



John Paul College

Unity | Christ | Learning

John Paul College Student Protection Policy

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Application and Purpose

John Paul College is a Christian, ecumenical, co-educational College. Our values are based on a Christian ethos and particularly emphasise the principles of Mutual Respect, Acceptance, Love, and Fairness. As a College, we retain a 'duty of care' for our students, and as such take steps to look after the safety, welfare and wellbeing of students.

For the purpose of this policy, John Paul College will be referred to as JPC or 'the College'. This policy, associated procedures and guidelines has been approved by JPC to ensure compliance with s.15 Health and safety and s.16 Conduct of staff and students and response to harm, of the *Education (Accreditation of Non-State Schools) Regulation 2017*. As such, the College 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)*.

This policy provides context for the written processes about:

- a) How the school will respond to harm, or allegations of harm, to students under 18 years; and;
- b) The appropriate conduct of the school's staff and students to comply with accreditation requirements.

1. Scope

This policy and associated procedures outlines JPC's commitment to ensure the safety, welfare and wellbeing of current students under the age of 18 years attending or enrolled at the College.

This policy and associated procedures apply to all:

- staff;
- volunteers (including Approved Accommodation Providers); and
- visitors (including contractors)
- people undertaking work experience or vocational placement

and relate to any student (attending or enrolled) under the age of 18 years who is a child, as defined by the *Child Protection Act 1999*

Policy Statement

John Paul College recognises that the safety and wellbeing of students is of paramount importance and that college staff and volunteers, are often well placed to identify and respond to significant concerns for a student's safety and/or wellbeing.

John Paul College requires all staff members to comply with their relevant mandatory legislative obligations under the *Education (General Provisions) Act 2006* and the *Child Protection Act 1999* to report all reasonable suspicions of sexual abuse or likely sexual abuse or a reportable suspicion of harm of a student under 18 years of age to the Queensland Police Service (QPS) and/or Department of Children, Youth Justice and Multicultural Affairs (Child Safety) as required.

Staff who are not mandated by legislation to report to an external agency must comply with the directions and processes of this policy and associated procedures.

John Paul College requires that all volunteers and visitors to the college comply with the directions and processes as outlined in this policy and associated procedures.

Appropriate staff have been delegated as Student Protection Officers (SPO) as a point of contact for students and staff, volunteers or visitors of John Paul College to report and/or seek guidance with student protection concerns.

Students are to be encouraged to report all concerns of inappropriate behaviour of a staff member, volunteer or visitor towards a student.

The John Paul College Statement of Commitment underpins this policy and associated procedures.

Statement of Commitment
Protection of Children and Young People

John Paul College supports the rights of children and is committed to ensure the safety, welfare and wellbeing of students. John Paul College is therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees.

This commitment includes the provision of a safe and supportive living and learning environment for all students and requires all employees, volunteers and visitors to model and encourage behaviour that upholds the dignity and protection of students from harm.

In support of this commitment, John Paul College is dedicated to our Child and Youth Risk Management strategy which includes having relevant policies, procedures and training in place to effectively address the safety and wellbeing of students in their care.

Refer also to the [JPC-Child-and-Youth-Risk-Management-Strategy](#).

2. Exclusions

This policy and associated procedures do not apply to:

- students over the age of 18 years;
- staff and volunteers working solely in one or more of the JPC Education and Care Services - JPC Child Protection Policy (Education and Care Services) applies;
- complaints about the actions / decisions of staff or volunteers or non-compliance with other policies or procedures (refer to the Grievances Policy (Community));
- historical complaints of sexual abuse or likely sexual abuse of students under 18 years of age (are enacted via the [Grievances Policy \(Community\)](#));
- alleged workplace bullying, discrimination, physical assault, harm or harassment (refer to the Bullying Prevention and Management Policy); or
- student self-harm if there is a parent able and willing to take protective action to protect the student from further harm (refer to the Student Self-Harm Policy).

3. Principles

The following principles inform and guide this policy and associated procedures;

- The safety, welfare and wellbeing and best interests of all students is paramount.
- The value of the family unit is to be respected but not to the detriment of the best interests of the student/s.
- All students (attending or enrolled) have a right to be protected from sexual abuse, likely sexual abuse, harm or risk of harm and inappropriate behaviour by staff members, volunteers or visitors.
- All appropriate measures will be taken to protect students from all forms of harm.
- Staff members and volunteers have a responsibility to care for students, to positively promote their welfare and to protect them from any form of abuse and / or harm.

- All volunteers will be assessed to determine suitability and where required by law screened to determine eligibility to work with children.
- Any staff member or volunteer who is reported and/or investigated in relation to suspected student protection concerns must be treated with natural justice, dignity, sensitivity and respect. However, where based on available information, it is believed the person may pose an unacceptable risk of harm to a student, the person will not be permitted to continue to work with children.

4. Abbreviations

Child Safety	Department of Children, Youth Justice and Multicultural Affairs
CPA	<i>Child Protection Act 1999</i>
CPG	Child Protection Guide
CPIU	Child Protection Investigation Unit
EGPA	<i>Education (General Provisions) Act 2006</i>
EGPA Reg	<i>Education (General Provisions) Regulation 2017</i>
E(ANSS)	<i>Education (Accreditation of Non-State Schools) Act 2017</i> E(ANSS) Reg <i>Education (Accreditation of Non-State Schools) Regulation 2017</i> FACC
	Family and Child Connect
EQCT	<i>Education (Queensland College of Teachers) Act 2005</i>
QCT	Queensland College of Teachers
QPS	Queensland Police Service
SPO	Student Protection Officer
Working with	<i>Working with Children (Risk Management and Screening) Act 2000</i> Children <i>Working with Children (Risk Management and Screening)</i> <i>Regulation 2020</i>
CC	<i>Criminal Code Act 1899</i>

5. Relevant Legislations and Related Documents

Relevant Legislation

Child Protection Act 1999
Criminal Code Act 1899
Education (Accreditation of Non-State Schools) Act 2017 Education
(Accreditation of Non-State Schools) Regulation 2017 Education (General
Provisions) Act 2006
Education (General Provisions) Regulation 2017 Education
(Queensland College of Teachers) Act 2005
Working with Children (Risk Management and Screening) Act 2000
Working with Children (Risk Management and Screening) Regulation 2020

Related documents

[Code of Ethics for Teachers in Queensland](#) (Queensland College of Teachers)
[Professional Standards for Queensland Teachers](#) (Queensland College of Teachers)
[Registered Nurses Standards for Practice](#) (Australian Health Practitioner Regulation Agency)
[Australian Psychological Society Code of Ethics](#) (AHPRA)
[Information Sharing Guidelines 2018](#) (Department of Children, Youth Justice and Multicultural Affairs)

John Paul College

Codes of Conduct

College Community Code of Conduct – Board Members College Community
Code of Conduct – Staff Members
College Community Code of Conduct (All community members)
Our College Values and Expectations (Students)

Policies and Procedures

Child and Youth Risk Management Strategy
Working with Children (Blue Card) Policy and Procedures
Bullying Prevention and Management Policy
Grievances Policy (Community)
Privacy Policy
Records Management guidelines and processes
Responsible Use of Social Media (Students) Social Media
Policy and Guidelines (Staff)
Student Protection Procedures
Student Self-Harm Policy
Transportation of Students by Staff Policy
Volunteer Management Policy and Procedures
Work Health and Safety Policy

6. Obligations

6.1 Board of Directors

The Board of Directors, John Paul College Ltd, as the governing body of JPC, will:

- ensure that the College complies with all of the requirements of s.15 Health and safety and s.16 Conduct of staff and students and response to harm; [Education \(Accreditation of Non-State Schools\) Regulation 2017](#)
- by unanimous resolution, delegate the 'directors' function (**function**) of a director of a non-State school's governing body, means the director's function of receiving a report and giving a copy of the report to a police officer under ss. 366 or 366A EGPA) to the Chair as an appropriately qualified individual to fulfil the requirements of s.366B (3) and (4), [Education \(General Provisions\) Act 2006](#);
- Delegate to the Prescribed Entity (the Principal), the approval of the John Paul College Student Protection Policy and support the college in actioning all requirements of the policy and associated procedures;
- arrange for an external audit and review of this policy and associated procedures at a minimum every 3 years;
- manage and store student protection records in accordance with JPC [Records Management Policy](#); and
- undertake relevant Student Protection training annually.

The Chair of the Board of Directors as the delegate for this policy must also ensure that they discharge all responsibilities specified in legislation and this policy.

6.2 Principal

The Principal will:

- ensure that the College's culture prioritises the safety, welfare and wellbeing of students and clearly demonstrates the College's commitment to the protection of students from sexual abuse and harm;
- ensure compliance with all of the requirements of s.15 Health and safety and s.16 Conduct of staff and students and response to harm; [Education \(Accreditation of Non-State Schools\) Regulation 2017](#)
- ensure that the College has written processes to respond to harm, or allegations of harm of students under 18 years of age;
- ensure that the College has written processes regarding the appropriate conduct of college staff and students;
- annually delegate, appropriate staff members to fulfil the role of Student Protection Officer;
- ensure that induction training for staff, volunteers and visitors (when required e.g. certain contractors) includes a student protection component;
- ensure that refresher student protection training is provided annually to all staff;
- understand and comply with this policy including discharging all responsibilities assigned to the Principal;
- ensure that additional student protection training for staff is provided as identified or required;
- fulfil the role of 'prescribed entity' as outlined in legislation (CPA);
- work collaboratively with other entities and service providers in the appropriate sharing of information;
- ensure that staff, volunteers and visitors comply with all student protection obligations and responsibilities;
- engage an appropriate person as a Student Protection Advisor;
- ensure all reports of Inappropriate Behaviour towards a student are appropriately investigated following the principles of Natural Justice;
- ensure that all matters of concerning behaviour are actioned appropriately;
- manage and store student protection records in accordance with JPC records management guidelines and processes;
- ensure that this policy is reviewed in accordance with policy requirements or as deemed necessary;
- where required by legislation, notify QCT of relevant matters pertaining to registered teachers; and
- facilitate an external audit and review of this policy and associated procedures as required.

6.3 Staff

All staff will:

- support the Principal in ensuring that a student protection culture exists at JPC;
- ensure that they understand this policy and associated procedures commensurate to their role and responsibilities;
- attend relevant training when provided and required by JPC;
- comply with confidentiality and information sharing requirements;
- support vulnerable students and families, whenever possible and appropriate; and
- will as soon as practicable, discuss with an SPO concerns about other forms of harm, including self-harm, inappropriate sexualised behaviours and harm caused by another student.

6.4 Student Protection Officer (SPO)

SPO's will:

- support the Principal in ensuring that a student protection culture exists at JPC;
- ensure that they have a solid working understanding of this policy and associated procedures;
- seek guidance and support from the Student Protection Advisor when relevant;
- attend student protection related training as provided by JPC;
- support and deliver as required student protection training to staff and volunteers;
- attend and support induction sessions for JPC Approved Accommodation Providers;
- attend scheduled meetings with the Dean/s of Academic Welfare
- promote their position to the College community; and
- be accessible to students, staff and other members of the College community to provide guidance on student protection matters.

6.5 Volunteers and Visitors (including contractors)

Volunteers and visitors will:

- support the Principal in ensuring that a student protection culture exists at JPC;
- familiarise themselves with student protection information provided by JPC;
- attend as required to induction and/or training sessions;
- always maintain confidentiality for student protection concerns; and
- support JPC staff in the implementation and compliance of this policy and associated procedures.

7. Professional and Behavioural Obligations

All staff, volunteers and visitors are expected to conduct themselves in a professional manner as required by their position and/or terms of employment contract or engagement and in accordance with relevant Professional Standards, Code/s of Ethics and Code/s of Conduct.

Staff and volunteers must also comply with the relevant JPC Community Code/s of Conduct and policy requirements relating to online interactions with students via electronic communication and/or social media applications.

All staff and volunteers are expected to behave in a manner that is supportive of the safety, welfare and wellbeing of students. Behaviour of a sexual, physical or psychological/emotional nature which exploits the special position of trust and authority between the staff member or volunteer and a student is unacceptable and a breach of legal and policy requirements and obligations.

Some examples of inappropriate behaviour/s may include, but not limited to:

- transporting a student, without seeking the consent of a parent or caregiver or without obtaining approval from the relevant Head of School;
- seeking to visit a student, at his/her home without the consent or knowledge of the parent or caregiver and/or relevant Head of School;
- inviting a student, to the staff member or volunteer's home unaccompanied, without the consent of a parent or caregiver or without informing the relevant Head of School or Head of Boarding;
- sending or receiving correspondence of an inappropriate nature;
- inappropriate giving of gifts;
- physical or emotional aggression, violence or bullying;

- sexual exhibitionism;
- development of an intimate relationship incompatible with the professional relationship, initiated by either party;
- taking of photographs or videos of students and/or photographs of students without parental consent;
- exposing to a student, pornographic material in any medium;
- inappropriate discussion of matters of sexual behaviour;
- obscene language, especially of a sexual nature;
- gestures or actions of a suggestive or obscene nature;
- jokes of a sexual nature told in the presence of student/s;
- voyeurism (gaining pleasure from secret watching of another);
- repeatedly seeking to be alone with a student; or
- detaining a student in locked facilities or facilities that do not have immediate access to other staff.

8. Responding and Reporting Obligations

When a staff member, volunteer or visitor (the notifier) has concerns relating to sexual abuse or harm or inappropriate behaviour towards a student they **must immediately** discuss their concerns with an SPO or the Principal.

The SPO or Principal:

- will ensure the student's immediate safety (if required);
- will identify other relevant information known about the student and family to support a report or a referral;
- will confer with the Principal;
- may consult the [Child Protection Guide](#) (CPG);
- may consult with a College Counsellor (de-identified information ONLY);
- may assist the notifier in determining the most appropriate response to the concerns;
- may assist the notifier with the accurate and immediate completion of the relevant reporting or referral form, when necessary; and
- will ensure that all appropriate supports are immediately provided to the student.

Note: If the first contact is made to an SPO, the SPO will attend to the above and immediately discuss with the Principal.

8.1 Investigation (Reporting Threshold Met)

All JPC staff and volunteers will always cooperate with relevant State Authorities in student protection matters.

JPC staff will not in any way investigate (*refer to definition*) mandatory reporting matters that are to be or have been reported to a relevant State Authority.

Staff and volunteers will not make contact or advise any person alleged of abusing or harming a student or of inappropriate behaviour towards a student of any allegations.

8.2 Protection from Liability

Notifiers are afforded protection, when acting honestly and reasonably under both the CPA ([s197A](#)) D and the EGPA (ss. [366 \(5-6\)](#) and [366A \(7-8\)](#)).

8.3 Mandatory Reporters (staff)

The following staff members are mandatory reporters by virtue of legislation:

- **all staff** employed by JPC (a school) are mandatory reporters under ss. [366](#) and [366A](#) of the EGPA to report sexual abuse or likely sexual abuse by another person of a student attending the school to the police;
- **all teachers and registered nurses** (*refer definitions*) employed by JPC as '*relevant persons*' are mandatory reporters under [s.13E](#) of the CPA to report significant harm caused by physical or sexual abuse where there may not be a parent able **and** willing to protect that child from harm, to Child Safety.

8.4 Reporting Sexual Abuse or Likely Sexual Abuse (QPS)

All Staff

When a staff member in the course of their employment, becomes aware or reasonably suspects that a student has been sexually abused (*refer definition*) is likely to be sexually abused by another person, they **will**:

- **confer** with an SPO **and/or** the Principal prior to making a report, **and**
- **must immediately** give a written report to the Principal.

See Section 10.1: Sexual Abuse / Likely Sexual Abuse or Harm form.

If the reasonable suspicion relates to the Principal:

- a written report **must immediately** be given to the Chair, Board of Directors; **and**
- the Chair must immediately give the report to the police.

See Section 10.1: Sexual Abuse / Likely Sexual Abuse or Harm.

Responsibilities under 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 Report (*Criminal Code Act 1899 (Qld) s.229BC*)

Under section 229BC of the Code, all adults 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. 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 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.

Failure to Protect (*Criminal Code Act 1899 (Qld) s.229BB*)

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.

Principal

When the reasonable suspicion is formed by the Principal, the Principal **must**:

- **immediately** give a written report to the police; **and**
- a copy to the Chair, Board of Directors.

See Section 10.1: Sexual Abuse / Likely Sexual Abuse or Harm.

Where the Principal receives a written report from a staff member about sexual abuse or likely sexual abuse, the principal **must**:

- **immediately** give the written report to the police; **and**
- as soon as practicable notify the Board of Directors of the report to police.

See Section 10.4: Student Protection Notification to the Board.

Volunteers and visitors

A written report is not required from volunteers or visitors; however, they are required to:

- **immediately provide** all information known or reasonably suspected to an SPO in the first instance or to the Principal.

8.5 Reporting Significant Harm (Child Safety)

Teachers and registered nurses

In accordance with s.13E CPA, **teachers and registered nurses** if, in the course of the person's engagement as a relevant person or in their employment, forms a reasonable suspicion that:

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

The teacher or registered nurse

- **will confer** with an SPO **and** the Principal prior to making a report,
- **and** make a written report to Child Safety.

See Section 10.1: E-Report of Suspected Child in Need of Protection.

The Principal **will notify** the Board of Directors of the report to Child Safety. See Section 10.4 Student Protection Notification to the Board.

Other staff

All other JPC staff (other than teachers and registered nurses) **must immediately** discuss any reasonable suspicions that a child has suffered, is suffering or is at unacceptable risk of suffering significant harm with an SPO.

An SPO **will confer** with any other relevant college staff **and** the Principal to ascertain any other information that may assist in forming a reasonable suspicion that:

- a 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 harm

If an SPO forms a reasonable suspicion of abuse or harm of a student, they **must make** a written report to Child Safety. See Section 10.1: E-Report of Suspected Child in Need of Protection on-line form.

The Principal **will notify** the Board of Directors of the report to Child Safety. See Section 10.4: Student Protection Notification to the Board.

Volunteers and visitors

A written report **is not required** from volunteers or visitors; however, they are required to:

- **immediately provide** all information known or reasonably suspected about a child suffering harm to an SPO in the first instance or to the Principal.

8.6 Supporting Students (Reporting Threshold Not Met)

If the concern does not reach the reporting threshold to Child Safety and an SPO considers that the student is likely to become in need of protection if no preventative support is given, the SPO (if not a school counsellor) is to discuss support options with a multidisciplinary support team eg. Academic Welfare Team and/or Counsellor if appropriate.

The school counsellor will consider available options to support the student and/or their family. These options may include:

- JPC based support and monitoring;
- providing information relating to a community-based support service;
- a referral to a community-based support service;
- a referral to an appropriate service provider professional; or
- a referral to a FACC service.

See Section 10.2: E-Referral Family and Child Connect.

Note: Consent should where practicable be obtained for all referrals to a professional or service provider e.g. a FACC service. See s. 10.2: Consent to Share Information / Referral Form.

If consent cannot be obtained, the Principal **ONLY**, as the 'prescribed entity', can refer to a FACC service without consent.

8.7 Reporting Inappropriate Behaviour towards a Student

All staff, volunteers and visitors **must**, as soon as practicable, report all reasonable suspicions of inappropriate behaviour by a staff member, volunteer or visitor towards a student as follows:

- allegations relating to the Principal, to the Chair, Board of Directors
- allegations relating to a staff member, to the Principal or delegate
- allegations relating to a volunteer or visitor, to an SPO.

Staff **are to** report inappropriate behaviour on the required form. See Section 10.1: Inappropriate Behaviour Report (internal use only).

An SPO will complete the required form if the information is received from a volunteer or a visitor. See Section 10.1: Inappropriate Behaviour Report (internal use only). The SPO **must immediately** inform the Principal of the allegations.

When informed of suspected inappropriate behaviour towards a student, the Principal or Chair **must** respond to and manage the concerns as specified in the procedures. If the allegations relate to a teacher, the Principal will notify QCT as required. See Section 10.3 QCT Notices

8.8 Noting Concerning Behaviour towards a Student

All staff and volunteers **are to**, as soon as practicable discuss behaviours towards a student that may not be considered as inappropriate or a breach of the relevant College Community Code of Conduct but are of concern as follows:

- relating to the Principal, to the Chair, Board of Directors
- relating to an SPO, to the Principal or delegate
- relating to a staff member, to an SPO
- relating to a volunteer or visitor, to an SPO.

Concerning behaviours may be recorded using the Record of Harm or Concerning Behaviour Form (internal use only), see section 10.1. This form is to be provided to the Principal. The Principal will determine what action if any is required.

9. Forms, Notices and Template Documents

ss. 68 and 69 [Education \(General Provisions\) Regulations 2017](#) require that written reports of sexual abuse and likely sexual abuse **must** include:

- the name of the person giving the report
- the student's name, sex and age
- details of the basis of becoming aware or reasonably suspecting that the student has been sexually abused by another person or is likely to have been sexually abused
- details of the abuse or suspected abuse
- identity if known of the person alleged to have sexually abused the student or is suspected to be likely to sexually abuse the student
- the identity of anyone else who may have information about the abuse or suspected likelihood of abuse

When reporting child protection matters as required by legislation and/or this policy the following reporting forms and notices are to be used.

9.1 Reporting Forms

[Sexual Abuse / Likely Sexual Abuse or Harm](#)

[E-Report of Suspected Child in Need of Protection](#)

[Inappropriate Behaviour Report \(internal use only\)](#)

[Record of Harm or Concerning Behaviour \(internal use only\)](#)

9.2 Referral Forms

[E-Referral Family and Child Connect](#)

[Consent to Share Information / Referral Form \(internal use only\)](#)

9.3 QCT Notices

[QCT Section 76 Notice of Investigation](#)

[QCT Section 77 Notice Resignation](#)

[QCT Section 78 Notice Dismissal](#)

9.4 Other relevant forms / template documents

[Student Protection Notification to the Board](#)

[Sharing Information for Child Protection Form](#)

[Request for information by a Law Enforcement Agency](#)

[Request for interview of student \(Relevant State Authority\)](#)

10. Awareness and Accessibility

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website (s s.16(4)(a) E(ANSS) Reg).

Processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration (s s.16(4)(b) E(ANSS) Reg).

11. Review and Compliance

The JPC Board of Directors requires currency of and compliance with this policy and associated procedures.

The policy and associated procedures will be reviewed annually from the effective date or as required by changes to relevant legislation or at the direction of the Board of Directors or the Principal.

To facilitate compliance, auditing procedures will be undertaken annually.

An external audit and review will be undertaken at a minimum, every three (3) years by an appropriately qualified / experienced person independent to JPC as appointed by the Board of Directors.

12. Complaints

This policy and associated procedures will be made available to all persons employed by and/or associated with JPC. If a person is concerned about a breach or non-compliance with this policy or procedures, they can make a complaint to the Principal in accordance with the relevant Grievances Policy.

Definitions and Terms

Allegation: means information or an assertion which is still to be proved.

Approved Accommodation Provider: means an Accommodation Provider for student living arrangements arranged and approved by John Paul College (excluding Boarding).

Child exploitation material: ([s.207A CC](#)) means material that, in a way likely to cause offence to a reasonable adult, describes or depicts a person, or a representation of a person, who is, or apparently is, a child under 16 years—

- (a) in a sexual context, including for example, engaging in a sexual activity; or
- (b) in an offensive or demeaning context; or
- (c) being subjected to abuse, cruelty or torture.

Child Protection Guide (Qld): An online tool to support professionals in making decisions about where to refer or report their concerns. This tool is provided by the Department of Children, Youth Justice and Multicultural Affairs.

Conferrals with colleague and related information sharing: ([s. 13H CPA](#))

- (1) A relevant person may give information to a colleague, and a colleague may give information to a relevant person, for any of the following purposes—
 - (a) for the relevant person to form a suspicion about whether a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse;
 - (b) in the case of a relevant person under [section 13E](#) —for the relevant person to form a suspicion about whether a child has a parent able and willing to protect the child from harm mentioned in paragraph (a);
 - (c) for the relevant person to give a report under [section 13G](#) or keep a record about giving a report;
 - (d) for the relevant person or colleague to take appropriate action to deal with suspected harm or risk of harm to a child.

Examples for paragraph (d)—

- 1 A teacher with a reportable suspicion about a child under [section 13E](#) may give information to the principal at the school to enable the principal to take appropriate action to protect the child or other children from risk of harm.*
 - 2 An educator under the Education and Care Services National Law (Queensland) with a reportable suspicion about a child under [section 13E](#) may give information to the nominated supervisor for the approved education and care service, within the meaning of that Law, to enable the supervisor to take appropriate action to protect the child or other children from risk of harm.*
- (2) In this section— **colleague**, of a relevant person, means a person working in or for the same entity as the relevant person.

Child: ([s.8 CPA](#)) means an individual under 18 years

Child in need of protection: ([s.10 CPA](#)) is 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.

Director: ([s. 364 EGPA](#)) means in Part 10 Reporting Sexual Abuse,

A director, of a non-State school's governing body, within the meaning of the *Education (Accreditation of Non-State Schools) Act 2017*, section 9. —

Director: ([s.9 \(ANSS\)](#)): A director, of a school's governing body, is—

- (a) if the governing body is a company under the Corporations Act—a person appointed as a director of the governing body; or
- (b) if the governing body is a RECI Act corporation—
 - i. a declared director of the governing body; and
 - ii. if all declared directors of the governing body, for the time being, nominate a person as a director of the governing body—the person; or
- (c) otherwise—a person who is, or is a member of, the executive or management entity, by whatever name called, of the governing body.

Employing authority ([Sch 3 EQCT](#)), for a school, means the person or entity responsible for the appointment of teachers to the educational staff of the school.

First person: ([ss.366 – 366A EGPA](#)) means the staff member who becomes aware or reasonably suspects, in the course of their employment at the school, that a student (relevant person) under the age of 18 years has been or is likely to be sexually abused by another person.

Harm: ([s.9 CPA](#))

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

Inappropriate behaviour: is not defined in law. For the purposes of this policy 'inappropriate behaviour' means any behaviour, including words of a staff member, volunteer or visitor towards a student which is inconsistent with college values, relevant Code/s of Conduct and professional standards and is considered to be inappropriate by the person making the complaint. For examples of inappropriate behaviour, see section 8 Professional and Behavioural Obligations.

Information: means personal information (fact or opinion), which is information about an individual, from which the identity of the individual can be ascertained. [Information Sharing Guidelines \(Qld\)](#)

Investigate: to investigate includes carrying out a systematic or formal inquiry into a student protection matter, including interviewing people; examining facts of a student protection report; or making a determination about whether a child is in need of protection.

Natural Justice: The principles of natural justice will apply to all decisions made under this policy and procedures document. As the consequences of any decision (that is, the effect/s on a person's rights, interests or legitimate expectations) for any individual become more severe, so the importance of demonstrably acting fairly increases. The fundamental principles of natural justice are:

- the right to be given a fair hearing and the opportunity to present one's case;
- the right to have a decision made by an unbiased decision-maker; and
- the right to have that decision based on logically probative evidence.

Non-suicidal self-injury / self-harm

Non-suicidal self-injury (NSSI) is known by a variety of terms, including self-harm, cutting or self-injurious behaviour. Generally, it refers to a person hurting or mutilating their body, usually without the intent to die. Examples include self-cutting, burning, biting, head banging or embedding objects under the skin. NSSI often occurs in secret, making it hard to detect.

Parent: ([Schedule 3 CPA](#))

parent, of a child—

(a) for chapter 2, parts 2, 3, 3AA, 3A and 4, sections 67 and 117 and chapter 7—means each of the following persons—

- (i) the child's mother or father;
- (ii) a person in whose favour a parenting order operates;
- (iii) a person, other than the chief executive, having custody or guardianship of the child under another Act or a law of another State;
- (iv) a long-term guardian of the child;
- (v) a permanent guardian of the child; or

(b) otherwise—see section 11.

S11 CPA:

11 Who is a parent

(1) A parent of a child is the child's mother, father or someone else (other than the chief executive) having or exercising parental responsibility for the child.

(2) However, a person standing in the place of a parent of a child on a temporary basis is not a parent of the child.

(3) A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child.

(4) A parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a parent of the child.

(5) A reference in this Act to the parents of a child or to 1 of the parents of a child is, if the child has only 1 parent, a reference to the parent.

Prescribed entity: (s. [159M CPA](#))

[Includes](#) the principal of an accredited school under the *Education (Accreditation of Non-State Schools) Act 2001*

Prescribed Notice: (s. [234 Working With Children](#)) a notice (Positive or Negative) issued by Blue Card Services under the *Working with Children (Risk Management and Screening) Act 2000*

Reasonably suspects: ([Schedule 3 CPA](#), [Schedule 4 EGPA](#))

A belief formed on grounds that are reasonable in the circumstances.

Registered nurse: ([Sch. 3 Dictionary CPA](#))

A person registered under the Health Practitioner Regulation National Law –

- (a) to practise in the nursing and midwifery profession as a nurse, other than as a student; and
- (b) in the registered nurses division of that profession.

Relevant child: ([CPA s.159BA](#))

In this chapter— **relevant child** means—

- (a) a child in need of protection; or
- (b) a child who may become a child in need of protection if preventative support is not given to the child or the child's family.

Relevant person: ([s.364 EGPA](#)) – means a person mentioned in s. 366(1) (a) to (c) or s. 366A

(1) (a) to (c). As provided below—

- (a) a student under 18 years attending the school;
- (b) a pre-preparatory age child registered in a pre-preparatory learning program at the school;
- (c) a person with a disability who—
 - (i) under s. 420(2) is being provided with special education at the school; and
 - (ii) is not enrolled in the preparatory at the school.

Relevant person: ([s.13E CPA](#)) – includes a teacher and a registered nurse.

Relevant State Authority: means—Queensland Police Service or Child Safety (Department of Children, Youth Justice and Multicultural Affairs)

Reportable suspicion: ([s.13E \(2\) CPA](#)) means – 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.

School: ([Sch. 3 Dictionary CPA](#)) means –

- (a) a State school under the *Education (General Provisions) Act* 2006; or
- (b) a school that is provisionally accredited, or accredited, under the *Education (Accreditation of Non-State Schools) Act* 2017.

Sexual abuse: ([s.364 of the EGPA](#))

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.

Significant harm: ([s.13C CPA](#)) Matters to consider when forming a reasonable suspicion about significant harm:

- (a) whether there are detrimental effects on the child's body or the child's psychological or emotional state—
 - I. that are evident to the person; or
 - II. that the person considers are likely to become evident in the future; and
- (b) in relation to any detrimental effects mentioned in paragraph (a)—
 - I. their nature and severity; and
 - II. the likelihood that they will continue; and
- (c) the child's age.

The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.

Student Protection Advisor: means an independent person, with relevant child protection qualifications and/or experience, appointed by the Principal to provide support and guidance as required on student protection matters including reporting of allegations and concerns. This person does not provide legal advice.

Student Protection Officer (SPO): means – an appropriate staff member delegated by the Principal to act as the point of contact for the college community for student protection concerns. Students may report or seek advice from an SPO if they have concerns for their or another student's safety, or to report sexual abuse, likely sexual abuse, harm or risk of harm to a student or inappropriate behaviour of a staff member, volunteer or visitor towards a student. This in part is a requirement under s.16 (ANSS) Reg 2017.

Teacher: ([Sch. 3 Dictionary CPA](#)) means - an approved teacher under the *Education (Queensland College of Teachers) Act 2005*, employed at a school.

Visitor: any person who visits the school on a one off or regular basis to provide services [paid or unpaid] to the school. This includes contractors, consultants and presenters of one-off programs.

Volunteer: means a person involved in 'formal volunteering'. Formal volunteering is an activity which takes place in not-for-profit organisations or projects and is undertaken:

- to be of benefit to the community and the volunteer;
- of the volunteer's own free will and without coercion;
- for no financial payment; and
- in designated volunteer positions only

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Policy Owner:	Deputy Principal (Culture and Compliance)
Executive Sponsor:	Deputy Principal (Culture and Compliance)
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