



Parklands
CHRISTIAN COLLEGE
Foundations for life

Student Protection Policy

Approved by the Board of Parklands Christian College
Reviewed and current as of 4th July 2023



Parklands Christian College

POLICIES AND PROCEDURES HANDBOOK

Section:	3 – Human Resources		
Item:	Student Protection Policy (ISQ November 2022 update)	Item No:	3.63
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Policy Owner:	School Board		
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Revised:	01/03/2016 – 01/04/2016 – 24/5/19 – 26/6/20 – 26/11/21 – 08/12/22 – 27/4/23		

1. PURPOSE

Parklands Christian College has as its basis for philosophy and operations, the values and beliefs which are found in the Bible, which is the revealed written word of the one, true and living God. This basis underpins all policy related to child wellbeing, education and the family. The College believes that every child has a right to feel safe and free from the threat of harm.

The purpose of this policy is to provide a policy as part of Parklands Christian College's written processes about how the school 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.

2. 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 Parklands Christian College.

3. INTRODUCTION

Parklands Christian College is committed to the safety and well-being of all children and young people who access its educational services.

All students have a right to protection from harm.

Because the wellbeing and interests of our students are paramount in the learning process, Parklands Christian College will act to ensure that its students have a secure and nurturing environment, in which to grow and learn.

Parklands Christian College supports the rights and well-being of its staff and volunteers and encourages their active participation in building and maintaining a secure environment for all participants.

4. REFERENCES

- [Child Protection Act 1999 \(Qld\)](#)



- [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 2020 \(Qld\)](#)
- [Criminal Code Act 1899](#)

5. RELATED POLICIES

- [3.14 Policy –Child Risk Management](#)
- [3.22 Policy - Dispute and Complaints Resolution](#)
- [3.22 Procedure - Dispute and Complaints Resolution](#)
- [3.80 Policy - Work Health and Safety](#)
- [363 Student Protection Summary and 3.63 Forms](#)

6. DEFINITIONS

1. 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.
 - a. It is immaterial how the harm is caused.
 - b. Harm can be caused by
 - i. physical, psychological or emotional abuse or neglect; or
 - ii. sexual abuse or exploitation.
 - c. Harm can be caused by
 - i. a single act, omission or circumstance; or
 - ii. a series or combination of acts, omissions or circumstances.
2. Section 10 of the Child Protection Act 1999 - A “child in need of protection” is a student who
 - a. has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 - b. does not have a parent able and willing to protect the child from the harm.
3. 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 –
 - 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

7. HEALTH AND SAFETY

The school 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 (Risk Management and Screening) Act 2000 (Qld)

8. RESPONDING TO REPORTS OF HARM

When the school receives any information alleging 'harm'¹ 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

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*



Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy².

9. 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 students³.

10. REPORTING INAPPROPRIATE BEHAVIOUR

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

- Head of Senior Secondary - Mrs Rebecca Wallis
- Head of middle School - Mr Colin Elvery
- Head of Primary - Mrs Ann-Marie Kingston
- Social Workers⁴. - Mr Justin Crawford and Mrs Rachael Rerekura

11. 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 board⁵. Reports will be dealt with under the school's Dispute Resolution Policy and Procedures.

12. REPORTING SEXUAL ABUSE

Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member becomes aware, or reasonably suspects in the course of their employment at the school, that any of the following has been sexually abused by another person:

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

then the staff member must give a written report about the abuse or suspected abuse to the Principal or 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.

The school's Governing Body must also notify NSSAB within 7 days after changes in circumstances or disclosure of details of an indictable offense as required under ss. 169 and 172 of the Act.

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

² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and 16(3)*

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(3) and s.10(2)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*



including identifying the delegation in this policy and informing the school community of the delegate/s name/s their contacts, and the the role in the school processes.)

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

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

1. the name of the person giving the report (the **first person**);
2. the student's name and sex;
3. details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
4. details of the abuse or suspected abuse;
5. any of the following information of which the first person is aware:-
 - a. the student's age;
 - b. the identity of the person who has abused, or is suspected to have abused, the student;
 - c. the identity of anyone else who may have information about the abuse or suspected abuse⁶.

13. REPORTING LIKELY SEXUAL ABUSE

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

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

then the staff member must give a written report about the suspicion to the Principal or 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.

(Under section 366B of the Education (General Provisions) Act 2006, the directors of a school's governing body may delegate the directors' function under section 366A to an appropriately qualified individual (this cannot be the Principal or any other staff member of the school). Directors should ensure they are well briefed about the requirements of section 366B before delegating this function, including identifying the delegation in this policy and informing the school community of the delegate/s name/s their contacts, and the the role in the school processes.)

If the first person who becomes aware or reasonably suspects likely sexual abuse is the school's Principal, the Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to a director of the school's governing body immediately.

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

1. the name of the person giving the report (the **first person**);
2. the student's name and sex;
3. details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
4. any of the following information of which the first person is aware:-

⁶ *Education (General Provisions) Regulation 2017 (Qld) s.68*



- a. the student's age;
- b. the identity of the person who has abused, or is suspected to be likely to abuse, the student;
- c. the identity of anyone else who may have information about suspected likelihood of abuse⁷.

14. REPORTING PHYSICAL AND SEXUAL ABUSE

Under Section 13E (3) of the Child Protection Act 1999, if a doctor, a registered nurse, teacher or an early childhood education and care professional 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: -

1. has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
2. may not have a parent able and willing to protect the child from the harm.

The doctor, nurse, teacher or an early childhood education and care professional 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, teacher or an early childhood education and care professional should give a copy of the report to the Principal.

A report under this section must include the following particulars:

1. The basis on which the person has formed the reportable suspicion.
2. The child's name and sex
3. The child's age⁸
4. Details of how to contact the child.
5. Details of the harm to which the reportable suspicion relates⁹
6. 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.
7. Particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

Report to:	Business Hours	Child Safety Intake Services	1300 682 254
		South-East Qld	1300 679 849
	After Hours	QLD	1800 177 135

15. RESPONSIBILITIES UNDER THE CRIMINAL CODE ACT 1899 (QLD)

The Criminal Code Act 1899 includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

Failure to Report¹³

Under section 229BC of the Code, all adults including students 18 years or older, parents/guardians and volunteers of the school must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. A reasonable excuse not to make a report under the Criminal Code Act 1899 includes that a report has already been made under the Education (General Provisions) Act 2006 (reporting sexual abuse or likely sexual abuse) and the Child Protection Act 1999 (reporting significant harm or risk of significant harm) as per this policy.

⁷ Education (General Provisions) Regulation 2017 (Qld) s.69

⁸ See Child Protection Regulation 2011 (Qld) s.10 information to be included in report to chief executive.



Failure to Protect¹⁴

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions 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.

16. AWARENESS

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 website⁹. In addition information on Student Protection can be located via the staff intranet, brochures, hard copies in Student Services and the RTC and links in the school newsletter.

17. TRAINING

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 annually¹⁰. Training includes a face-to-face Student Protection Summary session and mandatory participation in the ISQ online Child Protection Training Course.

18. IMPLEMENTATION

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 annually¹¹.

19. ACCESSIBILITY OF PROCESSES

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 administration¹².

20. COMPLAINTS PROCEDURE

Suggestions of non-compliance with the school's processes may be submitted as complaints under Parklands Christian College 3.22 Dispute Resolution Policy and Procedures¹³.

Note: Reporting under this policy fulfils the obligations for reporting a child sexual offence that is being or has been committed against a child by an adult under the Criminal Code Act 1899 S 229BC (4) (b)

⁹ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)

¹⁰ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4) (c)

¹¹ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.10(7) and s.16(4)(d)

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

¹³ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)



21. APPROVAL

This policy was approved by the Board of the Parklands Christian College at its meeting held on 27th April 2023.

Signed:


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Chairperson


.....
Secretary

Name: John Henry Blasé

Name: Jeffrey Bernard Gray

Date: 27th April 2023

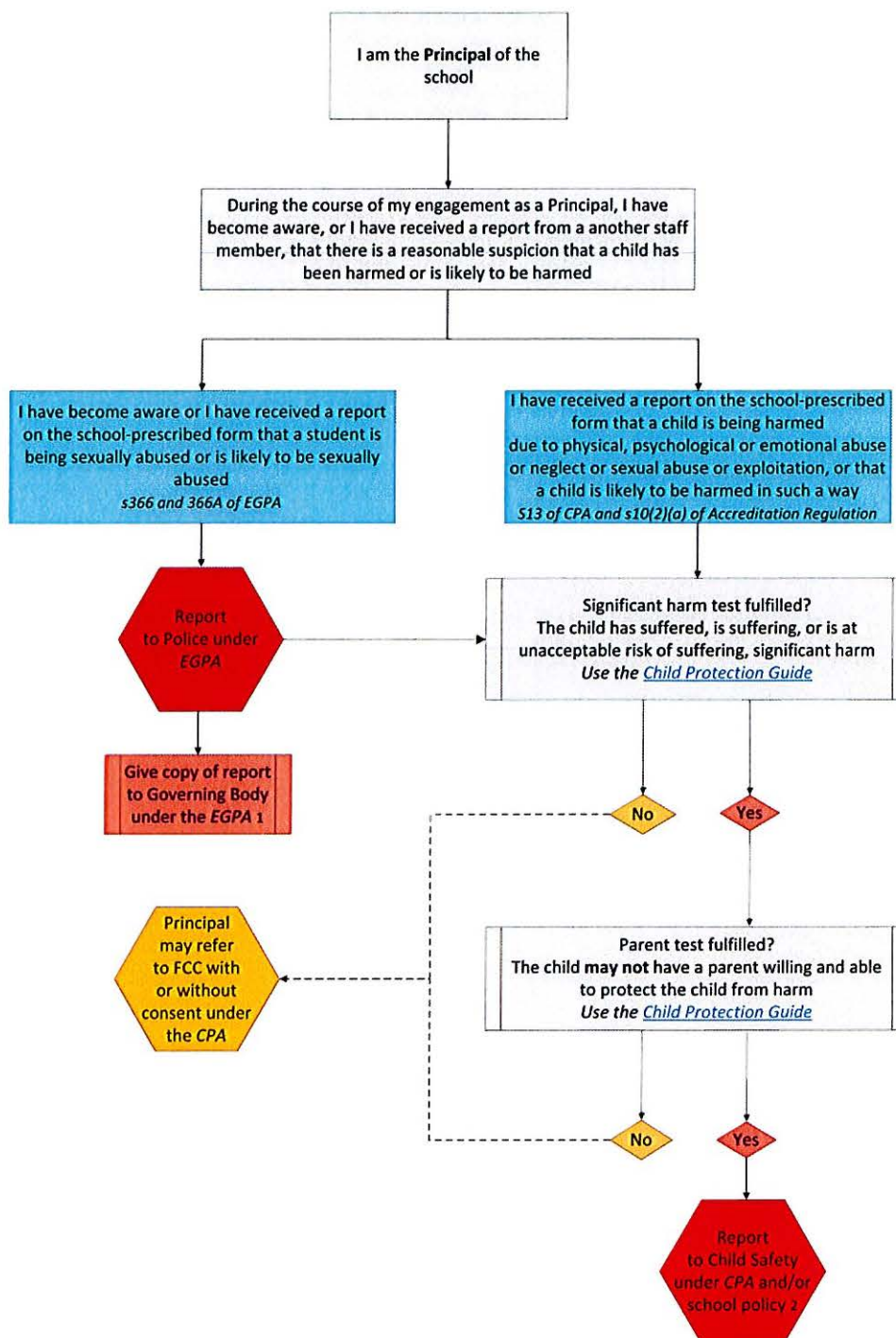
Date: 27th April 2023



APPENDICES

Appendix 1

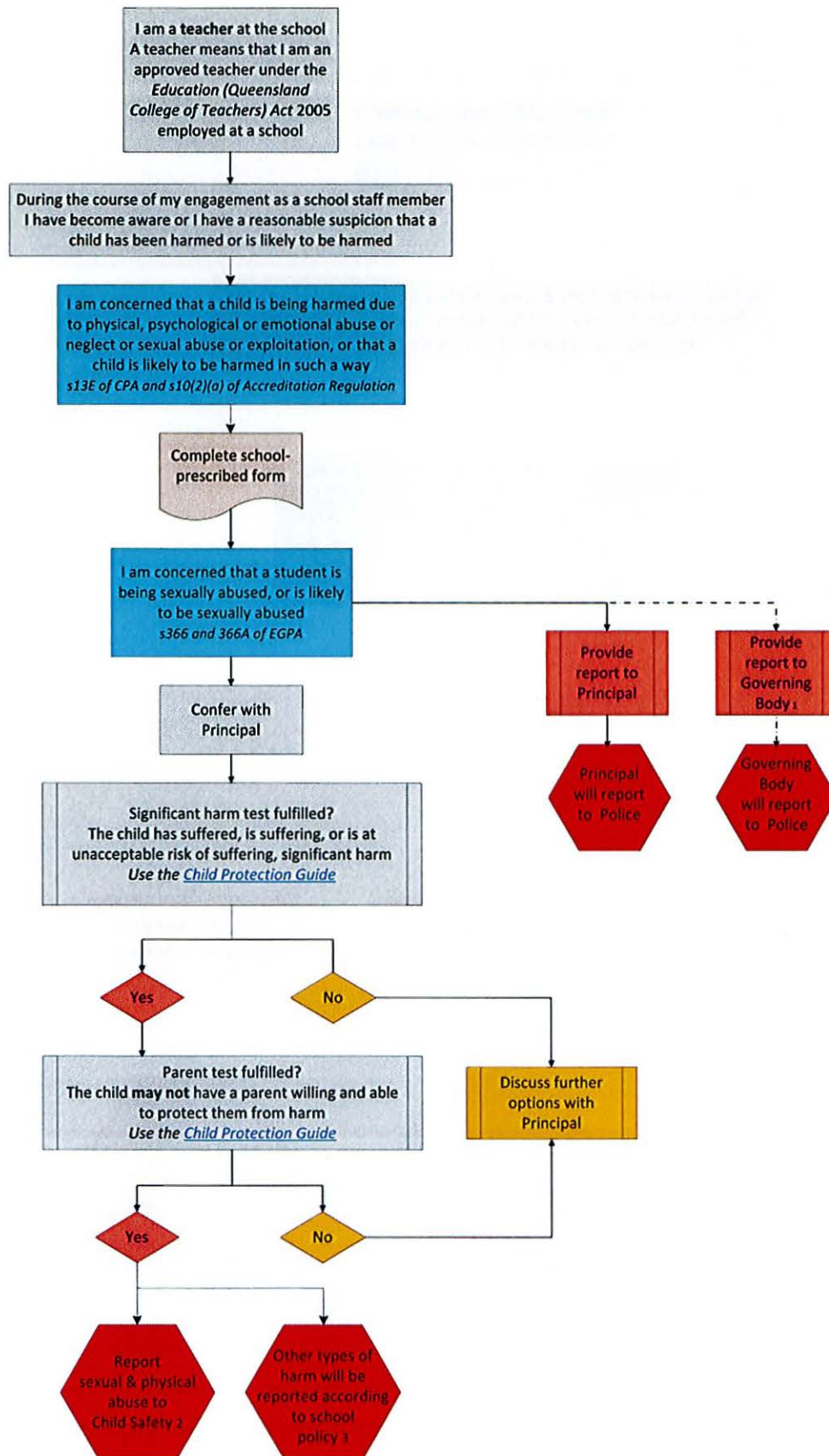
Principal Decision Tree





Appendix 2

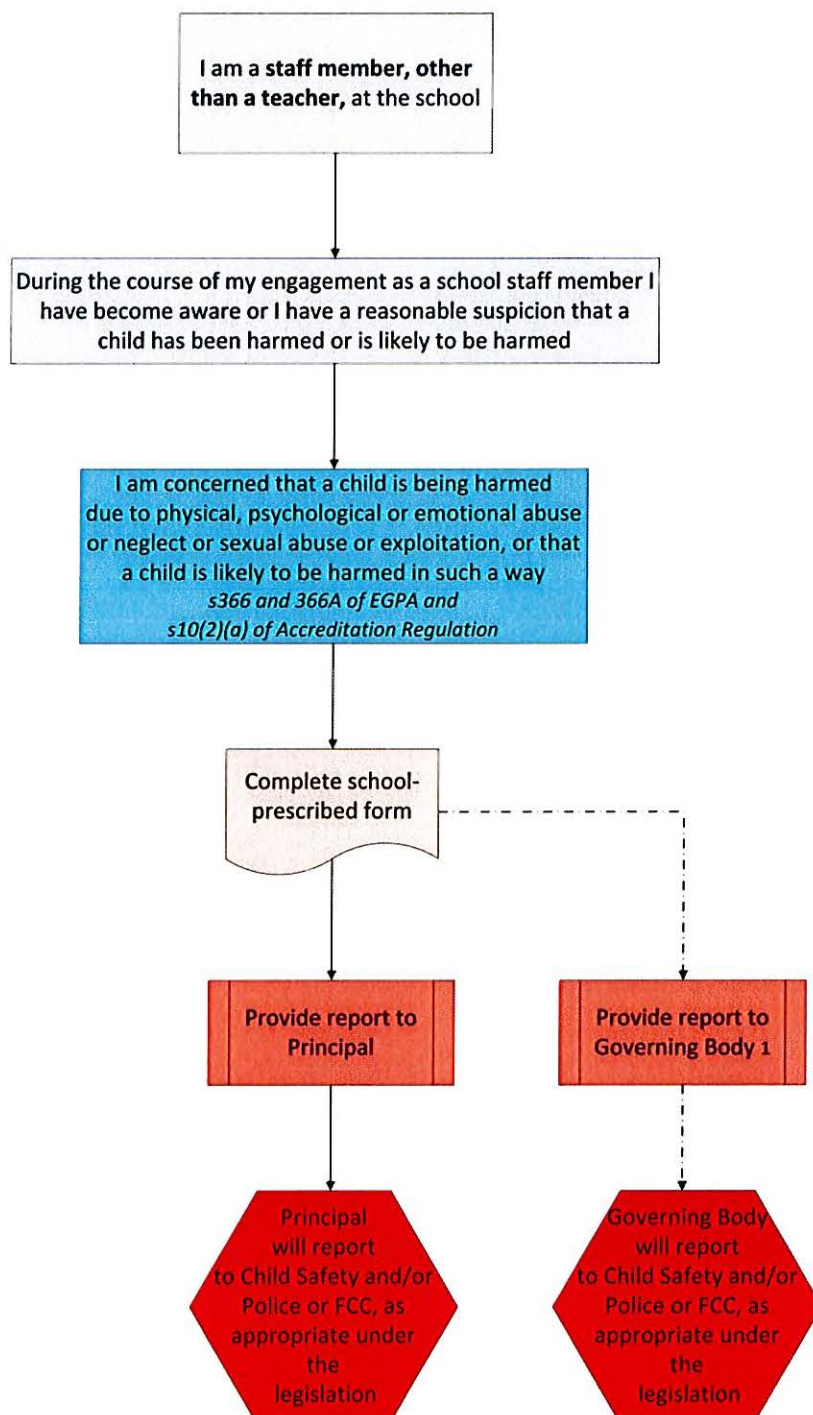
Teacher Decision Tree





Appendix 3

Non-Teaching Staff Decision Tree





Appendix 4

Summary of Reporting Harm

Who	What abuse	Test	Report to	Legislation
All staff	Sexual	Awareness or a suspicion Sexually abused or likely to be sexually abused	Principal, through to police immediately	EGPA sections 366 and 366A
Teacher	Sexual and physical	Significant harm; & Parent may not be willing and able	Confer with principal, report to Child Safety	CPA sections 13E and 13G
All staff	Physical, psychological, emotional, neglect, exploitation	Significant harm, & Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulation section 16
All staff	Any	Not a level that is otherwise reportable to Child Safety, refer with consent	Principal, through to Family and Child Connect	CPA Sections 13B and 159M
Principal	Any	Not a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA Sections 13B and 159M
Employing authority (Principal/Board)	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	Queensland College of Teachers	QCT sections 76 and 77
Any member of the public	Any	Significant harm & Parent may not be willing and able	Child Safety	CPA section 13A
Any adult	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



Appendix 5

Private and Confidential

Report of Suspected Harm or Sexual Abuse

Date:
School:
School Phone:
School Email:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
Primary language spoken:	
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): (M):	
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"/>	
Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE		
<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 SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).
<p>Details of any harm and/or sexual abuse to the student – please include: Time and date of the incident; location 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.</p>
<p>Please indicate the identity of anyone else who may have information about the harm or abuse</p>
<p>Additional information provided as an attachment YES <input type="checkbox"/> NO <input type="checkbox"/></p>



Name of staff member making report if not the Principal:		
Position:	Signature:	Date:
Principal:	Signature:	Date:
Principal's email address:		
Response requested by school:		

ACTION TAKEN		
Form was emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Children, Youth Justice and Multicultural Affairs (Child Safety Services)
	<input type="checkbox"/>	Family and Child Connect
	<input type="checkbox"/>	Queensland College of Teachers

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

Confirm receipt of emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.