



Alta-1 College QLD Ltd  
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# CHILD PROTECTION POLICY

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## 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.	
<b>Status:</b>	Provisionally approved - pending Board approval	<b>Supersedes:</b> All Previous Child Protection Policies
<b>Authorised by:</b>	Matthew Vandeppeer (Principal)	<b>Date of Authorisation:</b> 31 January 2023
<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 2020 (Qld)</a></li> <li>• <a href="#">Criminal Code Act 1899 (sections 229BB and 229BC)</a></li> <li>• <a href="#">Online Child Safety Report</a></li> <li>• <a href="#">Queensland Child Protection Guide (CPG)</a></li> </ul>	
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• Alta-1 College QLD Complaints Handling Policy and Procedure</li> <li>• Alta-1 College QLD Child and Youth Risk Management Strategy (for the <i>Working with Children (Risk Management and Screening) Act 2000</i> (Qld))</li> <li>• Alta-1 College QLD Occupational Safety and Health Policy (for the <i>Work Health and Safety Act 2011</i> (Qld))</li> <li>• Mandatory Report Form - Report of Suspected Harm or Sexual Abuse</li> </ul>	
<b>Review Schedule:</b>	Annually	<b>Next Review Date:</b> February 2024
<b>Policy Owner:</b>	Alta-1 College QLD Board	

## 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/ 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>.

## 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>.

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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)*

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

## 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

## 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>: -

- Derek Hughes - Senior Teacher at the Caboolture Campus (in the case that the report relates to Caboolture Campus staff). Email: [derek.hughes@alta-1.qld.edu.au](mailto:derek.hughes@alta-1.qld.edu.au)
- Michelle Ferguson - ConnectEd Program Teacher (in the case that the report relates to ConnectEd staff). Email: [michelle.ferguson@alta-1.qld.edu.au](mailto:michelle.ferguson@alta-1.qld.edu.au)
- Matthew Vandeppeer, Principal (in the case that it would not be possible or appropriate to go to the staff listed above). Email: [matthew.vandeppeer@alta-1.qld.edu.au](mailto:matthew.vandeppeer@alta-1.qld.edu.au)
- Glenn Bergsma, Alta-1 College QLD Board Chair (in the case that the report relates to the Principal). Email: [chairman@alta-1.wa.edu.au](mailto:chairman@alta-1.wa.edu.au)

## Dealing with Report of Inappropriate Behaviour

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

<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 Principal or to the College Board Chair immediately.

The Principal or the **Board Chair** 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 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 the College Board Chair immediately.

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 Principal or to the College Board Chair immediately.

The Principal or the **Board Chair** must immediately give a copy of the report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the 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 the College Board Chair immediately.

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 **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/ guardian 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 Justice and Multicultural Affairs** (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) **the basis on which the person has formed the reportable suspicion<sup>11</sup>**;
- b) the child's name and sex;
- c) the child's age;
- d) details of how to contact the child;
- e) details of the harm to which the reportable suspicion relates;
- f) 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;
- g) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates<sup>12</sup>.

## Child Safety Regional Intake Service

- North Coast (Caboolture): 1300 705 201 or 1300 703 921 (Mon-Fri 9am-5pm)
- After Hours (QLD): 1800 177 135

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

<sup>11</sup> *Child Protection Act 1999 s.13G (2)(a)*

<sup>12</sup> See *Child Protection Regulation 2011 (Qld) s.10 "Information to be included in report to chief executive"*

## **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<sup>13</sup>**

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. 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<sup>14</sup>**

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.

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<sup>13</sup> *Criminal Code Act 1899 (Qld) s.229BC*

<sup>14</sup> *Criminal Code Act 1899 (Qld) s.229BB*



## 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>Teacher</b>	Sexual and physical	Significant harm  Parent 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 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 may not be willing and able	Child Safety	CPA section 13A
<b>Any adult</b>	A child sexual offence against a child by another adult	Gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed and  (b) at the relevant time, the child is or was—  (i) under 16 years; or  (ii) a person with an impairment of the mind.	Police	Criminal Code section 229BC

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>15</sup>.

## 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 administration<sup>16</sup>.

The college will publish the Child Protection Policy on its website and in the Parent and Student Handbooks. This policy is also accessible on SharePoint for staff.

## 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>17</sup>.

A training 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>18</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 & Procedure<sup>19</sup>.

**Note:** Reporting under this policy fulfills the obligations for reporting a child sexual offence that is being or has been committed against a child by an adult under the *Criminal Code Act 1899* s.229BC<sup>20</sup>.

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

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

<sup>17</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)

<sup>18</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)

<sup>19</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)

<sup>20</sup> Criminal Code Act 1899 (Qld) s.229BC(4)(b)