

CHILD PROTECTION POLICY

PUBLIC



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1 POLICY DETAILS

Issued by:	Principal
Issue Date:	1 April 2021
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Location:	M:\ Policy database, T:\ Policies, Edumate, College website
Review Date:	April 2022

2 INTRODUCTION

- 2.1 It is fundamental under biblical values and the law to ensure that all children have a secure and nurturing environment in which to grow and learn. This mandates protection from harm and the risk of harm regardless of the cause.
- 2.2 Toowoomba Christian College (the “College”) acknowledges this obligation and strives by this Child Protection Policy and other protective College Policies, which are regularly reviewed, to provide an environment supportive of the safety and welfare of the students and staff of the College Community.

3 PURPOSE

The purpose of this policy is to provide written processes to comply with accreditation requirements about:

- 3.1 How the school will respond to harm, or allegations of harm, to students under 18 years; and
- 3.2 The appropriate conduct of the school’s staff and students

4 SCOPE

This policy applies to 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 the College and covers information about the reporting of harm and abuse.

5 AWARENESS

The College 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, server for staff and portals for parents and students¹.

6 TRAINING

The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually². All staff members will receive Child Protection training at the beginning of each school year. New staff members who are employed during the course of the year will receive their Child Protection training as part of their induction process.

7 IMPLEMENTING THE PROCESSES

The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually³.

¹ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s16(4)

² Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s16(4)

³ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s16(4)



8 ACCESSIBILITY OF PROCESSES

Processes relating to the health, safety and conduct of staff and students are accessible on the College website, the staff policy database and will be available on request from the College administration⁴.

9 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 \(Qld\)](#)
- Raising Concerns and Issues with the School
- Formal Complaints Policy
- Student Risk Management Strategy
- Work Health and Safety Policy
- Child Protection Reporting Form

10 WORK 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).

11 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.

12 GUIDING PRINCIPLES

- 12.1 The College acknowledges and recognises that children have a right to be protected from harm and the risk of harm. Protection from harm and the risk of harm is fundamental to maximising a student's personal and academic potential.
- 12.2 In every preventative and/or protective action relating to harm to a student, the safety, wellbeing and best interests of a child are paramount.
- 12.3 The College acknowledges and recognises that a student's family has the primary responsibility for the student's upbringing, protection and development and therefore considers that the preferred way of ensuring a student's safety and wellbeing is through its support of the student's family.
- 12.4 Whilst the value of the student's family is to be respected, it is not to the detriment of the wellbeing and best interests of a student.
- 12.5 A failure to behave in accordance with proper standards may result in criminal proceedings and/or disciplinary action, including but not limited to summary dismissal.
- 12.6 The College will respond promptly and appropriately to a report of reasonably suspected or actual harm or a risk of harm to a student.
- 12.7 All persons (including the respondent) involved in situations where harm to a student is disclosed or suspected, must be treated with dignity, sensitivity and respect.

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s16(4)



- 12.8 The College will provide appropriate support to both the student who has been or is suspected of being harmed and the perpetrator of harm.
- 12.9 Students have a right not to have private information about their harm publicised (beyond these reporting requirements).
- 12.10 Principles of Natural Justice and Confidentiality will be upheld (subject to these reporting requirements).
- 12.11 Where an unacceptable risk exists (in the reasonable view of the Principal) the alleged offender must not be in contact with College students and, if appropriate, will be stood down pending a response to the allegation.
- 12.12 The College will not permit a person to work in a position with the College if the College reasonably suspects that an unacceptable risk of harm would arise to a student.



13 RESPONDING TO REPORTS OF HARM

13.1 Section 9 of the *Child Protection Act 1999* provides that

- a) Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
- b) It is immaterial how the harm is caused.
- c) Harm can be caused by:
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
- d) Harm can be caused by:
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.

13.2 When the school receives any information alleging 'harm'⁵ 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 College's Student Risk Management Strategy.

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

14 REPORTING INAPPROPRIATE BEHAVIOUR OF A STAFF MEMBER

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

- The Principal,
- The Head of Primary,
- The Head of Secondary,
- Mrs Kelly, the School Counsellor and one of the College's two Child Protection Officers, or;
- Mr Solomon, the Director of Student Wellbeing and one of the College's two Child Protection Officers

15 DEALING WITH A REPORT OF INAPPROPRIATE BEHAVIOUR OF A STAFF MEMBER

15.1 A staff member who receives a report of inappropriate behaviour must report all allegations to the Principal as soon as practicable.

15.2 Where the Principal is the subject of the report of inappropriate behaviour, the staff member must inform a member of the school's governing body.

15.3 Reports will be dealt with under the College's *Raising Concerns and Issues with the School* Policy or the College's *Formal Complaints* Policy.

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s16(7)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*



16 REPORTING SEXUAL ABUSE UNDER THE EDUCATIONAL (GENERAL PROVISIONS) ACT 2006

- 16.1 Section 364 of the *Education (General Provisions) Act 2006* provides that sexual abuse, in relation to a child, includes sexual behaviour involving the child and another person in the following circumstances:
- the other person bribes, coerces, exploits, threatens or is violent toward the child;
 - the child has less power than the other person;
 - there is a significant disparity between the child and the other person in intellectual capacity or maturity.
- 16.2 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 College, that any of the following persons have been sexually abused by another person:
- a student under 18 years attending the College;
 - a kindergarten aged child registered in a kindergarten learning program at the College
 - a person with a disability who—
 - is being provided with special education at the College; and
 - is not enrolled in the preparatory year at the College.
- 16.3 then the staff member must give a written report about the abuse, or suspected abuse, to the Principal or to a Director of the College's Governing Body 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 sex;
 - details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
 - details of the abuse or suspected abuse;
 - any of the following information of which the first person is aware:-
 - the student's age;
 - the identity of the person who has abused, or is suspected to have abused, the student;
 - the identity of anyone else who may have information about the abuse or suspected abuse⁶
- 16.4 Upon receipt of the report, the Principal must immediately give a copy to a Police Officer.
- 16.5 If the Principal is the first person who becomes aware of, or reasonably suspects, sexual abuse, then he must give a written report about the abuse, or suspected abuse, to a police officer immediately and to a Director of the College's governing body immediately.
- 16.6 If a staff member becomes aware, or reasonably suspects in the course of their employment at the College, any of the above persons have been sexually abused by the College's Principal, the staff member must give a written report about the abuse, or suspected abuse to a Police Officer and also to a Director of the College's Governing Body.
- 16.7 The Principal or a Director of the College's Governing Body must:
- ensure that a report in the approved form (see Appendix 1 College Child Protection Reporting Form) is completed;
 - give a written report to a Police Officer immediately;
 - notify the College's Governing Body of the report.

⁶ *Education (General Provisions) Regulation 2006* (Qld) s68



17 REPORTING LIKELY SEXUAL ABUSE UNDER THE EDUCATIONAL (GENERAL PROVISIONS) ACT 2006

- 17.1 Section 364 of the *Education (General Provisions) Act 2006* provides that sexual abuse, in relation to a child, includes sexual behaviour involving the child and another person in the following circumstances:
- the other person bribes, coerces, exploits, threatens or is violent toward the child;
 - the child has less power than the other person;
 - there is a significant disparity between the child and the other person in intellectual capacity or maturity.
- 17.2 Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member reasonably suspects in the course of their employment at the College, that any of the following persons have been sexually abused by another person:
- a student under 18 years attending the College;
 - a kindergarten aged child registered in a kindergarten learning program at the College
 - a person with a disability who—
 - is being provided with special education at the College; and
 - is not enrolled in the preparatory year at the College.
- 17.3 then the staff member must give a written report about the suspicion to the Principal or to a Director of the College's Governing Body 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 sex;
 - details of the basis for the first person reasonably suspecting that the student has been sexually abused by another person;
 - any of the following information of which the first person is aware:-
 - the student's age;
 - the identity of the person who has abused, or is suspected to have abused, the student;
 - the identity of anyone else who may have information about the abuse or suspected abuse⁷
- 17.4 Upon receipt of the report, the Principal must immediately give a copy to a Police Officer.
- 17.5 If the Principal is the first person who reasonably suspects sexual abuse, then he must give a written report about the suspicion to a police officer immediately and to a Director of the College's governing body immediately.
- 17.6 If a staff member becomes aware, or reasonably suspects in the course of their employment at the College, any of the above persons have been sexually abused by the College's Principal, the staff member must give a written report about the abuse, or suspected abuse to a Police Officer and also to a Director of the College's Governing Body.
- 17.7 The Principal or a Director of the College's Governing Body must:
- ensure that a report in the approved form (see Appendix 1 College Child Protection Reporting Form) is completed;
 - give a written report to a Police Officer immediately;
 - notify the College's Governing Body of the report.

⁷ *Education (General Provisions) Regulation 2006* (Qld) s68



18 REPORTING PHYSICAL OR SEXUAL ABUSE UNDER THE CHILD PROTECTION ACT 1999

- 18.1 Under Section 13E(3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a 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.
- 18.2 A reportable suspicion about a child is a reasonable suspicion that the child:
- has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
 - may not have a parent able and willing to protect the child from the harm.
- 18.3 The doctor, nurse, teacher or early childhood education and care professional must give a written report (mandatory reporting) to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the *Child Protection Act 1999*) of the reportable suspicion. The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the Principal. (See Appendix 1 College Child Protection Reporting Form.)
- 18.4 A report under this section must include the following particulars: -
- state the basis on which the person has formed the reportable suspicion⁸;
 - the child's name and sex;
 - the child's age;
 - details of how to contact the child;
Examples –
 - address where the child usually lives*
 - name and address of the school the child attends*
 - details of the harm to which the reportable suspicion relates;
 - 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;
 - particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

The [South West \(Darling Downs\) Child Safety Regional Intake Service](#) can be contacted on 1300 683 390 9am – 5pm Monday to Friday. Outside of these hours, the Child Safety After Hours Service Centre can be contacted on 1800 177 135.

19 COMPLAINTS PROCEDURE

Suggestions of non-compliance with the College's processes may be submitted as complaints under the College's Complaints Policy and Procedures.

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



20 APPENDIX 1: CHILD PROTECTION REPORTING FORM (SPF4)



Private and Confidential

Report of Suspected Harm or Risk of Harm
(In Accordance with Section 22 of the *Child Protection Act 1999*)

Date:	
School:	Toowoomba Christian College
School Phone:	46308444

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander <input type="checkbox"/>	
Does the student have a disability verified under EAP: Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability Category:
Student's Residential Address:	Phone: Student's Personal Mobile:

FAMILY DETAILS	
Parent/caregiver 1:	Relationship to Student:
Address (if different from student):	
Phone: (H): (W): (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"/>	

OTHER HOUSEHOLD MEMBERS: (All known names of children, family and significant others).				
Name	Date of Birth	Sex	Relationship to Student	School

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

PERSON ALLEGED TO HAVE CAUSED THE HARM OR RISK OF 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	

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

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM (Attach extra pages if necessary).
Details of any harm and/or risk of harm to the student – please include: Time and date of the incident, source of information, details of person alleged to have caused the harm, 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.
Details of parent/carer’s circumstances – e.g. parenting capacity; protective capacity; presence of complicating factors including domestic violence, drug/alcohol misuse; mental health history; physical or intellectual disabilities, family stressors – financial, isolation, accommodation, unemployment, family law disputes; mobility and transience.
Parent/carer knowledge of incident and their response
Details of environmental factors - e.g. condition of home, access to student by person alleged to have caused harm, presence of parent/household member able and willing to protect the student.
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"/>

Name of staff member making report to the Statutory Agency if not the principal:	Signature:	Date: Click here to enter a date.
Position:		
Principal:	Signature:	Date: Click here to enter a date.
Principal’s email address: richard.brown@tccollege.qld.edu.au		
Response requested by school:		

ACTION TO BE TAKEN (Tick the Appropriate suspected harm/risk of harm type below)			
<input type="checkbox"/>	Physical abuse		Email this form to: - Department of Communities (Child Safety Services) - Queensland Police Services (QPS)
<input type="checkbox"/>	Sexual abuse		
<input type="checkbox"/>	Emotional Abuse		Email this form to: - Department of Communities (Child Safety Services)
<input type="checkbox"/>	Neglect – includes self-harm where parent/carer not acting protectively		

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.

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