

Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not to make a report under the *Criminal Code Act 1899* (Qld) includes that a report has already been made under the *Education (General Provisions) Act 2006* (Qld) (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (Qld) (reporting significant harm or risk of significant harm) as per this policy.

Failure to Protect[33]

Under section 229BB of the *Criminal Code Act 1899* (Qld), all adults in positions of power or responsibility within institutions with the power or responsibility to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence. Accountable persons will commit an offence if:

a) the adult knows there is a significant risk that another adult (the alleged offender) will commit a child sexual offence in relation to a child; and
b) the alleged offender is associated with the school (or another institution) or is a regulated volunteer; and
c) the child is under the care, supervision or control of the institution; and
d) the child is under 16 years or is a person with an impairment of the mind; and
e) the adult has the power or responsibility to reduce or remove the risk; and
f) the adult wilfully or negligently fails to reduce or remove the risk.

If in doubt, always assume that a matter is reportable.

Notifications to Queensland College of Teachers

The Principal of St James Lutheran College (if the relevant teacher is engaged by St James Lutheran College) or the Nominated Supervisor of St James Lutheran Kindergarten (if the relevant teacher is engaged by St James Lutheran Kindergarten) who deals with an allegation of harm caused, or likely to be caused, to a child or student because of the conduct of a teacher must, as soon as practicable after starting to deal with the allegation, inform the QCT of the investigation, including the following details:

- the name of the employing authority and, if the name of the authority is different to the name of the prescribed school or early childhood education and care service, the name of the prescribed school or early childhood education and care service; and
- the name of the teacher; and
- particulars of the allegation, including the date the school or early childhood education and care service started dealing with the allegation, action taken in response to the allegation and other relevant information.[34]

If St James Lutheran College and Kindergarten stops dealing with the allegation for any reason, the Principal of St James Lutheran College (if the relevant teacher is engaged by St James Lutheran College) or the Nominated Supervisor of St James Lutheran Kindergarten (if the relevant teacher is engaged by St James Lutheran Kindergarten) must provide to the QCT, in addition to the details

[32] *Criminal Code Act 1899* (Qld), s229BC.
[33] *Criminal Code Act 1899* (Qld) s.229BB.
[34] *Education (Queensland College of Teachers) Act 2005* (Qld), s76.

required above, the date the investigation ended, the findings of the investigation, the outcome and any reasons for the outcome and, if relevant, the final decision and reasons for the decision.[35]

If St James Lutheran College and Kindergarten dismisses a teacher in circumstances that call into question the teacher's competency to be employed as a teacher and St James Lutheran College and Kindergarten has not given notice (as per the above paragraph), St James Lutheran College and Kindergarten must provide to the QCT within 14 days after the dismissal the name of St James Lutheran College and Kindergarten , the name of the teacher, the date of the notice of dismissal, the effective date of the dismissal and the reasons given by St James Lutheran College and Kindergarten for the dismissal.[36]

The Principal or Nominated Supervisor must inform the LEQ Executive Director immediately of any QCT notification made by the Principal or Nominated Supervisor.

Insurer

St James Lutheran College and Kindergarten will keep its insurer informed about the circumstances which may give rise to a claim under St James Lutheran College and Kindergarten's insurance policies.

All Workers have an obligation to inform the Principal of St James Lutheran College (if the insured event is at St James Lutheran College) or the LEQ Secretariat (if the insured event is at St James Lutheran Kindergarten).

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.

St James Lutheran College and Kindergarten will retain relevant documents in relation to an actual or alleged incident of child sexual abuse on its information system for a period not less than 45 years.

This is in addition to all other requirements under policy or at law.

Awareness

St James Lutheran College and Kindergarten will inform staff, children, students and parents of its processes relating to the health, safety and conduct of staff, children and students in communications to them and it will publish these processes on its website[37].

Accessibility of Processes

Processes relating to the health, safety and conduct of staff, children and students are accessible on St James Lutheran College and Kindergarten website and will be available on request in hard copy format from St James Lutheran College and Kindergarten administration[38].

Training

The St James Lutheran College and Kindergarten will train its staff in processes relating to the health, safety and conduct of staff, children and students on their induction and will refresh training annually[39]. A record of attendance by staff in induction training and annual refresher sessions will be maintained by the St James Lutheran College and Kindergarten.

St James Lutheran Kindergarten will also train its PMCs and staff with mandatory training required under the *National Law.* The LEQ Secretariat will maintain records of this training in the format required under the *National Law* or *National Regulations*[40]. The LEQ Secretariat will also provide regular training and Workers of St James Lutheran Kindergarten must participate (if mandatory) or are encouraged to participate (where recommended).

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[35] *Education (Queensland College of Teachers) Act 2005* (Qld), s77.
[36] *Education (Queensland College of Teachers) Act 2005* (Qld), s78.
[37] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(4)(a) for non-state schools; *National Regulations,* reg 171 and 172 for early childhood education and care services.
[38] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(4)(b) for non-state schools; *National Regulations,* reg 171 and 172 for early childhood education and care services.
[39] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(4)(c).
[40] *National Law*, s162B; *National Regulations,* reg 179A.

Implementing the Processes

St James Lutheran College and Kindergarten will ensure it is implementing processes relating to the health, safety and conduct of staff, children and students by auditing compliance with the processes annually[41].

Complaints Procedure

Suggestions of non-compliance with the St James Lutheran College and Kindergarten policies or processes may be submitted as complaints under Complaints Management Framework[42].

[41] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(4)(d).

[42] *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld), s16(5) and 16(6) in non-state schools; *National Regulations,* reg 168 for early childhood education and care services.

Appendix 1

Summary of Reporting Harm

Who	What abuse	Test	Report to	Legislation	Applicable Procedure
All staff	Sexual	Awareness or a suspicion Sexually abused or likely to be sexually abused	Written report to Principal (or Nominated Supervisor) or LEQ Executive Director immediately, who gives copy of the written report to police immediately.	EGPA sections 366 and 366A	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure
Principal (or Nominated Supervisor) or LEQ Executive Director	Sexual	Awareness or a suspicion Sexually abused or likely to be sexually abused	Written report to Police immediately. Copy to LEQ Executive Director immediately if lodged by Principal or Nominated Supervisor.	EGPA sections 366 and 366A	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure
Teacher/Nurse (if School or Service has nurse)	Sexual and physical	Significant harm; & Parent may not be willing and able	Confer with Principal (or Nominated Supervisor), or LEQ Executive Director if the allegation is against the Principal, who immediately provides a written report to Child Safety Services, and confirms in writing the report has been made to the teacher or nurse.	CPA sections 13E and 13G	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure
All staff	Physical, psychological, emotional, neglect, exploitation	Significant harm, & Parent may not be willing and able	Principal or Nominated Supervisor), through to Child Safety Services and copy to LEQ ED immediately	Accreditation Regulation section 16	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure
All staff	Any	Not a level that is otherwise reportable to Child Safety Services, refer with consent	Principal, through to Family and Child Connect	CPA Sections 13B and 159M	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure

Principal (or Nominated Supervisor)	Any	Not a level that is otherwise reportable to Child Safety Services, refer without consent	Family and Child Connect	CPA Sections 13B and 159M	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure
Employing authority (Principal)	Harm or likely harm due to the conduct of a teacher	When you start to deal with an allegation; & When you finish dealing with an allegation	QCT and copy to LEQ ED immediately	QCT sections 76 and 77	LEQ Reporting Concerns of Harm, Abuse and Reportable Conduct Policy.
Any member of the public	Any	Significant harm & Parent may not be willing and able	Child Safety Services	CPA section 13A	LEQ Reporting Concerns of Harm & Abuse in Schools Procedure LEQ Reporting Concerns of Harm & Abuse in Services Procedure
Any adult (includes students 18 years or older, parents/guardians and volunteers)	A child sexual offence against a child by an adult	Gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed and (b) at the relevant time, the child is or was— (i) under 16 years; or (ii) a person with an impairment of the mind.	Police	Criminal Code section 229BC	LEQ Reporting Concerns of Harm, Abuse and Reportable Conduct Policy.
All Workers	Reportable Allegation or Reportable Conviction by a Worker	Reasonable belief that a Worker has committed—Reportable Conduct; or misconduct that may involve Reportable Conduct. It is irrelevant whether or not the conduct or misconduct is alleged to have occurred in the course of the Worker performing Work for the school, or early	LEQ Executive Director or their delegate, as soon as practicable. Where the allegations involve the LEQ Executive Director, the notification must be made to the QFCC.	CSO Act section 33	LEQ Reporting Reportable Conduct in Schools Procedure LEQ Reporting Reportable Conduct in Services Procedure

		childhood education and care service.			
LEQ Executive Director (or their delegate)	Reportable Allegation or Reportable Conviction by a worker	Reasonable belief that a Worker has committed— Reportable Conduct; or misconduct that may involve Reportable Conduct. It is irrelevant whether or not the conduct or misconduct is alleged to have occurred in the course of the Worker performing work for the school, or early childhood education and care service.	QFCC initial notification within 3 business days. QFCC either interim or final report, within 30 business days.	CSO Act sections 34, and 30(1)(c)	LEQ Reporting Reportable Conduct in Schools Procedure LEQ Reporting Reportable Conduct in Services Procedure
Any person	Reportable Allegation or Reportable Conviction by any Worker	Reasonable belief that any Worker has committed— Reportable Conduct; or misconduct that may involve Reportable Conduct. It is irrelevant whether or not the conduct or misconduct is alleged to have occurred in the course of the Worker performing ork for the school, or early childhood education and care service or any other entity.	May report to QFCC at any time.	CSO Act section 33(4)	LEQ Reporting Reportable Conduct in Schools Procedure LEQ Reporting Reportable Conduct in Services Procedure

Appendix 2

Child Safe Contacts

Name of School: St James Lutheran College

Child Safe Contacts are staff members appointed by the Principal to support the school in meeting its child safety obligations under section 16(3) of the *Education (Accreditation of Non-State Schools) Regulation 2017*.

Child Safe Contacts provide a safe and supportive point of contact for:

- children who have concerns about their own safety or wellbeing, or the safety or wellbeing of another child, and who wish to raise a concern or report behaviour they believe is inappropriate, harmful, abusive, or neglectful

Name	Position	Email	Landline

Please note: This form must be kept up to date and retained to meet legislative requirements. These details are communicated to staff, students, and parents/carers by prominently displaying the names in student and parent portals, as well as in visible and easily accessible areas throughout the school, including around classrooms and common areas.

There must be at least two staff members at the school appointed.