



CARMICHAEL COLLEGE

CHILD PROTECTION

POLICY

Title	Carmichael College Child Protection Policy
Category	College Operational
Policy Owner	Executive Committee
Approver	Board of Directors
Related Documents	<ul style="list-style-type: none"> ● <i>Child Protection Act 1999 (Qld)</i> ● <i>Education (General Provisions) Act 2006 (Qld)</i> ● <i>Education (General Provisions) Regulation 2017 (Qld)</i> ● <i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i> ● <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i> ● <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i> ● <i>Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</i> ● <i>Criminal Code Act 1899 sections 229BB and 229BC</i> ● Carmichael College Complaints Handling Policy (Parents & Students) ● Carmichael College Child Risk Management Strategy ● Carmichael College Workplace Health and Safety Policy ● Carmichael College Child Protection Report of Suspected Harm or Sexual Abuse Form
Published Location	<i>Internal</i> – Carmichael College Child Protection Policy.pdf <i>External</i> - College Website

CARMICHAEL COLLEGE LTD

793 Oakey Flat Rd., Morayfield Qld 4506 // ABN: 31 1155 658 50

Revision Record					
Version	Approval Date	Approved By	Effective Date	Review Cycle	Next Review
January 2022	January 2022	Board of Directors	January 2022	Annual	January 2023
January 2023	February 2023	Board of Directors	February 2023	Annual	January 2024
April 2024	April 2024	Board of Directors	April 2024	Annual	April 2025
January 2025	February 2025	Board of Directors	February 2025	Annual	January 2026

1. Purpose and Scope

The purpose of this policy is to provide written processes about –

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

This policy applies to students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Carmichael College and covers information about the reporting of harm and abuse.

2. 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 an unacceptable risk of suffering significant harm, and
- b) does not have a parent able and willing to protect the child from 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.

3. Health and Safety

The school has written processes in place to enable it to comply with the requirement of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

4. Responding to Reports of Harm

When the school receives any information alleging ‘harm’¹ to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly to minimise any likely harm to the extent it reasonably can.

Information relating to physical or sexual abuse is handled under obligations to report set out in this policy².

5. 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.

6. Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to⁴:-

- Mr Richard Davies – Principal, or
- Mr Shane Ginn - Executive Director, or
- Any other staff member the student is comfortable with.

7. Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the Principal immediately. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must inform the Executive Director or a member of the school’s governing body⁵. Reports will be dealt with under the school’s Complaints Handling Policy.

8. 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.

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)*

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)*

then the staff member must give a written report about the abuse or suspected abuse to the Principal, Executive Director or to a director of the school's governing body immediately.

The school's Principal, Executive Director or the director of the school's governing body must immediately give a copy of the report to a police officer.

If the 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 the Executive Director and a director of the school's governing body 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) 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 is suspected to be likely to abuse the student.
 - iii) the identity of anyone else who may have information about suspected likelihood of abuse⁷.

9. Reporting Likely Sexual Abuse⁸

Section 366 of the Education (General Provisions) Act 2006 states that if a staff member reasonably suspects in the course of their employment at the school, that any of the following is likely to be 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 member must give a written report about the abuse or suspected abuse to the Principal, Executive Director or to a director of the school's governing body immediately.

The school's Principal, Executive Director or the director of the school's governing body must immediately give a copy of the report to a police officer.

If the 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 the Executive Director and a director of the school's governing body immediately.

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

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

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 abuse the student.
 - iii) the identity of anyone else who may have information about suspected likelihood of abuse⁹.

10. 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 harm.

Staff who form a 'reportable suspicion' about a child must report the matter to the Principal who will, in conjunction with the staff member, provide a written report to the Chief Executive of the Department of Families, Seniors, Disability Services and Child Safety (or another department administering the *Child Protection Act 1999*).

A report under this section must include the following particulars if known to the staff reporting the suspicion and/ or volunteered by the child for which the report relates. Under no circumstances should the child be asked probing, direct or leading questions on the matter to obtain this information.

- a) the child's name and sex.
- b) the child's age, if known.
- c) details of the circumstance where harm/ suspicion of harm became apparent.
- d) details of how to contact the child, if known.
- 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, if known.
- g) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates¹¹, if known.

Child Safety Regional Intake Service (Brisbane and Moreton Bay) business hours contact number is 1300 682 254 (from 9am to 5pm Monday to Friday). Outside of these hours, contact the Child Safety After Hours Service Centre on 1800 177 135 (Queensland only).

⁹ *Education (General Provisions) Regulation 2017 (Qld) s.69*

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s16(2)(d)*

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

11. Awareness

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 website¹². Staff, students and parents will also be made aware of the school's child protection processes through school newsletters, staff inductions, student assemblies, enrolment interviews and the use of School Stream on-line application as appropriate.

12. 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.

13. 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. Staff will attend a mandatory child protection refresh training session annually at the commencement of each school year. A record of staff inductions and attendance at training sessions will be maintained by the school.

14. Implementing the Process

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.

15. Complaints Procedure

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

16. Note

Reporting under this policy fulfils 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*¹⁷.

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)*

¹⁷ *Criminal Code Act 1899 (Qld) s.229BC(4)(b)*

Appendix 1 - Summary of Key Changes

Version	Key Changes
January 2023	Conversion to ISQ Template, updating of contact details for Principal/ Executive Director (Sec. 6).
January 2025	Section 10, amendment of the Department name as Child Protection Policy (ISQ Template) Replaced Appendix 2 – Updated Student Protection Reporting Form

Appendix 2

Student Protection Reporting Form

For reporting an allegation of sexual abuse, suspected sexual abuse or likely sexual abuse of a student by another person; a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering significant harm and may not have a parent able and willing to protect the child from harm. Once completed, this form MUST be sent to the Queensland Police Service and/or the Department of Communities, Child Safety and Disability Services Regional Intake Service as required.

This form meets the reporting requirements under sections 366 and 366A of the *Education (General Provisions) Act 2006*, section 13E of the *Child Protection Act 1999* and regulation 10 of the *Education (Accreditation of Non-State Schools) Regulation 2001*.

Date of Report

PART A: The following sections to be completed by the person making this report:
(include as much detail as possible based on the information known)

TYPE OF REPORT

Sexual Abuse Likely Sexual Abuse Significant harm Unacceptable risk of significant harm

DETAILS OF THE PERSON MAKING THIS REPORT (The "First Person"):

Name Position/Role
 School/Workplace
 Address
 Suburb State Postcode Phone

STUDENT AND FAMILY DETAILS

DETAILS OF THE STUDENT SUBJECT OF THIS REPORT:

Name D.O.B. Age Year level Gender
 Address
 Suburb State Postcode Phone
 Year Level Does the student have a disability? Yes No
 Type/nature of disability
 Impact of disability on interview process
 Cultural Background: Aboriginal Torres Strait Islander Other Specify:
 Does the student speak English? Yes No If no, specify language
 Is and interpreter required? Yes No

PARENT/GUARDIAN DETAILS

Parent 1:

Parent/Guardian Name Relationship to student

Address (if different to student)

Suburb State Postcode

Phone (Home) (Work) (Mobile)

Parent 2:

Parent/Guardian Name Relationship to student

Address (if different to student)

Suburb State Postcode

Phone (Home) (Work) (Mobile)

FURTHER DETAILS ABOUT THE HOUSEHOLD (IF KNOWN)

Name	Age	Gender	Relationship to student

Add row

Delete row

ALLEGATION DETAILS

ALLEGATION MADE AGAINST:

Name Age Male Female Relationship to student

Address

Suburb State Postcode Phone

Is the allegation against a staff member or volunteer? Yes No

Type of **abuse** (tick as many as apply) Sexual Abuse Physical Abuse Emotional Abuse Neglect

Type of **harm** (tick as many as apply) Physical harm Emotional harm Psychological harm

What concerns have led you to form a reasonable suspicion of abuse or significant harm?

(include as much information as possible, including: what happened, where did it happen, when did it happen, who was involved)

What have you noticed about the student's appearance and/or behaviour?

Does the student have a current physical injury or have they experienced a physical injury as a result of the incidents? Yes No Unknown

If yes, please provide details and describe the injury:

If yes to physical injury, did the student require medical treatment, or does the student require medical treatment? Yes No Unknown

If yes, was/has medical treatment been provided to the student? Yes No Unknown

If yes to treatment, provide details:

Are there any immediate safety concerns for the student? Yes No Unknown

If yes, provide details of the immediate safety concerns:

DETAILS OF PERSONS WHO MAY HAVE FURTHER INFORMATION AROUND ALLEGED ABUSE OR HARM: (if more than one person please attach on an additional page)

Name Age Male Female Relationship to student

Address

Suburb State Postcode Phone

Email Address (if known):

PART B: The following sections to be completed by the Principal/Director of the Governing Body:

ADDITIONAL INFORMATION

CURRENT OR PREVIOUS ORDERS AND INTERVENTION:

Family Court Order?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Details	<input type="text"/>					
Domestic Violence Order?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Details	<input type="text"/>					
Child Protection Order?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Details	<input type="text"/>					
Departmental Intervention?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Details	<input type="text"/>					
Previous Student Protection Reports?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Details	<input type="text"/>					
Referral to Support Service?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Details	<input type="text"/>					

Are there any risk factors which may be impacting negative on the student or family?

For example: domestic violence, alcohol/substance misuse, disability, mental health instability, physical/intellectual disability

Yes No Unknown

If yes, provide details:

Is the parent/caregiver aware of the concerns?

Yes No Unknown

If yes, provide details:

What other services or supports are currently in place to support the student and their family (if known)?

Any other relevant information:

DETAILS OF THE PERSON SUBMITTING THIS FORM:

Name Position/Role

School/Workplace

Address

Suburb State Postcode Phone

Email Address:

REPORT SENT TO:

<input type="checkbox"/> Queensland Police Service - where the allegation is of sexual abuse or likely sexual abuse of a student	<p>DETAILS</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
<input type="checkbox"/> Department of Communities, Child Safety and Disability Services Regional Intake Service - where the allegation is that a child has suffered, is suffering or is at unacceptable risk of suffering significant harm and may not have a parent able and willing to protect the child from harm	<p>DETAILS</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
<input type="checkbox"/> Director of the Governing Body - where the Principal is the first person in relation to an allegation of sexual abuse or likely sexual abuse of a student, OR where the allegation is against the Principal	<p>DETAILS</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>

Date Report Submitted

Important Notice:

Once submitted to the Principal or Director of the Governing Body this form MUST be sent, as a matter of urgency, to the Queensland Police Service and/or the Department of Communities, Child Safety and Disability Services as required.

Print Form