

## CHILD PROTECTION POLICY

<b>Purpose:</b>	The purpose of this policy is to provide written processes about – (a) how the college will respond to harm, or allegations of harm, to students under 18 years; and (b) the appropriate conduct of the college’s staff and students to comply with accreditation requirements.	
<b>Scope:</b>	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 Alta-1 College QLD and covers information about the reporting of harm and abuse.	
<b>Status:</b>	Authorised	<b>Supersedes:</b> All Previous Child Protection Policies
<b>Authorised by:</b>	Matthew Vandeppeer (Principal) in collaboration with the Alta-1 College Board Chairperson	<b>Date of Authorisation:</b> 20 May 2020
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Child Protection Act 1999 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Act 2006 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Act 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Act 2000 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Regulations 2011 (Qld)</a></li> <li>• Alta-1 College QLD Complaints Handling Policy and Procedure</li> <li>• Alta-1 College QLD Child and Youth Risk Management Strategy (for the Working with Children (Risk Management and Screening) Act 2000 (Qld))</li> <li>• Alta-1 College QLD Work Health and Safety Policy (for the Work Health and Safety Act 2011 (Qld))</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> May 2021
<b>Policy Owner:</b>	Alta-1 College QLD	

## 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
    - 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/ guardian 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 a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

## Health and Safety

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).

## Responding to Reports of Harm

When the college receives any information alleging 'harm'<sup>1</sup> 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 Child and Youth Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy<sup>2</sup>.

## Immediate Response to Reports of Harm

If a staff member, contractor, volunteer, or person undertaking work experience/ vocational placement discovers the alleged abuse or harm through a disclosure from the child, whether the abuse occurred during the child's enrolment at Alta-1 College or otherwise, they must follow these guidelines in addition to the outlined procedures:

- Believe the young person
- Reassure the young person that telling you was the right thing to do
- Offer support and comfort
- Do not make promises you cannot keep (e.g., not telling anybody about it)
- Maintain confidentiality – divulge information on a 'need to know' basis
- Follow the Child Protection Policy and the procedures contained in it. If uncertain, talk to the principal.

Some things NOT to do:

- Do not probe or investigate further – this can adversely impact an investigation
- Do not inform or confront the alleged perpetrator
- Do not promise not to tell anyone

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<sup>1</sup> 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)

<sup>2</sup> 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 students<sup>3</sup>.

## Reporting Inappropriate Behaviour

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

- Kay Oswin - Senior Teacher at the Caboolture Campus (in the case that the report relates to Caboolture Campus staff)
- Michelle Ferguson - ConnectEd Program Teacher (in the case that the report relates to ConnectEd staff)
- Matthew Vandeppeer, Principal (in the case that it would not be possible or appropriate to go to the staff listed above)
- Glenn Bergsma, Alta-1 College QLD Board Chair (in the case that the report relates to the Principal)

## Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the College Principal. Where the College Principal is the subject of the report of inappropriate behaviour, the staff member must inform a member of the College board<sup>5</sup>. Reports will be dealt with under the college's Complaints Handling Policy.

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<sup>3</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)

<sup>4</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)

<sup>5</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)

## Reporting Sexual Abuse<sup>6</sup>

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 has been sexually abused by another person:

- a) a student under 18 years attending the college;
- b) a person with a disability who, under section 420(2) of the *Education (General Provisions) Act 2006*, is being provided with special education at the college;

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

The College Principal or the director must immediately give a copy of the report to a police officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the College Principal, the College 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 the College Board Chair.

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 abuse<sup>7</sup>.

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<sup>6</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

<sup>7</sup> *Education (General Provisions) Regulation 2017 (Qld) s.68*

## Reporting Likely Sexual Abuse <sup>8</sup>

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 college, that any of the following is likely to be sexually abused by another person: -

- a) a student under 18 years attending the college;
- b) a person with a disability who, under section 420(2) of the *Education (General Provisions) Act 2006*, is being provided with special education at the college;

then the staff member must give a written report about the suspicion to the College Principal or to the College Board Chair immediately.

The College Principal or the director must immediately give a copy of the report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the College Principal, the College Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the College Board Chair.

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 abuse<sup>9</sup>.

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<sup>8</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

<sup>9</sup> *Education (General Provisions) Regulation 2017 (Qld) s.69*

## Reporting Physical and Sexual Abuse <sup>10</sup>

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early 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/ guardian able and willing to protect the child from the harm.

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

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

- a) state the basis on which the person has formed the reportable suspicion
- b) include the information prescribed by regulation, to the extent of the person's knowledge<sup>11</sup>.

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<sup>10</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

<sup>11</sup> See *Child Protection Regulation 2011 (Qld) s.10* "Information to be included in report to chief executive"

## Summary of Reporting Harm

Who	What abuse	Test	Report to	Legislation
<b>All staff</b>	Sexual	Awareness or a suspicion  Sexually abused or likely to be sexually abused	Principal, through to police	EGPA sections 366 and 366A
<b>All staff</b>	Sexual and physical	Significant harm Parent/ guardian may not be willing and able	Confer with principal, report to Child Safety	CPA sections 13E and 13G
<b>All staff</b>	Physical, psychological, emotional, neglect, exploitation	Significant harm Parent/ guardian may not be willing and able	Principal, through to Child Safety	Accreditation Regulations section 16
<b>All staff</b>	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
<b>Principal</b>	Any	Not a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA Sections 13B and 159M
<b>Any member of the public</b>	Any	Significant harm Parent/ guardian may not be willing and able	Child Safety	CPA section 13A

CPA - Child Protection Act 1999 (Qld); EGPA - Education (General Provisions) Act 2006 (Qld)



## Awareness

Alta-1 College QLD will inform staff, students and parents/ guardians 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<sup>12</sup>.

The college will publish the Child Protection Policy on its website as well as in the Parent Handbook and provide relevant staff induction.

## Training

Alta-1 College QLD will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually<sup>13</sup>. A register will be kept in relation to staff induction, annual training, and as appropriate, minutes from meetings relating to the child protection practices will be maintained.

## Implementing the Processes

Alta-1 College QLD will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually<sup>14</sup>.

## Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the college website and will be available on request from the college administration<sup>15</sup>.

## Complaints Procedure

Suggestions of non-compliance with the college's processes may be submitted as complaints under the Alta-1 College QLD Complaints Handling Policy<sup>16</sup>.

## Appendix

- Suspected Harm or Sexual Abuse Report Form

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<sup>12</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)

<sup>13</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)

<sup>14</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)

<sup>15</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)

<sup>16</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)