

MUELLER COLLEGE



CHILD PROTECTION POLICY

Person Responsible : HOC/WHS OFFICE

Last Updated : JUNE 2020

PURPOSE	The purpose of this policy is to provide written processes about – <ul style="list-style-type: none"> a. How the school will respond to harm, or allegations of harm to students under 18 years; and b. The appropriate conduct of school’s staff and students to comply with accreditation requirements.	
SCOPE	Staff and students, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers, Mueller Community Church personnel (‘religious representatives’) and people undertaking work experience or vocational placements at Mueller College and covers information about the reporting of harm and abuse.	
STATUS	Approved	SUPERSEDES: CP POLICY 2019
AUTHORISED BY	School Governing Body Chairperson	DATE OF AUTHORISATION: 22 JUNE 2020
REFERENCES	<ul style="list-style-type: none"> • <i>Child Protection Act 1999</i> (QLD) • <i>Education (General Provisions) Act 2006</i> (QLD) • <i>Education (General Provisions) Regulation 2017</i> (QLD) • <i>Education (Accreditation of Non-State Schools) Act 2017</i> (QLD) • <i>Education (Accreditation of Non-State Schools) Regulation 2017</i> (QLD) • <i>Working with Children (Risk Management and Screening) Act 2000</i> (QLD) • <i>Working with Children (Risk Management and Screening) Regulation 2011</i> (QLD) • Mueller College Complaints Handling Policy • Mueller College Complaints Handling Procedure • Mueller College Child Risk Management Strategy (for the <i>Working with Children (Risk Management and Screening) Act 2000</i> (QLD)) • Mueller College Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011</i> (QLD)) • Mueller College Child Protection Reporting Form 	
REVIEW DATE	Annually	NEXT REVIEW DATE: MARCH 2021
POLICY OWNER	School Governing Body	

DEFINITIONS

Section 9 of the *Child Protection Act 1999* – ‘Harm’, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.

1. It is immaterial how the harm is caused.
2. Harm can be caused by –
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
3. Harm can be caused by –
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.

Section 10 of the *Child Protection Act 1999* – a ‘child in need of protection’ is a 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.

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 significantly disparity between the relevant person and the other person in intellectual capacity or maturity.

Section 13E (3) of the *Child Protection Act 1999* – ‘Reportable suspicion’ (refer section – later in this document.

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).

RESPONDING TO REPORTS OF HARM

When the school receives any information alleging a ‘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 Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy².

¹*Education (Accreditation of Non-State Schools) Regulation 2017* (QLD) s.16(7): the definition of ‘harm’ for this regulation is the same as in section 9 of the *Child Protection Act 1999* (QLD)

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

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.

REPORTING INAPPROPRIATE BEHAVIOUR

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to ⁴: -

1. Principal – Paul Valesse
2. Director of the school’s governing body – Anthony Hatch
3. Any other staff members.

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 director of the school’s governing body⁵. Reports will be dealt with under the school’s Complaints Handling Policy.

REPORTING SEXUAL ABUSE⁶

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 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 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 must immediately give a copy of the report to a police officer.

³*Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(1)*

⁴*Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(2) and s.16(3)*

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

⁶*Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(2)(c)*

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.

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

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware: -
 - i. the student's age;
 - ii. the identity of the person who has abused, or is suspected to have abused, the student;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse⁷.

REPORTING LIKELY SEXUAL ABUSE⁸

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: -

1. a student under 18 years attending school;
2. a pre-preparatory aged child registered in a pre-preparatory 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 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 must immediately give a copy of the report to a police officer.

⁷*Education (General Provisions) Regulation 2017 (QLD) s.68*

⁸*Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(2)(c)*

If the person who 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.

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

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware: -
 - i. the student's age;
 - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse⁹.

REPORTING PHYSICAL AND SEXUAL ABUSE¹⁰

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.

A **reportable suspicion** about a child is a reasonable suspicion that the child: –

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

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Child Safety, Youth and Woman (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or 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: -

- a) state the basis on which the person has formed the reportable suspicion; and
- b) include the information prescribed by regulation, to the extent of the person's knowledge¹¹.

Child Safety Regional Intake Service contact details – Brisbane phone: 1300 682 254.

⁹Education (General Provisions) Regulation 2017 (QLD) s.69

¹⁰Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(2)(d)

¹¹See Child Protection Regulation 2011 (QLD) s.10 'Information to be included in report to chief executive'

AWARENESS

The school will inform staff, student 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 website¹². Notification will also occur via school newsletters (mueller.connect.com), staff induction, student assemblies and enrolment interviews.

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 administration¹³.

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 annually¹⁴ at the commencement of each year. A record of attendance of staff in induction training and annual refresher sessions will be maintained by the school.

IMPLEMENTING THE PROCESSES

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 annually¹⁵.

COMPLAINTS PROCEDURE

Suggestions of non-compliance with the school's processes may be submitted as complaints under Complaints Handling Policy¹⁶.

The procedure sets out:

1. The person or persons to whom a complaint can be made;
2. The format in which a complain must be recorded;
3. The process for hearing, investigating and acting upon a complaint;
4. The timeframe in which a response can be expected, or redress of the circumstances will be undertaken; and
5. The person, persons or entity to which a matter maybe referred should the complainant not be satisfied with the determination of the complaint or the resolution outcome, including the parameters within which such an appeal may be made.

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

¹³ Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(4)(b)

¹⁴ Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(4)(c)

¹⁵ Education (Accreditation of Non-State Schools) Regulation 2017 (QLD) s.16(4)(d)

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

MUELLER COLLEGE CHILD PROTECTION REPORTING FORM

REPORT OF SUSPECTED/ALLEGED CHILD ABUSE

Private and Confidential

Form CP1

Date:
School: Mueller College
School Phone: 07 3897 2990
School Fax :07 3204 0404

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:

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):	
Best contact number:	
Parent/caregiver 2:	Relationship to Student:
Address (if different from student):	
Best contact number:	
Is the student in out of home care: Yes <input type="checkbox"/> No <input type="checkbox"/>	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE

- Adult family member Child family member Other adult
- Student/other child Unknown

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).

Details of any harm and/or sexual abuse to the student – please include: Time and date 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.

Please indicate the identity of anyone else who may have information about the harm or abuse

Additional information provided as an attachment YES NO

Name of staff member making report to the Statutory Agency if not the Principal:	Signature:	Date:
Position:		
Principal:	Signature:	Date:

Principal’s email address:

Response requested by school:

ACTION TAKEN

Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Communities (Child Safety Services)
	<input type="checkbox"/>	Family and Child Connect

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

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