POLICY STATEMENT PROTECTION FROM HARM
FOR STUDENTS AT HILLBROOK

1.0 Introduction and Statement of Commitment

1.1 Hillbrook Anglican School supports the rights of children and young people and is committed to ensuring the safety and wellbeing of students. We are therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees.

1.2 As an Anglican school we acknowledge our responsibility, placed upon us by Christian values and the law, to provide spiritual and educational opportunities within a safe and protective environment. Protection for all students is of paramount importance and we affirm our requirement to follow the Student Protection in Anglican Schools Policy and Procedures (2015) published by The Anglican Church Southern Queensland to provide and promote a transparent and consistent approach across all Anglican Schools within the Anglican Church Southern Queensland. This policy document is derived from the broader policy and specifically applies to Hillbrook Anglican School.

2.0 Purpose

2.1 This policy and associated procedures applies to all matters concerning the protection, care and safety of students; and to all employees, volunteers and visitors associated with Hillbrook Anglican School.

3.0 Scope

3.1 This policy applies to all matters concerning the protection, care and safety of students and to all staff, students, volunteers and other persons (such as parents/ carers, clergy, contractors and consultants) associated with Hillbrook Anglican School. This policy applies where the victim of harm is a student under 18 years of age at the time of the incident/s. It is to be read in conjunction with the Student Protection in Anglican Schools Policy and Procedures (2015) by the Anglican Church of Southern Queensland.

4.0 Policy

4.1 Reporting of information about or an allegation of abuse is mandatory for all employees and others who fall within the scope of this policy. This policy will be applied to all behaviours that jeopardise Hillbrook Anglican School’s commitment to promoting and striving to provide a safe, supportive and ethical environment for students.

5.0 Accessibility

5.1 This policy is accessible at online@hillbrook and the school’s Internet site and is available from the School Leadership Team and Student Protection Officers. Each new staff member will be made aware of the policy as part of their induction. All relevant forms and information are available at online@hillbrook in the Student Protection section of Internal Policies.
6.0 Awareness of Policy

6.1 Staff, students, parents and the wider community will be made aware of the policy through a number of avenues: in-service training, Year level talks and its availability at online@hillbrook and the school Internet site.

7.0 Responding to Student Protection Concerns

7.1 All employees, volunteers and visitors will respond in an appropriate timely manner as outlined in this policy and procedures to all student safety concerns. The welfare and safety of the student is paramount in all circumstances.

7.2 Where there is any doubt about an allegation, suspicion or report of harm of a student by any person the decision must be in favour of reporting the allegation.

7.3 Employees and volunteers should speak to a Student Protection Officer (SPO) about any concerns and course of action if needed. The SPO will work through the information using the Child Protection Guide (Qld). Relevant persons under the Child Protection Act are able to consult with another employee working within the same entity on relevant matters to assist in the forming of a reasonable suspicion of harm or risk of unacceptable harm (sexual or physical) of a student. The Child Protection Guide should be considered a tool to assist prior to making a formal report or referral. It provides recommendations only which are to be considered with all of the available information, knowledge and experience held by the SPO.

8.0 Reporting

8.1 Students and parents who have concerns or information relating to the safety of one of our students are encouraged to report the information to a SPO or the Principal. Students can also report concerns to any trusted adult at Hillbrook Anglican School.

8.2 Employees are bound by a number of obligations including those as prescribed by legislation and policy to report reasonable suspicions of sexual abuse, likely sexual abuse, significant harm or an unacceptable risk of significant harm of a student or inappropriate behavior towards a student.

8.3 Attached to this policy is a table titled ‘Reporting/Referral Process’ which outlines the process of forming a suspicion; consulting with SPO or Principal; completing and submitting the relevant forms and actions to be taken after reporting. A second table outlines the actions that need to be taken by relevant people and the correct forms to use.

8.4 All Student Protection Reporting forms are to be electronically completed with all available detail provided to assist the relevant State authority with their assessment and investigation. Forms are to be emailed to the relevant recipient.

9.0 Student Protection Records

9.1 The notes, records and reports staff members make about student protection concerns are important documents containing important information. Staff members could be interviewed as part of an investigation, or required to attend court. They may need to refer to their notes later. These notes could be subpoenaed and become the subject of court proceedings. Refer to the Student Protection in Anglican Schools Policy and Procedures (2015) for further information.
10.0 Student Protection Officers

10.1 Hillbrook Anglican School has nominated the following Student Protection Officers (SPOs):
Sue Forbes - Counsellor
Rev Sharon Baird - Chaplain
Steven Cambridge - Subject Co-ordinator

11.0 Relevant Legislation

- Criminal Code Act 1899
- Child Protection Act 1999
- Education (Accreditation of Non-State Schools) Act 2001
- Education (Accreditation of Non-State Schools) Regulation 2001
- Education (General Provisions) Act 2006
- Education (General Provisions) Regulation 2006
- Education (Queensland College of Teachers) Act 2005
- Working with Children (Risk Management and Screening) Act 2000
- Working with Children (Risk Management and Screening) Regulation 2011
- The Education (General Provisions) Act provides for penalties to apply to persons who do not comply with the Act’s requirements for reporting - sections 366 and 366A.

DEFINITIONS

Child in need of protection: (s. 10 CPA) is a child who -
   a) has suffered significant harm, is suffering 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 harm.

Confidentiality: each Employee who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. The Diocese is unable to promise absolute confidentiality since this Policy will require disclosing, internally and externally, certain details involved in responding to the complaint. State authorities can compel people to give evidence about actions under the Protocol and to produce documents.

Employees: means office holders and staff members who work in a paid or voluntary capacity in Anglican Schools. The expression also includes persons who are employed by independent contractors engaged by schools and may include church workers.

Harm: means any detrimental effect of a significant nature on the student’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by: physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation. Harm can be caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

Inappropriate behaviour: means any behaviour of an employee of the school including words, towards a student, regardless of age, which is inconsistent with the relevant Professional Standards, Code of Conduct and policies of the school and is considered to be ‘inappropriate behaviour’ by the person making the complaint.

Parent able and willing to protect the child from harm: means a person may reasonably suspect that a parent is able and willing to protect their child from harm when the person believes the parent has both the ability and the willingness to ensure the safety, wellbeing and best interests of the child. The parent’s ability and willingness may be evident in the statements and direct or indirect actions.
Privacy: privacy legislation applies to records generated under this Policy and under the Diocesan Protocol for Dealing with Complaints of Sexual Harassment, Assault or Sexually Inappropriate Behaviour. The complainant, the alleged victim and the alleged perpetrator may exercise their rights under the Diocesan Privacy Policy. Proper notice under the Privacy Act 1988 (Commonwealth) must be given before collecting personal information.

Reasonable Suspicion: (s. 13C CPA) A reasonable suspicion is a suspicion formed on grounds that are reasonable in the circumstances, s. 13C CPA also states that:

- a reasonable suspicion may have been informed by observation of the child, other knowledge of the child or any other relevant knowledge, training or experience the person forming the suspicion may have;
- matters that may be considered when forming a reasonable suspicion, include: detrimental effects on the child’s body or psychological or emotional state that are evident or likely to become evident in the future; the nature and severity of the detrimental effects and the likelihood they will continue; and the child’s age.

Sexual Abuse: In accordance with 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.

Relevant State Authorities: includes Police and the Department of Communities – Child Safety Services.

Significant Harm: (s. 13C CPA) means - any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing. Harm can be caused by physical, psychological or emotional abuse or neglect, or sexual abuse or exploitation, and it is immaterial how the harm is caused. s.13C CPA provides further considerations for guidance in this regard. A professional may use their knowledge, training and expertise in identifying significant harm, which recognizes that professionals may detect an impact of harm that non-professional people may not.

Student: means for the purposes of this document a person enrolled in a school and is under 18 years of age. A person of this nature is considered to be a ‘child’ under the provision of the Child Protection Act 1999. A student over the age of 18 years is considered to be an adult person and will be referred to in this policy as an ‘adult student’.

Student Protection Officer: means - a person within a school designated by the Principal as a contact person to whom students may refer or report if they have concerns for their or another student’s safety, or to make a complaint of sexual abuse, likely sexual abuse, harm or risk of harm or inappropriate behavior of a staff member. The Principal may fulfil this role. This is part is a requirement under s.10E (ANSS) Reg.
REPORTING / REFERRAL PROCESS

1 Form a suspicion

You may form a reasonable suspicion that a child or unborn child may be in need of protection from harm based on:

- something you have observed
- something the child told you
- something another child, adult or staff member has told you
- a change in the child’s behaviour or functioning at school
- a pattern of concerning behaviours or incidents that you have noted over time

Ensure that you record in writing your observations and conversations with the child of concern and/or their families.

2 Consult / confer

Before commencing a relevant Student Protection Report form –
- confer with the principal, Student Protection Officer, nurse, other staff as appropriate
- review the ASO Child Protection Resource Sheets
- consult the Old Child Protection Guide (Internet).

If a reasonable suspicion is formed and the matter is one of a reportable suspicion (sexual or physical abuse) you are required to complete a report form to be forwarded to Child Safety and/or the police.

If not a reportable suspicion (other forms of abuse) you are still to report to Child Safety if the reporting threshold is met.

If a reasonable suspicion is not formed but concerns still exist and additional support may be needed, discuss the option of a referral with a Student Protection Officer and/or Principal.

A referral can be made with consent (SPO) or without consent (principal) to a FaCC or IFS if available or to a relevant community based service.

A Child Safety E-Referral form will be required on most occasions.

3 Complete a Student Protection Report form

Complete the relevant Student Protection Report form:
- E-Report (other than sexual abuse)
- Form 1 - Sexual Abuse Report (sexual / likely sexual abuse ONLY)
- E-Referral form

Determine if report is to go to Child Safety and/or to the police (QPS).

To report to police use Form 1 - Sexual Abuse Report. If there is not a parent able and willing to protect you are to also report to Child Safety. The same Form 1 is to be provided to both State authorities:

- record information in each of the fields in relation to the child, the concerns, the child’s family and other relevant information;
- consult the Safeguarding our Students Guidelines document for advice on information to be recorded.

Use the E-Referral form for referrals to support services including FaCC and IFS services. Referral to other services are by telephone and/or e-mail.

Note: ONLY the principal can refer without consent.

4 Submission of SP report

Sexual abuse: Immediately after you have included all of the relevant information in each of the screens in the relevant reporting form (Form 1) save and submit your report electronically to your principal/director (or delegate) as required.

Recipient of this form, MUST IMMEDIATELY give the report to the police (QPS).

Physical / sexual abuse to Child Safety: For E-Reports (physical abuse) to Child Safety you will receive an ID token number. This token will allow you to re-enter an unfinished form if required prior to submitting. Use Form 1 to report sexual abuse to both the QPS and to Child Safety (if reporting threshold is met).

Other forms of harm

Report as outlined on Page 1 of this resource sheet. E-Report form to be used

Note: If you are mandated to report the onus is on you to provide the written report directly to Child Safety (relevant RIS).

Remember to consult first with your principal.

5 After you submit a report

After you have submitted the relevant Student Protection Report form –

- if your report has been made via your principal or director (or delegate) you will receive e-mail advice advising that the report has been given to police (QPS).
- keep a copy of this e-mail as your verification that you have met your mandated obligation.
- if required, ask to speak further with the Principal about your report and the likely outcome.
- provide your original report (hardcopy) and all notes to principal for secure storage.
- continue to monitor and support the student if / as appropriate.
- as required, collaborate with Child Safety, the QPS or other agencies.
- maintain strict confidentiality and security of any notes or documents relating to the report.
- seek assistance if required from your schools SPO, counsellor or your direct supervisor.

Principal: to complete Form 2 Notification of Report to State Authority and forward to DPS
## Principals are to consider this information in conjunction with the Principal report / referral table.

<table>
<thead>
<tr>
<th>WHO</th>
<th>ABUSE TYPE</th>
<th>THRESHOLD</th>
<th>REPORT / REFER</th>
<th>WHOM as determined by legislation</th>
<th>AUTHORITY</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>All school staff</td>
<td>Sexual</td>
<td>Awareness or a reasonable suspicion of sexual abuse or likely sexual abuse</td>
<td>MUST REPORT Principal or director</td>
<td>Confer with SPO and prepare written report; • Principal / a director of Governing Body (or delegate); • recipient of form to immediately give to police</td>
<td>E (GP) Act (s.366 &amp; 366A) ACSQ SP policy</td>
<td>Unchanged</td>
</tr>
<tr>
<td>School staff other than mandated staff (teachers / registered nurses)</td>
<td>Sexual</td>
<td>As above + Significant harm and Parent not able and willing to protect</td>
<td>MUST REPORT SPO / Principal</td>
<td>SPO / Principal: • prepare written report; and • immediately provide report to Child Safety</td>
<td>CP Act (s. 13E) ACSQ SP policy</td>
<td>New</td>
</tr>
<tr>
<td>Mandatory reporter: • Teacher • Registered Nurse</td>
<td>Sexual Physical Psychological / emotional Neglect</td>
<td>Significant harm and Parent not able and willing to protect</td>
<td>MUST REPORT Child Safety</td>
<td>Mandated reporter (legislation); • confer with SPO; • consult with principal; • prepare written report; and • immediately provide report to Child Safety</td>
<td>CP Act (s. 13E) • sexual / physical ACSQ SP policy • other forms of harm</td>
<td>New</td>
</tr>
<tr>
<td>School staff other than mandated staff (teachers / registered nurses)</td>
<td>Physical Psychological / Emotional Neglect</td>
<td>Significant harm and Parent not able and willing to protect</td>
<td>MUST REPORT Child Safety</td>
<td>SPO / Principal: • to consult with principal and SPO (as delegated); • SPO and staff member to prepare written report; • Principal / SPO to immediately provide report to Child Safety</td>
<td>CP Act (s.13A) ACSQ SP policy</td>
<td>New</td>
</tr>
<tr>
<td>All staff</td>
<td>Any</td>
<td>Reporting threshold not met. HOWEVER Support service would be beneficial to the child and family to prevent future CP concerns</td>
<td>MUST REFER</td>
<td>Principal or SPO SPO can refer with consent to FaCC / IFS or other service ONLY Principal can refer without consent to FaCC</td>
<td>CP Act (s. 13B) ACSQ SP policy</td>
<td>New</td>
</tr>
<tr>
<td>Volunteers / visitors and contractors to the school</td>
<td>Any</td>
<td>Suspicion that a child has been, is being or is likely to be harmed.</td>
<td>MUST REPORT Principal</td>
<td>Report to Principal Principal to report to Child Safety, police or refer to FaCC / IFS</td>
<td>CP Act (s.13A) ACSQ SP policy</td>
<td>New</td>
</tr>
</tbody>
</table>

CP Act – Child Protection Act 1999
FaCC – Family and Child Connect
IFS – Intensive Family Support
ACSQ SP policy – Anglican Church Southern Queensland Student Protection policy