



Protecting Children and Young People in Anglican Education

Guidelines and Procedures
V1.1

Supporting document for the **Protecting Children
and Young People in Anglican Education Policy**



PROTECTING CHILDREN AND YOUNG PEOPLE IN ANGLICAN EDUCATION GUIDELINES & PROCEDURES

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INTRODUCTION

Every **child** and **young person** has the right to be safe. Protecting, caring and supporting children and young people is of paramount importance, and Anglican Schools (Schools) and Education & Care Services (Services) have zero tolerance to **harm**. As such, these *Protecting Children and Young People in Anglican Education Guidelines and Procedures* (these Procedures) assist relevant Schools and Services to operationalise the *Protecting Children and Young People in Anglican Education Policy* (the Policy).

The Policy and these Procedures are to be read in conjunction with one another.

Compliance with these Procedures is mandatory. However, the protection of children and young people requires vigilance and may require decisive action in a range of circumstances. People bound by the Policy and these Procedures are expected to apply their judgement to ensure that the objective of protecting children and young people is achieved in all circumstances. This may, in particular circumstances, require action beyond that or in shorter timeframes than that which is specifically contemplated by these Procedures. Guidance, such as that available from the ASC, will always be available to assist in this regard and should be sought in any situation where required.

Protecting Children and Young People in Anglican Education Policy

Section 16 *Education (Accreditation of Non-State Schools) Regulations 2017*: Conduct of staff and students and response to harm.

APPROVAL, FEEDBACK AND REVIEW

These Procedures are approved and maintained by the Anglican Schools Commission (ASC), Anglican Church Southern Queensland (ACSQ).

Feedback on the Policy and these Procedures is welcome and can be provided to Principals (in Schools) and Nominated Supervisors (in Services) for provision to the ASC. The ASC can also be contacted directly through asc@anglicanchurchsq.org.au.

These Procedures, alongside the Policy, will be formally reviewed in three years, when underlying legislation changes, or as required on request of either Diocesan Council or the ASC. The ASC will monitor these Procedures for continuing application, commencing a formal review process earlier if needed. In addition to this, whenever required to maintain accuracy, the ASC will make changes to these Procedures.

Changes to these Procedures will be explained in section 20 of this document: Version Control, and communicated to Schools and Services for their local implementation.

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STRUCTURE

Within these Procedures:

- Key terms are defined in Appendix 1.
- Key legal or canonical obligations are shown in purple boxes. Also refer to Appendix 2 for a summary of notable requirements and how they are reflected within the Policy.
- Further resources are identified in yellow boxes.

These Procedures have five sections:

- Part A: Processes for Responding
- Part B: Key considerations when Responding
- Part C: Preparing to Respond
- Part D: Assurance Activities
- Part E: Appendices:
 - 1: Key Terms and Definitions
 - 2: Law and Canon

COMPLAINTS

Written complaints' procedures, to address allegations of non-compliance with these Procedures or the Policy, are detailed in the complaints management policies and procedures published by the ASC. This process applies to all Anglican Schools and Services in the Brisbane Diocese.

In addition to this, relevant persons may also consider the application of the whistleblower policy and procedures, published by the ASC or, for separately incorporated schools or services, their own such processes.

Persons who are found to have made a vexatious complaint or who have made a complaint other than in good faith, may face disciplinary action by the relevant School or Service, or the ASC.

BREACHES

A breach of these Procedures or the Policy may result from:

- (a) a disciplinary matter for the ASC or the relevant School or Service (which may result in performance management, formal warning, suspension, demotion, or termination in accordance with industrial processes or, in the case of a Licensed person, disciplinary action by the Anglican Church of Australia or a related entity);
- (b) a contractual matter (breach or repudiation);
- (c) professional misconduct referred to relevant authorities;
- (d) a breach of statute referred to relevant authorities;
- (e) a criminal matter referred to relevant authorities; or
- (f) a civil matter referred for legal advice and remedy.

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Schools, Services and the ASC retain discretion regarding how to respond to breaches of these Procedures or the Policy, but will refer to underlying legislation in relation to responding to breaches of Procedure or Policy.

A potential or actual breach of these Procedures or the Policy may expose Schools, Services and the ASC/ACSQ to significant damage to the trust afforded to it and to public scrutiny. These factors will be taken into account when considering the scope of any allegations of breaches of these Procedures or the Policy, and any disciplinary action that may be taken as a result.

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PART A: PROCESSES FOR RESPONDING

1. RAISING CONCERNS

A concern is *information of whatever nature and from whatever source that leads to a reasonable suspicion of circumstances that may have posed, or continues to pose, a risk to the physical or psychological safety of a child or young person*. This includes, but may not be limited to:

- incidents or allegations of sexual, physical, other abuse or inappropriate behaviour;
- matters that are recent or historical in nature.

Children, young people and their families are *encouraged*, and staff, volunteers and visitors *must*, as soon as practicable, discuss concerns:

- for a child or young person associated with a School or Service; or
- about the conduct or behaviour of another person who has, or had, an association with children or young people through a School or Service,

with an Appropriate Person associated with the School or Service, as detailed in the following table.

If unsure about whether to share the information, then the information is to be shared.

<i>Person with concern</i>	<i>Appropriate Persons to share information with</i>
<i>Children and young people</i>	<p>Children and young people are asked to raise any concerns (impacting either themselves and/or their peers) with <u>an adult they trust</u>, so that the adult can help.</p> <p>Student Protection Officers (in Schools) and Responsible Persons and Nominated Supervisors (in Services) are particularly available to help.</p> <p>Without minimising the responsibility of adults to respond to the care and protective needs of children and young people, it is also recognised that friendship and support from peers is important to help children and young people feel safe and less isolated.</p>
<i>Visitors, including parents and carers</i>	<p>a) In Schools: A Student Protection Officer or person with Appropriate Authority</p> <p>b) In Services: A person with Appropriate Authority</p>
<i>Volunteers and staff</i> <i>(staff are also to refer to relevant sections below regarding statutory reporting obligations)</i>	<p>a) In Schools: A Student Protection Officer or the Principal</p> <p>b) In Services: A Nominated Supervisor or the Approved Provider</p> <p>Where required to guide the application of the Policy, volunteers and staff are also able to share information with staff from:</p> <p>a) The Anglican Schools Commission</p> <p>b) The Office of the Director of Professional Standards (regarding sexual misconduct)</p>

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2. STATUTORY REPORTING

2.1 KEY DEFINITIONS

IN NEED OF PROTECTION: As defined in 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.*

HARM: As defined in 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. 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.

REASONABLE SUSPICION: Means to suspect on grounds that are reasonable in the circumstances.
Note:

- *This requires the application of judgement.*
- *The threshold for reporting 'reasonable suspicion', is less than needing to believe something is true or know something for certain. Conversely, to reasonably suspect something is more than something being remotely possible.*

REPORTABLE SUSPICION: Reportable suspicion about a child, is a reasonable suspicion that the child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse, and may not have a parent able and willing to protect the child from the harm.

SEXUAL ABUSE: Defined in section 364 of the *Education (General Provisions) Act 2006* as including sexual behaviour involving the student and another person, where:

- a) the other person bribes, coerces, exploits, threatens or is violent toward the student; or
- b) the student has less power than the other person; or
- c) there is a significant disparity between the student and the other person in intellectual capacity or maturity.

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2.2 REPORTING TO CHILD SAFETY

NOTE: THE POLICY AND THESE PROCEDURES ARE NOT INTENDED TO LIMIT ANY PERSON'S ABILITY TO REPORT TO CHILD SAFETY.

- [Online reporting form for Child Safety](#)
- [Protection Form](#)
- [Key Contacts](#)
- [Child Protection Guide \(CPG\)](#)
- [Supporting information regarding the CPG](#)
- [Additional information](#)

Sections 13 A and E of the *Child Protection Act 1999*.

2.2.1 PROCESS FOR REPORTING TO CHILD SAFETY - MANDATORY REPORTING AND ACTION TO BE TAKEN

Sections 13E and 13G of the *Child Protection Act 1999* and section 10 of the *Regulations 2011*.

The following relevant persons are to make a written report to Child Safety when, during the course of the person's engagement as a relevant person, they form a reportable suspicion that a child is in need of protection due to physical or sexual abuse:

- Teachers;*
- Registered nurses and doctors;*
- Education and care professionals.*

Notes:

- A report is not required if the person knows a report has already been made.
- If unsure about whether a report is to be made, then make the report.

This report must include information known about:

- the basis on which the person has formed the reportable suspicion;
- the child's name, sex and age;
- details of how to contact the child (e.g. the address at which the child usually lives; or the name and address of the school the child attends);
- details of the harm to which the reportable suspicion relates;
- 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; and
- particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

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To make this report:

<p>Mandatory reporter</p>	<p>If a mandatory reporter has, based on information available, a reasonable suspicion that a child is in need of protection from physical or sexual abuse, the following actions are required:</p> <ol style="list-style-type: none"> a) if there is an immediate danger, call '000' (section 9) b) discuss concerns with: <ul style="list-style-type: none"> • an SPO or the Principal (Schools); • a Nominated Supervisor or Approved Provider (Services) c) consider any additional information available to inform the decision and content of the report (section 7) d) if the matter relates to sexual abuse or likely sexual abuse towards a child, immediately refer to section 2.3 to meet obligations relevant to the matter being reported to the Police e) where it is reasonable to suspect a child is in need of protection from physical or sexual abuse, report to Child Safety using Child Safety's online reporting form, or, when there are multiple notifiers of the same matter within the School or Service, sign a copy of the report made f) provide a copy of the Child Safety report to an SPO or the Principal (Schools), or Nominated Supervisor or Approved Provider (Services) g) refer to other sections of these Procedures for further information and required actions
<p>Schools: SPO or the Principal Services: Nominated Supervisor or Approved Provider</p>	<p>Appropriate persons from Schools and Services are required to:</p> <ol style="list-style-type: none"> a) engage with the mandatory reporter to: <ul style="list-style-type: none"> • provide support and assistance in meeting their responsibilities • gather and share relevant information available (section 7) to inform mandatory reporter's reporting decision b) consider the use of additional supports to guide decision making and management of the matter, such as the ASC Child Safety Advocate and the Child Protection Guide c) consider the need to support a timely response by contacting Child Safety by telephone (Key contacts) d) ensure a written report is made to Child Safety (using Child Safety's online reporting form) e) ensure that all persons who have contributed concerns to the report are recorded as 'notifiers' (only one report is required per incident or matter) f) ensure all staff who have contributed concerns are informed of, and all mandatory reporters have the opportunity to sign, the report made to Child Safety g) complete the internal Protection Form h) ensure all actions taken and decisions made are appropriately documented i) ensure copies of both the report to Child Safety and the Protection Form, and any other relevant records, are retained appropriately by the School or Service (section 11) j) ensure information about the report is included in required reporting on Policy implementation (sections 14 and 19) k) refer to other sections of these Procedures for further information and required actions

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2.2.2 PROCESS FOR REPORTING TO CHILD SAFETY AND ACTION TO BE TAKEN

Sections 13A of the *Child Protection Act 1999*

Schools and Services are committed to reporting to Child Safety whenever it is reasonable to suspect a child is in need of protection, regardless of the type of abuse or neglect. Child Safety is the appropriate statutory authority for assessing, investigating and intervening in these circumstances. As such, and in accordance with the Policy, in addition to the mandatory reporting discussed above, the following process is to be followed by all staff and volunteers:

<p>Staff and volunteers, including those with Appropriate Authority</p> <p>(Note: mandatory reporters are to refer to section 2.2.1 if the matter relates to physical or sexual abuse)</p>	<p>If staff and volunteers have concerns that may relate to a reasonable suspicion a child is in need of protection, regardless of the type of abuse or neglect, the following actions are required:</p> <ol style="list-style-type: none"> a) if there is an immediate danger, call '000', refer (section 9) b) discuss concerns with: <ul style="list-style-type: none"> • an SPO or the Principal (Schools) • a Nominated Supervisor or Approved Provider (Services) c) if the matter relates to sexual abuse or likely sexual abuse, immediately refer to section 2.3 to meet obligations relevant to the matter being reported to the Police
<p>Schools: SPO or the Principal</p> <p>Services: Nominated Supervisor or Approved Provider</p>	<p>Appropriate persons from Schools and Services are required to:</p> <ol style="list-style-type: none"> a) engage with the staff member or volunteer to <ul style="list-style-type: none"> • provide support and assistance in meeting their responsibilities • gather and share relevant information available (section 7) b) consider the use of additional supports to guide decision making and management of the matter, such as the ASC Child Safety Advocate and the Child Protection Guide c) where it is reasonable to suspect a child is in need of protection that is not related to physical or sexual abuse, report the matter to Child Safety, either by: <ul style="list-style-type: none"> • telephoning the Regional Intake Service (Key contacts) • making a written report to Child Safety, using Child Safety's online reporting form <p>Note: where the matter relates to physical or sexual abuse, it is a reportable suspicion that <u>must</u> be made in writing (section 2.2.1)</p> d) if the matter is reported to Child Safety: <ul style="list-style-type: none"> • ensure that all persons who have contributed concerns to the report are recorded as 'notifiers' (note only one report is required per incident or matter) • inform all staff who contributed concerns to the report that the matter has been reported to Child Safety e) complete the internal Protection Form f) ensure all actions taken and decisions made are appropriately documented

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	<p>g) ensure copies of both the report to Child Safety (if completed) and the Protection Form, and any other records, are retained appropriately by the School or Service (section 11)</p> <p>h) ensure information about the report is included in required reporting on Policy implementation (sections 14 and 19)</p> <p>i) refer to other sections of these Procedures for further information and required actions</p>
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2.3 REPORTING SEXUAL ABUSE OR LIKELY SEXUAL ABUSE

- [Protection Form](#)
- [Key Contacts](#)

Sections 364, 366 and 366 A and B of the *Education (General Provisions) Act 2006* and sections 68 and 69 of the *Regulations 2017*.

Professional Standards Canon and the ACSQ Protocol for Responding to Child Sexual Abuse and Sexual Misconduct.

Staff members are required to immediately provide a written report when they become aware, or reasonably suspect, in the course of their employment at the School or Service, that a child, young person or student has been, or is likely to be, sexually abused by another person.

Defined in section 364 of the *Education (General Provisions) Act 2006* as including **sexual behaviour involving the student and another person, where:**

- a) The other person bribes, coerces, exploits, threatens or is violent toward the student; or**
- b) The student has less power than the other person; or**
- c) There is a significant disparity between the student and the other person in intellectual capacity or maturity.**

Sexual abuse may include a sexual offence committed against, with or in the presence of a child, including:

- a) sexual assault
- b) indecent acts
- c) production or possession of child abuse material
- d) 'grooming' a child in order to commit a sexual offence. Grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time.

Note: for the purpose of the Policy and these Procedure, requirements related to students apply to any child or young person associated with the School or Service or where the concern is obtained through a person's engagement with a School or Service however, see section 2.3.1 - Frequently Asked Questions - for information on students over 18 years old.

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This written report is to be provided:

- a) for Schools: to the Principal; or
- b) for Services co-located with a School: to both a Nominated Supervisor and the Principal; or
- c) for other Services: to the Nominated Supervisor; or
- d) where the concerns relate to the Principal: to a Director of the School's governing body, or their delegate;
- e) where concerns relate to the Nominated Supervisor: to the Approval Provider, or their delegate.

This report must include:

- a) the name of the person giving the report (the first person);
- b) the child or young person's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the child or young person has been sexually abused, or 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 child or young person's age;
 - ii. the identity of the person who has sexually abused, or is suspected to have sexually abused, the child or young person;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse.

2.3.1 FREQUENTLY ASKED QUESTIONS

What is the relationship between sexual abuse, sexual exploitation, sexual assault and other child sex offences? Sexual abuse has a broader definition than sexual exploitation, sexual assault and other child sex offences. Both sexual exploitation and assault would generally meet the definition of sexual abuse, as would many child sex offences, as they commonly relate to sexual behaviour where there is: coercion, threats or violence; a lack of consent; or disparity in power, intellectual capacity or maturity.

What if the student is over 18 years old? If a person reasonably believes the student is over 18 years old and does not want to reveal the information to police, then a report to the police is not required unless the student is a person with a disability who is being provided with special education at the School. Consider what information is available or is reasonable to gather, to inform this decision and record the matter in sufficient detail.

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Am I required to report directly to Police? Where the concern identified by an adult student, visitor, volunteer or staff member causes the person to believe on reasonable grounds that a child sexual offence is being or has been committed against a child by another adult, the person who has identified the concern is required to disclose the concern to the Police. However, a report to Police may not be required in certain circumstances, including where the person who identified the concern believes on reasonable grounds that the concern has already been disclosed to the Police. *It is therefore appropriate for the Principal (School), Nominated Supervisor (Service), or another delegate of the governing body to inform the person when their concern has been reported to Police.*

2.3.2 PROCESS FOR REPORTING SEXUAL ABUSE AND LIKELY SEXUAL ABUSE, AND ACTION TO BE TAKEN

Staff and volunteers, including those with Appropriate Authority	<p>If a staff member or volunteer develops, or are informed of, concerns that may relate to a reasonable suspicion a child, young person or student has been or is likely to be sexually abused, the following actions are required:</p> <ol style="list-style-type: none"> a) if there is an immediate danger, call '000' (section 9) b) discuss concerns with: <ol style="list-style-type: none"> i. an SPO or the Principal (Schools) ii. a Nominated Supervisor or Approved Provider (Services) c) consider any additional information available to inform the decision and content of the report (section 7) d) if it's reasonable to suspect a child, young person or student has been or is likely to be sexually abused, immediately commence a Protection Form (a written report) and provide to: <ol style="list-style-type: none"> i. the Principal (Schools)¹ ii. a Nominated Supervisor² or Approved Provider (Services) <p>It is the responsibility of the Principal or Nominated Supervisor to then immediately report the matter to Police.</p> e) if the matter relates to a child who may be in need of protection, refer to section 2.2 regarding obligations relevant to the matter being reported to Child Safety. f) refer to other sections of these Procedures for further information and required actions
Schools: SPO or the Principal Services: Nominated Supervisor	<p>Assistance</p> <p>Appropriate Persons from the School or Service are required to:</p> <ol style="list-style-type: none"> a) engage with the staff member or volunteer to <ul style="list-style-type: none"> • provide support and assistance in meeting their responsibilities • gather and share relevant information available (section 7) b) consider the use of additional supports to guide decision making and management of the matter, such as the ASC Child Safety Advocate

¹ If concerns relate to the Principal, the Protection Form is to be provided directly to the delegate of the School's governing body for their management. Refer to appendix C of the Policy.

² If concerns relate to the Nominated Supervisor, the Protection Form is to be provided directly to the Approved Provider (or delegate) for their management. Refer to appendix C of the Policy.

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Responsibilities

For Principals and Nominated Supervisors:

- a) if it's reasonable to suspect a child, young person or student has been or is likely to be sexually abused, immediately provide the [Protection Form](#) to the Police as a written report ([Key Contacts](#))
- b) if it's reasonable to suspect a response is required that day, contact Police by telephone ([Key Contacts](#))
- c) where the concern is identified by an adult student, visitor, volunteer or staff member, inform the person when their concern has been reported to Police
- d) if the matter involves a teacher, follow the process outlined in section 2.5 of these Procedures
- e) ensure all actions taken and decisions made are appropriately documented
- f) ensure a copy of the [Protection Form](#), and any other records, are retained appropriately by the School or Service (section 7)
- g) if the concern was identified by the Principal, immediately provide a copy of the Protection Form to the delegate of the School's governing body (Appendix C of the Policy).
- h) ensure information about the report is included in required reporting on Policy implementation (sections 14 and 19)
- i) refer to other sections of these Procedures for further information and required actions

2.4 EDUCATION AND CARE SERVICE REPORTING TO THE DEPARTMENT OF EDUCATION

- [Protection Form](#)
- [ACECQA Reporting Requirements About Children](#)

Education and Care Service National Law 2018 and Regulations 2021

A report is required to be made to the Regulatory Authority (Department of Education) where required in the *Education and Care Services National Law and Regulations*. There are strict timeframes in relation to when prescribed reports are required to be made to the Department of Education. Notifications specific to child safety are set out below.

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2.4.1 SUMMARY OF MATTERS TO BE REPORTED TO THE DEPARTMENT OF EDUCATION

Matter	Timeframe for Approved Provider (or delegate) to complete report to Regulator
<p>Receiving a complaint alleging that Education and Care Service Law has been contravened</p> <ul style="list-style-type: none"> ○ Note any communication that could possibly be perceived as a complaint should be considered ○ Examples include, but are not limited to, not taking reasonable precaution to protect children from harm or hazard, use of inappropriate discipline or insufficient supervision 	<p>Within 24 hours of the complaint</p>
<p>Any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child attending the Service</p>	<p>Within 7 days</p>
<p>Any incident where it is reasonable for the Approved Provider to believe that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the Service (note this is often reportable under another 24-hour category)</p>	<p>Within 7 days</p>
<p>Allegations that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the Service (note this is often reportable under another 24-hour category)</p>	<p>Within 7 days</p>
<p>All suspected, actual or alleged serious incidents. A Serious Incident includes:</p> <ul style="list-style-type: none"> ○ the death of a child while being cared for by an Education and Care Service (ECS), or following an incident at the ECS ○ any incident involving serious injury or trauma to a child where it could be reasonably expected the children required urgent medical attention from a registered medical practitioner, or attend a hospital (e.g. broken limb); ○ any incident involving serious illness, where a child ought reasonably to have attended a hospital (e.g. anaphylaxis) ○ any emergency for which emergency services attended; ○ any circumstance where a child <ul style="list-style-type: none"> ▪ appears to be missing or cannot be accounted for; or ▪ appears to have been taken or removed from the premises in a manner that contravenes Regulations; or ▪ is mistakenly locked in or locked out of the premises or any part of the premises 	<p>Within 24 hours of the incident</p> <p>In the case of a death of a child, as soon as practicable but within 24 hours</p>
<p>Whenever the service receives a notification regarding a Nominated Supervisor and:</p> <ul style="list-style-type: none"> ○ the suspension or cancellation of a working with children card or teacher registration, or ○ disciplinary proceedings under an education law 	<p>Within 7 days</p>

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2.4.2 PROCESS FOR REPORTING TO THE DEPARTMENT OF EDUCATION AND ACTION TO BE TAKEN

<p>Staff and volunteers</p>	<p>If a matter is reportable (section 2.4.1), staff and volunteers are required to ensure the matter has been reported to a Responsible Person or the Nominated Supervisor as soon as practicable (usually immediately).</p> <p>Staff and volunteers are required to ensure they understand what local processes are in place in the Service to make these reports. They should be both verbally (for timeliness) and, for staff at least, in writing (to evidence that the Responsible Person or Nominated Supervisor was advised).</p>
<p>Responsible Person and Nominated Supervisor</p>	<p>Assistance</p> <p>a) engage with the staff member or volunteer to</p> <ul style="list-style-type: none"> • provide support and assistance in meeting their responsibilities • gather and share relevant information available (section 7) <p>b) consider the use of additional supports to guide decision making and management of the matter, such as the ASC’s ECS support staff or Child Safety Advocate</p> <p>Responsibilities</p> <p>For Responsible Persons:</p> <p>a) ensure the matter is, as soon as practicable (usually immediately), reported to the Nominated Supervisor or, if the Nominated Supervisor is unavailable, the delegate of the Approved Provider (Appendix C of the Policy)</p> <p>b) provide assistance, as necessary, to the Nominated Supervisor and the Approved Provider’s delegate.</p> <p>For Nominated Supervisors:</p> <p>c) consider the use of additional supports to guide decision making and management of the matter, such as the ASC’s ECS supports or the Child Safety Advocate</p> <p>d) complete the Protection Form and provide this to the delegate of the Approved Provider (see Appendix C of the Policy)</p> <p>e) provide assistance, as necessary, to the Approved Provider’s delegate and the Department of Education</p> <p>f) ensure copies of the Protection Form and any other records, are retained appropriately by the Service (section 11)</p> <p>g) ensure information about the report is included in required reporting on Policy implementation (sections 14 and 19)</p> <p>h) refer to other sections of these Procedures for further information and required actions.</p>
<p>Approved Provider/ Delegate</p>	<p>Approved Providers/Delegates are required to:</p> <p>a) use information in the Protection Form to report to the Department of Education, in compliance with the notification timeframes</p> <p>b) provide assistance, as necessary, to the Department of Education</p> <p>c) refer to other sections of these Procedures for further information and required actions.</p>

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2.5 PROCESS FOR REPORTING TO THE QUEENSLAND COLLEGE OF TEACHERS (QCT)

- [Queensland College of Teachers: Notifications](#)
- [Queensland College of Teachers: Complaints](#)

Sections 76 to 78 of the *Education (Queensland College of Teachers) Act 2005*

Principals (as employing authority)	<p>As part of responding to concerns related to an Approved Teacher, Principals are required to:</p> <ol style="list-style-type: none"> a) manage the matter as per section 3 of these Procedures; b) report to QCT: <ul style="list-style-type: none"> • As soon as practicable after starting to deal with an allegation of harm caused or likely to be caused to a child because of the conduct of a relevant teacher. Dealing with an allegation of harm includes if the employing authority takes action in relation to the allegation, including investigating, inquiring into, or examining the allegation or referring the allegation to another entity to deal with • As soon as practicable after the employing authority stops dealing with the allegation for any reason, notify the outcome of the employing authority's dealing with the allegations • Within 14 days of a notice of dismissal, notify dismissals of a relevant teacher where circumstances call into question the teacher's competency to be employed as a teacher c) provide assistance, as necessary, to QCT.
Nominated Supervisor	<p>As part of responding to concerns related to an Approved Teacher where the relevant teacher is employed in a Service (and not a School where above applies), a Nominated Supervisor is required to notify QCT if the teacher is dismissed in circumstances that call into question their competency to be employed as a teacher.</p>

2.6 REPORTING TO THE AUSTRALIAN HEALTH PRACTITIONER REGULATION AGENCY (AHPRA)

- [Australian Health Professional Regulation Agency: Concerns](#)
- [Australian Health Professional Regulation Agency: Mandatory Notifications](#)

Principals and Nominated Supervisors	<ol style="list-style-type: none"> a) As part of responding to concerns related to a person who is registered with Ahpra report to Ahpra where appropriate or required b) Provide assistance, as necessary, to Ahpra
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2.7 ADDITIONAL REPORTING TO POLICE

When responding to concerns, in addition to contacting '000' in response to an emergency or reporting to Police as per section 2.3 of these Procedures, it may be appropriate to report other matters, e.g. when the reporting is necessary to reduce a risk of harm.

- Queensland Police Service: <https://www.police.qld.gov.au/>
- [Key Contacts](#)

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3. PROCESSES WHEN A CONCERN RELATES TO THE BEHAVIOUR OF A STAFF MEMBER OR VOLUNTEER

This section applies where concerns relate to the behaviour or alleged behaviour of a person who has a role in, or (direct or indirect) contact with children and young people, through an Anglican School or Service.

‘Concern’ is defined in Appendix 1 of these Procedures.

The violation of behavioural expectations and professional boundaries, irrespective of the person’s intent, represents a breach of trust, a failure to meet a duty of care requirement to children and young people, and a failure to follow conduct requirements of their employer. When staff violate boundaries, they can risk:

- serious or harmful consequences for the child or young person
- seriously undermining the learning process
- seriously undermining their professional reputation and the confidence of the School or Service
- formal directions or other disciplinary action from their employer or regulating authority
- termination of employment
- criminal charges.

It is the responsibility of adults to take action and promote a safe environment for children and young people. People often feel uncomfortable challenging boundary transgressions of others, especially adults. While raising a potential issue about another staff member or volunteer, especially a person perceived to be in a higher position of power, can feel very difficult, being able to do so is of utmost importance to the safety and wellbeing of children and young people. It is therefore an expectation that people will ‘call out’ behaviour that may be inconsistent with requirements or not in the best interests of children or young people.

3.1 ACTIONS REQUIRED

Where a person raises a concern about the behaviour of a staff member or volunteer (current or historical), the following actions are required:

Volunteer or staff member, including Appropriate Authority	If a volunteer or staff member develops or receives a concern they will, as soon as practicable (usually immediately), report the matter to: a) Schools: a Student Protection Officer (SPO) or the Principal b) Services: a Nominated Supervisors or the Approved Provider This should be both verbally (for timeliness) and in writing (to evidence that appropriate persons were advised). Staff are to commence a Protection Form .
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Schools: SPO or the Principal

Services:
Nominated Supervisor or Approved Provider

Appropriate persons from Schools and Services are required to:

Assistance

- a) engage with the staff member or volunteer to:
 - provide support and assistance in meeting their responsibilities
 - gather and share relevant information available (section 7)
- b) consider the use of additional supports to guide decision making and management of the matter, such as the ASC's Child Safety Advocate and legal advice
- c) on receiving these concerns, ensure a [Protection Form](#) is commenced
- d) SPOs will, as soon as practicable (usually immediately), bring the concerns to the attention of the Principal and provide a copy of the commenced [Protection Form](#).
- e) If the concerns relate to the Principal or the Nominated Supervisor, then concerns are to be reported directly to the governing body's delegate (see Appendix C of the Policy), who will meet any responsibilities otherwise delegated to that Principal or Nominated Supervisor regarding the management of the matter.

Responsibilities for Principals and Nominated Supervisors

Principals and Nominated Supervisors are required to:

- a) as soon as practicable, report all concerns to the governing body's delegate (Appendix C of the Policy)
- b) adhere to all applicable statutory reporting requirements (section 2)
- c) work with governing body's delegate to plan an appropriate response that demonstrates integrity, using a process that would stand up to external scrutiny. An investigation may be commenced where there is a reasonable suspicion that the staff member or volunteer's behaviour has caused or is likely to cause harm to a child or young person and if it is appropriate in the circumstances (for example, the commencement of an investigation may not be appropriate in circumstances where it is being investigated by regulatory authorities, including the Police). This includes concerns regarding grooming behaviour. Investigations may be conducted by a third party, e.g. a law firm or external investigator. Consideration will be given to all relevant obligations, such as statutory and canonical reporting; employment law; work, health and safety responsibilities; or other actions that assist in reducing the likelihood of harm to children and young people
- d) ensure all actions taken and decisions made are appropriately documented
- e) ensure a copy of the [Protection Form](#), and any other records, are retained appropriately by the School or Service (section 11)
- f) ensure information about the report is included in required reporting on Policy implementation (sections 14 and 19)
- g) refer to other sections of these Procedures for further information and required actions

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Governing body's delegate

The governing body's delegate is required to:

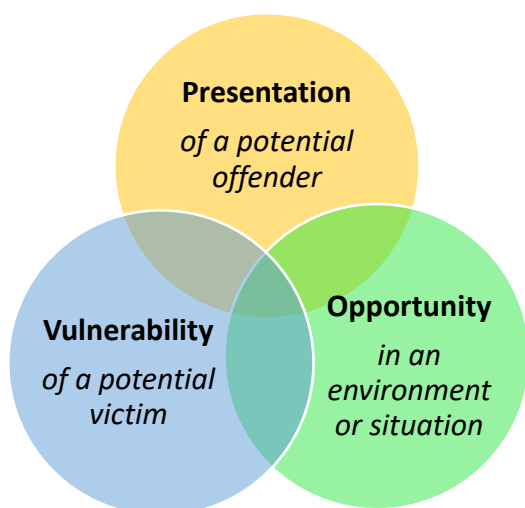
- a) if concerns relate to a Licensed Person, report the concerns to the Bishop or Archbishop
- b) work with the Principal or Nominated Supervisor to respond appropriately to the concerns and meet relevant responsibilities.

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PART B: KEY CONSIDERATIONS WHEN RESPONDING

4. IDENTIFYING ABUSE

Abuse occurs when the following three criteria connect:



It can be very hard for children and young people to speak out about abuse. Often, they fear there may be negative consequences if they tell anyone what's happening to them. Some may delay telling someone about abuse for a long time, while others never tell anyone, even if they want to. *It's vital that children and young people are informed and feel safe enough to raise any worries or concerns, that they can speak out and that whoever they tell takes them seriously and takes appropriate action regarding what they've been told.*

Even if a child or young person doesn't tell someone verbally about what's happened to them,

there may be other indicators that something is wrong. *People who work with children need to be able to recognise the signs and know how to respond appropriately.*

Abuse happens when a person harms a child. It can be physical, sexual or emotional, and can involve neglect. *Children and young people could be abused by anyone.* Children and young people who have been abused may want to tell someone, but not have the exact words to do so. They may attempt to disclose abuse by giving adults clues, through their actions and by using indirect words.

Waiting for a child to be ready to speak about their experiences could mean that the abuse carries on and they, or another child, are put at further risk of significant harm. Not taking appropriate action quickly can also affect the child's mental health. This may discourage them from seeking help in the future and make them distrust adults. *Raising concerns does not require a direct disclosure.*

4.1 SIGNS OF ABUSE

Children and young people experiencing abuse often experience more than one type of abuse over a period of time and may be afraid to tell anybody about the abuse. They may struggle with feelings of guilt, shame or confusion. Many of the signs of abuse are the same regardless of the type of abuse. *Anyone working with children or young people need to be able to recognise the signs.* These include but are not limited to the following:

- being afraid of particular places or making excuses to avoid particular people
- knowing about or being involved in 'adult issues' which are inappropriate for their age or stage of development, for example alcohol, drugs and/or sexual behaviour
- having angry outbursts or behaving aggressively towards others
- becoming withdrawn or appearing anxious, clingy or depressed

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- self-harming or having thoughts about suicide
- showing changes in eating habits or developing eating disorders
- regularly experiencing nightmares or sleep problems
- regularly wetting the bed or soiling their clothes
- running away or regularly going missing from home or care
- not receiving adequate medical attention after injuries

Also refer to the Child Development and Trauma Guide

<https://www.dcp.wa.gov.au/ChildProtection/ChildAbuseAndNeglect/Documents/ChildDevelopmentAndTraumaGuide.pdf>

These signs do not necessarily mean that a child is being abused. There may well be other reasons for changes in a child's behaviour such as a bereavement or relationship problems between parents – *however they are enough to raise concerns with an appropriate person at the School or Service.*

4.2 UNHEALTHY RELATIONSHIPS

Abuse usually occurs in the context of an unhealthy relationship. Being in an unhealthy relationship negatively affects a person's wellbeing and places them at risk of harm.

Children and young people may not always understand that a relationship is unhealthy. If they have been groomed for example, they may believe they are in a healthy relationship. If they are in an unhealthy or abusive family relationship, they may never have known any different. This means children and young people may not always speak out about unhealthy relationships.

If a person is worried:

- *about a child or young person's relationship with another person, or*
- *another person's behaviour is encouraging an unhealthy relationship to develop*

it is important to raise concerns with an appropriate person at the School or Service.

5. MANAGING DISCLOSURES

Practitioner Resource: Responding to children and young people's disclosures of abuse

<https://aifs.gov.au/cfca/publications/responding-children-and-young-people-s-disclosures-abu>

Responding to a child's disclosure of abuse (video)

<https://youtu.be/bvJ5uBIGYgE>

Disclosure is the process by which children and young people start to share their experiences of abuse with others. This can take place over a long period of time. Children may disclose directly or

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indirectly and sometimes they may start sharing details of abuse before they are ready to put their thoughts and feelings in order.

Where a disclosure is made, or a person has a reasonable suspicion that a child is being subjected to abuse or harm, the steps and processes outlined in section 2 must be followed. *All disclosures should be taken seriously. It takes extraordinary courage for a child to go through the journey of disclosing abuse and it's vital that anyone who works with children and young people undertaking this journey, is able to provide them with the support they need.*

Children and young people may disclose abuse in a variety of ways, including:

- Directly: making specific verbal statements about what's happened to them
- Indirectly: making ambiguous verbal statements which suggest something is wrong
- Behaviourally: displaying behaviour that signals something is wrong
- Non-verbally: writing letters, drawing pictures or trying to communicate in other ways.

Children and young people may not always be aware that they are disclosing abuse through their actions and behaviour. Sometimes children and young people make partial disclosures of abuse. This means they give some details about what they've experienced, but not the whole picture. They may withhold some information because they:

- are afraid they will get in trouble with or upset their family
- want to deflect blame in case of family difficulties as a result of the disclosure
- feel ashamed and/or guilty
- need to protect themselves from having to relive traumatic events.

Research about how adults can better respond to a child who is disclosing abuse found three key interpersonal skills that help a child feel they are being listened to and taken seriously:

1. *Show you care*, help them open up: Give your full attention to the child or young person and keep your body language open and encouraging. Be compassionate, be understanding and reassure them their feelings are important. Phrases such as 'you've shown such courage today' help.
2. *Take your time*, slow down: Respect pauses and don't interrupt the child – let them go at their own pace. Recognise and respond to their body language. Remember that it may take several conversations for them to share what's happened to them.
3. *Show you understand*, reflect back: Make it clear you're interested in what the child is telling you. Ask 'tell me more about that'. Reflect back what they've said to check your understanding – and use their language to show it's their experience.



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If a child tells you they are experiencing abuse, *it's important to reassure them that they've done the right thing in telling you. Make sure they know that abuse is never their fault.*

The people the child chooses to disclose to, need to listen, understand and respond appropriately so the child gets the help, support and protection they need.

5.1 NON-BIASED APPROACH

It's vital that any child who is trying to disclose abuse feels that they are being listened to and taken seriously. There can be a risk that, if professionals react inappropriately, this can lead to unfair bias against the child or young person, or the alleged abuser as formal investigations progress. *This means it's important to maintain an unbiased approach when responding to disclosures and follow the Policy and these Procedures to ensure each case is treated in a fair and transparent manner and that the child gets the protection and support that they need.*

This also means that any person who has a role in the management of the matter, needs to declare identified, actual or perceived, conflicts of interest, so as wherever possible, decisions are not made, or the management of matters are not influenced by, the person with that conflict.

5.2 PEER SUPPORT

For children and young people, friendship and support from peers is important to help children and young people feel safe and less isolated. Important considerations for Schools and Services regarding peer support include:

- Providing clear communication and support to children and young people about their ability to talk with an appropriate adult if they are concerned for either their, or another child or young person's, safety. This includes their role as bystanders or witness to behaviours of concern, including peer risk taking behaviour
- Providing support to both children and young people who make or receive disclosures.

5.3 PROTECTIVE INTERRUPTING

Where children or young people disclose in front of peers, or at another inappropriate time, it may be appropriate to use strategies labelled 'protective interrupting', these include:

1. Gently interrupt the child by acknowledging them and preventing further disclosure. For example, "thank you, it sounds as though you have something really important to talk about..."
2. Be supportive and gently indicate that the child or young person can talk in a more private situation. For example, "...why don't we have a chat at recess?" or ask the student if they would like to leave the classroom to continue the conversation
3. Arrange to see the child as soon as possible in an appropriate location.

Note: for injuries seek appropriate medical assistance immediately.

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6. CONSULTATION AND SUPPORT

In addition to internal supports within Schools and Services, support and advice can be sought from other appropriate persons, such as the ASC's Child Safety Advocate and other ASC staff, lawyers, support services (section 13) and statutory authorities (section 2).

7. INFORMATION GATHERING

It is appropriate for Nominated Supervisors, Student Protection Officers, Principals, and at times, another person with Appropriate Authority, when they have developed or receive a concern, to identify and gather information that will assist in determining the most appropriate response to the concerns. In doing so, the following will be considered:

- In these circumstances, what information is reasonable to be sought and from what source?
- What information gathering is not appropriate given its potential impact on an investigation by a statutory authority (e.g. Child Safety or Police)?
- The reporting threshold for most statutory authorities (including in particular the Police and Child Safety) is 'reasonable suspicion' and it is the role of those authorities to investigate such suspicions, as relevant to either a child's need for protection, or criminal offences. Mindful of this, Schools and Services do not need be certain to report (in most cases only a reasonable suspicion is required) nor are they required to investigate concerns themselves in most cases.
- Any School or Service investigation regarding concerns (e.g. those directly associated with the School or Service environment) will occur in a carefully planned manner, as coordinated by the Principal or Nominated Supervisor and the governing body's delegate, in consultation with any relevant statutory authority and any other appropriate support (see section 2 and 6).
- In most cases Schools and Services do not need to photograph injuries. If required, Police or Child Safety will arrange for photographs.
- Schools and Services are to seek medical attention for known injuries as appropriate to the circumstance and will document such, using written notes and diagrams. School and Service staff will not seek to sight any injuries in an area normally covered by underwear, unless it occurs in another appropriate context and as per approved policy and procedure (e.g. such as providing to the physical care needs of an infant in a Service).

8. MATTERS RELATED TO PEERS WITHIN THE SCHOOL OR SERVICE

8.1 SCOPE

Where concerns relate to peers within a School or Service, the Policy and these Procedures are intended to compliment and work alongside local processes for behavioural guidance and management. When concerns relate to peers within a School or Service, the focus of the Policy and these Procedures is on:

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- Assessing risk of harm to children and young people whilst in the care, supervision or control of the School or Service and implementing reasonable strategies for managing such risk (see sections 9 and 10).
- Complying with law and any related reporting obligations, as described within the Policy and these Procedures (see section 2).

8.2 SEXUALISED BEHAVIOUR IN CHILDREN

Where the concerns relate to sexualised behaviour, the School or Service will engage with evidence-based resources and, where necessary, seek specialist advice, to assist in the management of such behaviour. It is important to remember that there is sexual behaviour that:

- is developmentally explainable;
- is cause for concern; or
- Indicates or causes harm.

The focus will be on identifying, understanding and responding to the behaviour in a way that manages the safety needs of all children and young people, with particular regard given to foreseeable danger.

[Traffic Lights: Sexual behaviours in children and young people](#), published by True Relationships and Reproductive Health

- [Traffic Lights App](#) (Apple)

[Recognising and Responding to Harmful Sexual Behaviours](#) Fact Sheet, the [Changing Futures Program](#) and other resources by the [Daniel Morcombe Foundation](#).

[Problem sexual behaviours and sexually abusive behaviours in Australian children and young people](#), published by Child, Family, Community, Australia.

9. RISK MANAGEMENT

Taking action to reduce any reasonably foreseeable danger to a child or young person is of paramount importance.

Schools and Services recognise that despite implementation of best practice approaches, risk always exists for children and young people when accessing organisations. To assist in mitigating this, Schools and Services adopt a risk management approach that aims to act in a preventative manner and reduce the likelihood of risks becoming realised. This same approach is applied when managing particular concerns or incidents.

There are criminal repercussions for individuals who fail to protect a child from a child sexual offence and civil penalties for organisations who breach the duty of care they owe to children in their care.

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When a concern is identified and throughout the management of a concern, risks to children and young people's physical and emotional/psychological safety are to be assessed and managed through appropriate actions, noting the following:

- Independent of the response from Police or Child Safety, a Nominated Supervisor, Student Protection Officer, Principal or other Appropriate Authority within the School or Service, will consider what actions are necessary and reasonable in the circumstances, to reduce risk of harm. This particularly applies if they relate to the School or Service's duty of care responsibilities. In these circumstances it may be particularly appropriate to consult with the Child Safety Advocate (ASC), Police, lawyers or other supports.
- Where it is reasonable to suspect immediate danger, School and Service staff are to contact the Police (e.g. call '000'). This is to occur within the context of the School or Services' localised processes to manage critical incident incidents.
- Where a response is believed to be required that day, a phone call is to be made to Police or Child Safety, to complement any written report (noting the phone call can occur before the written report is submitted). This call will usually be made by a Nominated Supervisor, Student Protection Officer, or the Principal. See [Key Contacts](#).

- Section 229BB of the *Criminal Code 1899*: Failure to protect
- Section 33D and E of the *Civil Liability Act 2003*: Duty to prevent child abuse

10. SAFETY AND SUPPORT PLANNING FOR CHILDREN AND YOUNG PEOPLE

Where children and young people are under the care, supervision, control or authority of a School and Service, Schools and Services are responsible for identifying reasonably foreseeable risks and putting strategies in place to reduce both the likelihood and impact of harm on children and young people. This risk management can often be assisted by developing safety and support plans. A 'plan' will be documented and usually has the following characteristics.

- Is customised to the safety and support needs of a particular child or group of children:
 - where there is a reasonable suspicion their behaviour may have caused, or place other children or young people at risk of, harm, or
 - where there is a concern for a child or young person's safety whilst in a relevant School or Service environment
- Respectfully describes the concern or worry in sufficient detail
- Describes any relevant strengths or actions already taken to address the concern or worry
- Considers all environments the child or young person is located within as part of attending the School or Service, e.g. classes, accessing toileting facilities, play areas, and after school care or activities.
- Reflects the relevant emotional/psychological and physical safety needs of relevant children and young people; and details of actions planned for those needs to be met.
- Includes actions that are reasonable to implement in the circumstances, proactive and preventative where at all possible, and reactive if necessary.

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- Allocates a person responsible for implementing each action, noting this may be a child or young person, or any other relevant stakeholder.
- Allocates an appropriate staff member responsible for developing, communicating, monitoring and reviewing the plan. Where possible and appropriate to the circumstances, this will be undertaken in collaboration with the child or young person, their family, relevant staff and other relevant stakeholders (other children, external professionals etc).
- Is communicated to relevant stakeholders who need to know the information to support the plan's success (section 12).
- Has a review timeframe and will be reviewed earlier if required due to changing circumstances.
- Agreed to by an appropriate representative of the School or Service, and where appropriate to the circumstances, the child or young person, their parent, carer or guardian and any other person responsible for taking action.

Note, this type of planning can also be used with children and young people when talking about safety and support strategies that may help them in other environments.

11. RECORDING AND RETAINING RECORDS OF CONCERNS

- [Protection Form](#)

All concerns that are reported to a Nominated Supervisor, Student Protection Officer or Principal are to be recorded on a [Protection Form](#). This form, and all supporting information/records, are to be stored appropriately. A key goal of the [Protection Form](#) is to provide a record that reflects and supports the decision-making process.

Where the concerns relate to:

- *physical or sexual abuse, or likely sexual abuse, that may require reporting to Police or Child Safety or*
- *inappropriate behaviour by a staff member or volunteer*

and it is practicable, the [Protection Form](#) is to be commenced by the staff member who first identifies, or otherwise receives, the concerns.

Given the additional roles and responsibilities that Nominated Supervisors, Student Protection Officers and Principals have, it can be difficult to identify whether a [Protection Form](#) is required. **A [Protection Form](#) is required to be commenced if the matter meets the definition of concern: *Information of whatever nature and from whatever source, that leads to a reasonable suspicion of circumstances that may have posed, or continues to pose, a risk to the physical or psychological safety of a child or young person.*** Some indicators may include:

- The matter requires or required reporting to a statutory authority (such as Police, Child Safety, Department of Education or the Queensland College of Teachers), or

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- There is relevant decision making to be recorded regarding, for example, decisions to not report the concerns to a statutory authority, or
- A safety and support plan is required to be developed, or
- The information may be required to be referred to in the future, for example, due to a pattern or escalation of concerns; or to meet responsibilities regarding the recording and sharing of information.

If there is any doubt as to whether a [Protection Form](#) is required, a [Protection Form](#) should be completed.

In retaining Protection Forms, Schools and Services, noting the sensitive and personal nature of the information recorded, will:

- have a record keeping system that provides access to necessary staff for reference, for example, if further concerns arise, or the school is required to account for actions taken.
- manage the form in keeping with the School or Service's record keeping and retention requirements, as well as in accordance with its privacy obligations.

Consistent with the Royal Commission into Institutional Responses to Child Sexual Abuse recommendation (8.4), Schools and Services' actions will be in keeping with the following principles for records and recordkeeping:

- Principle 1: Creating and keeping full and accurate records relevant to child safety and wellbeing is in the best interests of children and should be an integral part of institutional leadership, governance and culture.
- Principle 2: Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing.
- Principle 3: Records relevant to child safety and wellbeing should be maintained appropriately.
- Principle 4: Records relevant to child safety and wellbeing, should only be disposed of in accordance with law or policy.
- Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest extent.

In addition to regulatory requirements, the ACSQ requires Schools and Services to maintain suitable record keeping as per the approved ACSQ Retention Schedule.

- ACSQ [Records Retention Schedule](#) for Anglican Schools

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12. PARTICIPATION, COMMUNICATION AND INFORMATION SHARING

12.1 INFORMATION SHARING

Section 176 of the *Education (Accreditation of Non-State Schools) Act 2017*

Australian Privacy Principles: <https://www.oaic.gov.au/privacy/australian-privacy-principles>

Information sharing by Schools is compliant with section 176 of the *Education (Accreditation of Non-State Schools) Act*. Additionally, both Schools and Services are required to comply with the Australian Privacy Principles in privacy legislation and any relevant supporting policy and procedures. Specific to these Procedures, the following should be noted.

12.1.1 WHERE CONCERNS RELATE TO CHILD SEX OFFENCES

Section 229BC of the *Criminal Code 1899*

Where the concern identified by an adult student, visitor, volunteer or staff member causes the person to believe on reasonable grounds that a child sexual offence is being or has been committed against a child by another adult, the person who has identified the concern is required to disclose the concern to the Police. A report to Police may not be required in certain circumstances, including where the person who identified the concern believes on reasonable grounds that the concern has already been disclosed to the Police.

Accordingly, the Principal (School), Nominated Supervisor (Service), or another delegate of the governing body is to inform the person when their concern has been reported to Police – refer to section 2.3 of these Procedures.

12.2 COMMUNICATION WITH CHILDREN AND YOUNG PEOPLE

While a concern is being managed, consideration must be given to the children or young people involved.

Where possible, one person is to be identified to be responsible for liaising with the child or young person throughout the entire process. This person is to be someone appropriate and trusted by the child or young person. Schools and Services will be particularly mindful to:

- Listen to what children and young people say without judgement and take their views seriously
- Ask children and young people about the types of support they need to participate and develop a plan for involving them
- Be honest and open about the things children and young people have control over or a say in, and those where they do not
- Never dismiss or give less value to children's or young people's views simply because they are not adults

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- Not necessarily prioritise an adult's opinion over that of a child or young person where they may differ
- Recognise that the most marginalised children and young people are often more vulnerable, and in doing so implement strategies for effective engagement. Specific consideration will be given to diversity associated with culture, disability, sexual and gender identity.

12.3 COMMUNICATION WITH ALL STAKEHOLDERS

Where allowed to by law, relevant stakeholders are to be kept informed of the progress and outcome of a matter. This includes, but may not be limited to:

- Children and young people
- Their parents, carers and guardians
- People who raise or receive concerns
- People whose behaviour the concerns relate to
- Broader cohorts within the School or Service community
- People or organisations identified as necessary to reduce risk of harm to a child or young person

Such information sharing will be to:

- Assist in the safety and wellbeing of children or young people
- Assist in the successful operations of the School or Service

Communication of complex matters will often require consultation and support (section 6).

Where allowed by law, and where the sharing of such information will not cause harm, relevant stakeholders will:

- Be informed of the potential outcomes for certain types of complaints, as well as the final outcome and the reasons for it.
- Be informed of what action was taken to deal with the concern.
- Receive reasons for decisions that affect them, and advice about avenues for review of decisions.
- Explain, where relevant, how complaints can be made regarding the management of the matter. These may include internal and external options (refer to the Policy for information regarding complaints).

Finding out about the management of a concern may be traumatic for a relevant stakeholder, irrespective of the outcome. This doesn't mean the information shouldn't be shared, however consideration is required as to the most appropriate way to communicate information to the relevant person, and the support they might require.

When managing a concern, Schools and Services will proactively consider how relevant stakeholders will be appropriately supported. This includes monitoring for and managing inappropriate adverse consequences.

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12.4 INFORMATION SHARING WITHIN THE QUEENSLAND CHILD PROTECTION SYSTEM

Chapter 5A and Section 186 of the *Child Protection Act 1999*

12.4.1 CHILD SAFETY INFORMATION SHARING GUIDE

Information Sharing Guidelines: <https://www.cyjma.qld.gov.au/resources/dcsyw/protecting-children/child-family-reform/information-sharing-guideline.pdf>

Information Sharing Guidelines are issued by the Queensland Government under Section 159C of the *Child Protection Act*. They aim to support and guide organisations and agencies within the Queensland child protection and family support system, including government and non-government organisations to:

- understand their obligations when they share information under the Act
- outline what information can be shared, the circumstances in which it may be shared and who may share information
- define when information must be shared with Child Safety
- support the legislative framework for information sharing
- provide practical guidance about how to store and manage personal information

12.4.2 CONFIDENTIALITY OF NOTIFIER DETAILS

When reporting to Child Safety, the identity of the person who is listed as the Notifier is protected. This means their identity will not be disclosed by Child Safety or the Police unless the person provides their consent, or it is otherwise required to be provided by law. This also means that Schools and Services should be careful to not disclose the identity of a Notifier to a third party unless confident that to do so is lawful. This includes where responding to a subpoena. Consult and seek support as required (section 6).

12.5 INFORMATION SHARING WITH POLICE

Information is to be shared with a Law Enforcement Agency (e.g. Queensland Police Service or Australian Federal Police) where the sharing is necessary for the prevention, detection, investigation, prosecution or punishment of a criminal offence or a breach of a law imposing a penalty or sanction.

Section 176(e) of the *Education (Accreditation of Non-State Schools) Act 2017*

12.6 NOTIFICATION TO INSURERS

Where a concern is associated with a School or Service and there may be a need to make an insurance claim, either now or into the future, it is likely (due to relevant clauses in insurance policies) that the School or Service's insurer will need to be notified of the matter. This decision will

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be made by the Principal or Nominated Supervisor in collaboration with the governing body's delegate. Consultation and support may be required to inform this decision (see section 6).

Where this occurs, the School or Service should inform the insurer of the precise facts or circumstances that it reasonably believes might give rise to a claim against it and other information requested by the insurer.

13. REFERRALS

Chapter 5A of the *Child Protection Act 1999*

Where a concern is identified, it is often appropriate to refer children and young people, or the family, to support services. By referring to support, Schools and Services can help concerns to be addressed before they escalate further.

Referrals will usually be undertaken by a Student Protection Officer in Schools or a Nominated Supervisor in Services. In Services, referrals to support require the family's consent. In Schools, consent is preferred, however Principals can make referrals without consent. Note the following support options.

13.1 FAMILY AND CHILD CONNECT (FaCC)

<https://www.familychildconnect.org.au/professionals>

Call: 13 32 64 (13 FAMILY)

Funded by the Queensland Government, FaCC has locations all across Queensland that can provide:

Information and advice: Information and advice on how you could respond. This may include advice on how to keep the family engaged and *information on local support services*. Note, you don't need a family's consent to access this option if you do not identify the family to FaCC.

Referral to a support service: Help you refer the family to a support service.

Active engagement and referral: Where families have multiple or complex needs, FaCC will engage them in a more detailed needs assessment and seek their consent to be referred to an Intensive Family Support service, or other service options.

An experienced Child Protection Practitioner is also based at each FaCC location to help identify and respond to more serious concerns.

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13.2 DOMESTIC AND FAMILY VIOLENCE (DFV)

DV Connect: <https://www.dvconnect.org/>

The Queensland Government also publishes the following information on domestic and family violence support: <https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/domestic-family-violence>

Local support services can be found: <https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/domestic-family-violence/find-local-support>

Helplines include:

- DVConnect Womensline: 1800 811 811
- DVConnect Mensline: 1800 600 636
- 1800RESPECT: 1800 737 732 (24/7 information, referral and counselling for sexual assault and DFV).

13.3 MENTAL HEALTH SUPPORT FOR CHILDREN AND YOUNG PEOPLE

raisingchildren.net.au is a high-quality source of information for parents and professionals.

Headspace: headspace.org.au. Headspace is the National Youth Mental Health Foundation providing early intervention mental health services to 12-25 year olds. Headspace can help young people with mental health, physical health (including sexual health) alcohol and other drug services, and work and study support.

Kids Helpline: <https://kidshelpline.com.au/> or call 1800 551 800. Kids Helpline is Australia's only free, confidential 24/7 online and phone counselling service for young people aged 5 to 25. Qualified counsellors at Kids Helpline are available via WebChat, phone or email anytime and for any reason.

Child and Youth Mental Health Service (CYMHS):

<https://www.childrens.health.qld.gov.au/chq/our-services/mental-health-services/>. CYMHS specialises in helping infants, children and young people up to the age of 18 who have complex mental health needs. They provide community and hospital-based services, outreach and telepsychiatry programs, early intervention, forensic and other specialty services.

In emergencies, it may be appropriate to call an ambulance, or access a hospital emergency department. In non-emergencies, it may be appropriate to ask families to engage with their GP for appropriate intervention and referral.

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13.4 ONLINE SAFETY

Where concerns relate to online abuse, guidance can be sought from the eSafety Commissioner <https://www.esafety.gov.au/>. The eSafety Commissioner has powers relating to cyberbullying, image-based abuse, and illegal and harmful online content.

To guide appropriate actions, the eSafety Commissioner also publishes the following Toolkit for schools: <https://www.esafety.gov.au/educators/toolkit-schools>

<https://www.thinkuknow.org.au/> is an education program led by the Australian Federal Police focused on preventing online child sexual exploitation.

13.5 ABORIGINAL AND TORRES STRAIT ISLANDER FAMILIES

The Queensland Government funds *Aboriginal and Torres Strait Islander Family Support Services* with an explicit goal of making it easier for Aboriginal and Torres Strait Islander families in communities across Queensland, to access culturally responsive support to improve their social, emotional, physical and spiritual wellbeing, and build their capacity to safely care for and protect their children.

For information on local service options visit:

<https://familysupportreferral.org.au/>

<https://www.cyjma.qld.gov.au/protecting-children/child-family-reform/meeting-needs-requirements-aboriginal-torres-strait-islander-children-families-communities/aboriginal-torres-strait-islander-family-wellbeing-services>

14. REVIEW AND CONTINUOUS IMPROVEMENT

Each School and Service will have processes in place to analyse the management of each concern to check:

- processes are being followed
- timeframes are being met
- complaint trends/patterns and risks relating to certain individuals, are identified
- systemic problems are detected and mitigated by the organisation

This will usually be undertaken through the administration of the Child and Youth Risk Management Committee. Relevant issues will be reported through quarterly and annual reporting (section 19).

[Working with Children in Anglican Education Policy, Guidelines and Procedures](#)

[National Principles for Child Safe Organisations](#)

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PART C: PREPARING TO RESPOND

[Working with Children in Anglican Education Policy, Guidelines and Procedures](#)

[National Office of Child Safety, including the Complaint Handling Guide](#)

[National Principles for Child Safe Organisations](#)

Sections 171 and 172 of the *Working with Children (Risk Management and Screening) Act 2000* and section 4 of the *Regulation 2020*

Whilst Schools and Services take all reasonable steps to prevent abuse of a child or young person (refer to the Working with Children in Anglican Education Policy), concerns for the physical and psychological safety of children and young people will continue. As such Schools and Services also take reasonable steps to prepare for responding appropriately to these concerns.

15. CULTURE AND ENVIRONMENT

To be able to respond appropriately to concerns, Schools and Services foster a culture and care environment that encourages concerns to be raised. Schools and Services, for example, through their Child and Youth Risk Management Committee, have a plan in place for doing so, including through operationalising the following on a local level.

15.1 RAISING CONCERNS

It's important to create an environment where children and young people are comfortable about speaking out if anything is worrying them. They particularly need to:

- have access to reliable, consistent adults
- be cared for in environments where their wellbeing is prioritised
- be able to recognise potential abuse and know it is wrong
- know who they can talk to about abuse or potential abuse

Many children and young people will seek help because they know where to go and believe that it will make a difference. Others may not have the confidence to seek support or may be too scared to ask for help. They may not get the help they need until they reach crisis point.

The people they choose to disclose to need to listen, understand and respond appropriately, so the child gets the help, support and protection they need; and Schools and Services need to make it as easy as possible to find and take up the offer of help.

Schools and Services can, for example:

- Embed practical strategies that demonstrate wellbeing is prioritised through positive role modelling and leading by example.
- Reinforce positive messages about those who seek help – seeking help is a sign of strength.
- Encourage parents to support their children and young people in seeking help.

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- Be positive about children and young people, their capacity for change and their resilience. Engage with young people both in terms of their strengths and their challenges.
- Build trust by treating children and young people with respect.
- Communicate effectively about the strategies you implement - lack of awareness is a significant barrier to people seeking help.

15.2 ADVERSE CONSEQUENCES

Schools and Services need to support people to raise concerns and be clear that no one will be penalised or suffer adverse consequences for doing so. At the very least, this means:

- Communicating this commitment through information sharing, inductions and training relevant to the Policy, or the School/Service's behavioural expectations.
- Proactively considering how people who raise concerns will be supported and how this will be monitored when a matter is being managed.
- Having systems in place to assess, investigate and performance manage any behaviour that could be perceived as creating such adverse conditions towards the person who raised a concern.

15.3 PARTICIPATION

Facilitating effective participation from children and young people, and their families, serviced by the School or Service, will substantially increase the success associated with implementing the Policy. In developing strategies to achieve effective participation, Schools and Services will:

- Apply a 'child friendly', inclusive approach.
- Seek, listen to and value feedback from children and young people (and their families).
- Recognise that the most marginalised children and young people are often more vulnerable, and in doing so implement strategies for effective engagement. Specific consideration will be given to diversity associated with culture, disability, sexual and gender identity.
- Ask children and young people about the types of support they need to participate, and develop a plan for involving them.
- Be honest and open about the things children and young people have control over or a say in, and those where they do not.
- Help children and young people to help each other, by seeking to equip them with the skills and tools to support their peers. This includes appropriate actions as a bystander.

15.4 ADDRESSING BARRIERS

Schools and Service need to consider what barriers may be in place for any child and young person to raise concerns, and make reasonable adjustments to meet their needs. Barriers may be those caused by:

- an environment, such as online learning, or the physical location of appropriate staff, that impacts on successful access to appropriate support; and

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- marginalisation through, for example, culture, language, disability, or sexual or gender orientation.

Some children and young people are reluctant to seek help because they feel they don't have anyone to turn to for support. They may have sought help in the past and had a negative experience, which makes them unlikely to do so again. They may also, for example:

- feel that they will not be taken seriously;
- feel too embarrassed to talk to an adult about a private or personal problem;
- lack trust in the people around them (including parents) and in the services provided to help them;
- worry about confidentiality;
- fear the consequences of asking for help;
- worry they will be causing trouble and making the situation worse;
- find formal procedures overwhelming.

It is also important to note that not all children and young people realise they have experienced abuse, for example if they have been groomed.

15.5 MULTIPLE PATHWAYS

Schools and Services will provide various ways for children and young people to raise concerns. Key considerations are:

- Children and young people's feedback about how they prefer to communicate;
- Variety of developmental stages, and the diversity of children and young people attending the school or service;
- Helping children and young people to identify adults they can trust and ways to access them;
- Sharing information about the role of Student Protection Officers (in Schools) and appointing a sufficient number of suitable persons to create various access options for all children and young people;
- The use of technologies. These should be complementary to other ways of supporting children and young people.

15.6 BEHAVIOURAL EXPECTATIONS

[Our Commitment, Creating and environment for children and young people to thrive: Code of Conduct for Anglican Schools and ECS](#)

Schools and Services must ensure all persons acknowledge their agreement to comply with any required behavioural expectations (and have evidence of this). This includes, but is not limited to:

- any applicable Code of Conduct or similar requirement.

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- any role they have in assisting with the implementation of the School or Service's policy implementation and, responsibilities to provide care and manage risk of harm to children and young people. Refer to section 17 of these Procedures.

15.7 PROFESSIONAL BOUNDARIES

[Professional Boundaries: A Guideline for Queensland Teachers](#)

Schools and Services will implement specific strategies to have staff and volunteers maintain professional boundaries, including:

- Acknowledging their agreement to comply with behavioural expectations (see section 14.6)
- Provide training regarding professional boundaries, reporting requirements and the consequences of any failure to report;
- Monitoring and policing boundary violations, including disclosing any concern, including those related to themselves, whether current or historic, to an Appropriate Person (section 1);
- The consequences of failing to maintain boundaries or make reports.

Maintaining appropriate personal, professional and protective boundaries and behaviours, i.e. how staff and volunteers present themselves, their interactions and general conduct; helps keep children and young people safe from harm and reduces the risk of allegations of harm.

Staff and volunteers are in a unique position of trust, care, responsibility and influence regarding children and young people. This means there is an inherent power imbalance. Boundaries shape staff and volunteer relationships with children and young people, families, care-givers and colleagues. This does not mean relationships are detached; authentic and supportive relationships can be developed without placing children and young people at risk.

Applying expectations about behaviour and boundaries is similar to herd immunisation. Large numbers of people are immunised to protect a population, particularly our most vulnerable, from the adverse consequences of various viruses. Similarly, larger numbers of people monitoring and policing boundaries can help protect children and young people from the adverse consequences of abuse, through limiting the opportunity for offenders to act. As discussed in section 3, *'calling out' behaviour that may be inconsistent with requirements or not in the best interests of children or young people's safety or wellbeing, is expected, valued and sought to be normalised.*

Offenders, or potential offenders, are difficult to detect. They not only groom children and young people, but also the adults around them. Offenders focus on reducing any suspicion towards themselves and creating opportunities to abuse. A common attribute of offenders is a proclivity to prelude abusive behaviour with habitual rule breaking and boundary violations which often help to create an environment that enables abuse to be perpetrated. Monitoring and policing boundaries across all staff and volunteers helps discourage offenders and creates an environment where the likelihood of abuse is reduced (known as a disabling environment).

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16. UNDERSTANDING THE DIFFERENCES BETWEEN A SERVICE, COMPARED TO A SCHOOL

It is important to understand the differences between a Service and a School, as related to the Policy. This is particularly important where Services and Schools are co-located, but can also be especially challenging when staff work across both the Service and the School.

These differences are due to variation in law and regulation, such as:

- Services are separate registered businesses and types of regulated employment, under the *Working with Children (Risk Management and Screening) Act*.
- Services must meet the requirements in *Education and Care Service National Law and Regulations* (including all reporting obligations from the Approved Provider to the Regulatory Authority), while Schools (Prep to Yr. 12) are required to comply with the *Education (Accreditation of Non-State Schools)*, *Education (General Provisions)* and *Education (Queensland College of Teachers) Acts and Regulations*.
- All Service staff over 18 years are mandatory reporters under the *Child Protection Act* (see section 2).
- Also, within the child protection system, under the *Child Protection Act* the Principal of a Non-State School (Prep to year 12) (as a 'particular Prescribed Entity') has a different role in information sharing than a person in a Service, including an Approved Provider (see section 12).

16.1 IMPLICATIONS

16.1.1 ROLES

Given Student Protection Officers (SPOs) are a requirement under *Education (Accreditation of Non-State Schools) Regulations*, Service staff are not appointed as SPOs unless they are also employed in a different role at the School (e.g. a role servicing P to 12 children not including OSHC/Vacation Care).

The roles and responsibilities of staff in Services are based on their positional responsibilities within the Service (e.g. Responsible Person, Nominated Supervisor) as defined in the *Education and Care Service National Law and Regulations*. All Nominated Supervisors, Directors/Coordinators and other appropriate persons are offered Child Protection Leader Induction Training, to support them to meet the Services' responsibilities regarding child protection and is pertinent to their governing legislation.

Where professional development is topic based relevant School and Service staff will be invited to the same sessions.

16.1.2 REPORTING

For relevant matters, Services must ensure they meet the reporting obligations of the Approved Provider to the Regulatory Authority (see section 2).

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16.1.3 INFORMATION SHARING AND REFERRAL TO SUPPORTS

Service staff are not to receive personal information from the School about individual families where a child is not enrolled in their Service (e.g. is enrolled at the School and not at the Service) unless the sharing of information is necessary to enable the School or Service to take appropriate action for the safety of a child (at risk or in need of protection). If the child does not attend the Service, the chance of this occurring is remote.

Services are classified in legislation as a 'service provider' and the ability to share information without a family's consent is limited. Information can be shared where the Service:

- is reporting to or sharing relevant information with a statutory authority such as Police, Child Safety or the regulatory authority;
- they reasonably believe that the sharing of relevant information is necessary to:
 - allow either the Service or the School to decide if a report to Child Safety is appropriate
 - help decrease the likelihood of the child becoming in need of protection
 - keep a record about giving a report to Child Safety

This means families, with children who only attend the Service and not the School cannot be referred to other support services without the family's consent, whereas Principals of Schools can refer families without consent to other support services (although consent remains preferred).

17. STUDENT PROTECTION OFFICERS (SPOs)

- Appendix D of the Policy: Notification of appointment of Student Protection Officers
- SPO Poster templates

In accordance with section 16 (3) of the *Education (Accreditation of Non-State Schools) Regulation*, there must be at least two stated staff members in each school.

SPOs are staff members appointed by a Principal in a School. Principals must have at least two staff appointed to this role, however more are usually necessary. In appointing SPOs the Principal must be sure that these staff members understand and have capacity to adhere to the Policy and these Procedures, and their related roles and responsibilities.

The following key attributes are to be considered when appointing SPOs:

- *Trustworthy*. Children and others need to feel they can trust the person they are talking with.
- *Contemporary knowledge* of child safety and the role of the School/ECS in the safety and wellbeing of children, and ability to apply this knowledge to meet the responsibilities of the role.
- Ability to work *collaboratively* with all stakeholders towards the achievement of child safety and wellbeing outcomes.

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- Ability to *communicate effectively*, including approaching and responding to child safety issues with appropriate *sensitivity* and appreciation of the impact of these issues on individuals.
- *Sufficient authority* within the School, including leadership skills and the ability to direct other staff, where appropriate, and manage upwards.

Prior to commencing in the role, the staff member will have:

- Read the Policy and these Procedures
- Complete the SPO Induction, administered by the ASC

To maintain the role of SPO the staff member will, where practicable, attend professional development as arranged by the ASC.

18. INFORMATION PROVISION, INDUCTION AND TRAINING

- Child friendly versions of the Policy
- Additional Resources
 - Training material on relevant processes and responsibilities in the Policy and these Procedures
- Working with Children in Anglican Education Policy, Guidelines and Procedures (including Statement of Commitment)

In accordance with the *Work, Health and Safety Act*, Schools and Services are to provide information, instruction and supervision, necessary to protect the children and young people they service.

The *Working with Children (Risk Management and Screening) Regulations* require Schools and Services to provide communication and support for implementing the risk management strategy, including written information about the risk management strategy for, and where the strategy may be accessed by:

- Persons employed or otherwise engaged, and
- Children, or parents of children, who receive a service or take part in an activity associated with the School or Service.

Schools and Services need to make the Policy and these Procedures available, and ensure relevant changes are notified to any relevant stakeholder, including, as is developmentally appropriate, children and young people; parents, carers and guardians; and staff, volunteers and visitors. At minimum, as described in the Policy:

- The Policy and these Procedures are published on the ASC, and each respective School or Service website. This includes child friendly versions of the Policy.
- Each School or Service will detail their localised approach to providing access to the Policy and these Procedures within their respective Child and Youth Risk Management Strategies.

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Schools and Services are required to provide information, training and instruction, necessary to protect children and young people from risks to their safety.

How this is implemented is a School or Service's operational responsibility, will vary across differing cohorts within the School or Service, and is to be described within the School or Service's Child and Youth Risk Management Strategy.

The following minimum requirements apply, and Schools/Services are responsible for being able to evidence their implementation.

18.1 CHILDREN AND YOUNG PEOPLE

Schools and Services are to provide developmentally applicable, and culturally safe and appropriate information on how children and young people can seek assistance and report any concerns. This includes, but may not be limited to:

- what safety and wellbeing means;
- the organisation's commitment to their safety and wellbeing, and how this is implemented in operations. This includes who to talk to within the School or Service, and any relevant information about the School or Service's risk management strategy;
- their rights and responsibilities, e.g. regarding safety, information and participation;
- safe environments and protective strategies.

In part, this may occur using developmentally appropriate abuse prevention and respectful relationships programs/content.

National Code of Practice for Providers of Education and Training to Overseas Students: Standard 5 (legislated instrument)

18.2 VISITORS

Schools and Services are to provide visitors with information on responsibilities relevant to the Policy and these Procedures. The nature of this information will be determined by the School or Service, as relevant to the purpose of the person's role and responsibilities, and:

- will first occur prior to the person commencing their intended role;
- can occur through either verbal presentation or through written material (including, for example, information provided and agreed to on sign-in to the School or Service);
- will occur on at least an annual basis.

18.3 VOLUNTEERS AND STAFF

Schools and Services will provide volunteers and staff with information on responsibilities relevant to the Policy, and access to the Policy and these Procedures. The nature of this information will be determined by the School or Service, as relevant to the purpose of the person's role and responsibilities, and:

- will first occur prior to the person commencing their intended role;

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- can occur through either verbal presentation or through written material;
- will occur on at least an annual basis.

Volunteers and staff must acknowledge in writing that they have read and agree to the Policy and these Procedures, that they will report any suspected abuse and that they will advise immediately should an allegation of abuse be raised against them.

Schools and Services will enable volunteers and staff to be equipped, through ongoing education and training as relevant to their role, with the knowledge, skills and awareness to help children and young people have their safety needs met.

Schools and services will provide information to support volunteers and staff, proportionate and relevant to their role and responsibilities, to understand matters related to the school or service's child and youth risk management, and the role they have in helping to manage risks, such as:

- helping to create environments that reduce the opportunity for abuse or harm to occur;
- being attuned to signs of harm and helping identify risks of harm to children and young people, including harm caused by other children and young people;
- helping facilitate child-friendly ways for children and young people to express their views, participate in decision making and raise their concerns;
- helping handle disclosures or suspicions of harm to children;
- supporting colleagues who disclose harm;
- understanding the existence and application of applicable law and any obligations that they may have under that law; and
- effectively implementing the organisation's relevant policies and related processes, focused on responding effectively to issues regarding child safety and wellbeing.

For volunteers and short term/seasonal and new staff, this information will be made available through induction (required on at least an annual basis), whereas for staff in continuous service this will occur through annual training (discussed below).

The *Working with Children (Risk Management and Screening) Regulations* require Schools and Services to provide communication and support for implementing the risk management strategy, including:

- Training materials for persons employed or otherwise engaged:
 - to help identify risks of harm to children
 - to help handle disclosures or suspicions of harm to children
 - about matters included in the risk management strategy

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18.3.1 ADDITIONAL CONSIDERATIONS FOR STAFF AND MEMBERS OF SCHOOL COUNCIL/ ECS MANAGEMENT COMMITTEE

In addition to the above, each School and Service will ensure staff and members of the School Council/ ECS Management Committee are trained annually in:

- using training material provided by the ASC, processes detailed in the Policy and these Procedures, and
- information on local implementation as provided by the School or Service.

In accordance with section 16 (4)(c) of the *Education (Accreditation of Non-State Schools) Regulations*, governing bodies must ensure all staff are trained annually in implementing these processes.

18.3.2 ADDITIONAL CONSIDERATIONS FOR STUDENT PROTECTION OFFICERS (SCHOOLS) AND NOMINATED SUPERVISORS (SERVICES)

In addition to the above, each School and Service will ensure Student Protection Officers (Schools) and Nominated Supervisors (Services) participate in:

- Schools: Student Protection Officer Induction (administered by the ASC) prior to commencing in the role;
- Services: Child Protection Leadership Induction (administered by the ASC);
- Professional development as arranged by the ASC.

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PART D: ASSURANCE ACTIVITIES

19. ASSURANCE

[Working with Children in Anglican Education Policy, Guidelines and Procedures](#)

[National Office of Child Safety](#)

[National Principles for Child Safe Organisations](#)

Schools and Services will participate in quality assurance processes, as directed by the ACSQ or a regulatory authority. This includes, but may not be limited to, reporting undertaken by the Child and Youth Risk Management Committee, on a quarterly basis to the Principal and School Council or Nominated Supervisor and Service Management Committee, and annual reporting to the School or Service's governing body (or delegate).

Reporting will include, but may not be limited to:

- issues relevant to:
 - a. evidencing effective implementation of the Policy and these Procedures
 - b. learnings from the application of the Policy and related matters, to the management of the School or Service, including strategic risks;
- details of staff allocated and systems in place to support operations related to the Policy;
- details of how relevant people within the School or Service community are made aware of, given access to and trained in implementing the Policy and these Procedures, as described in the Policy;
- the number of concerns raised and matters reported to each statutory authority; and
- any issues in the management of these matters that are relevant to the leadership and governance associated with developing and maintaining a child safe culture.

Note: Where a School or Service is controlled by the ACSQ a copy of the annual report is to be provided to the Executive Director, ASC.

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20. VERSION CONTROL

These Procedures replace both the Student Protection in Anglican Schools and the Child Protection in Anglican Education & Care Services Procedures.

Version	Date	Document owner	Comments
1.0	16/12/2021	Anglican Schools Commission	Approved
1.0	18/01/2022	Anglican Schools Commission	Hyperlinks inserted for protection form and key contacts
1..1	11/04/2022	Anglican Schools Commission	Clarification e.g. correct references

21. SOURCES

The following external sources have been used to inform these Procedures:

[Bullying No Way](#)

[Child, Family, Community Australia, Australian Institute of Family Students, Australian Government.](#)

The Child Family Community Australia (CFCA) information exchange's mission is to be the primary source of quality, evidence-based information, resources and interactive support for professionals in the child, family and community welfare sector. It plays a critical role in closing the gap between research, policy and practice. CFCA's long term vision is to contribute to improved outcomes for children and families in need of support and/or protection.

[Daniel Morcombe Foundation](#)

[Department of Children, Youth Justice and Multicultural Affairs, Queensland Government](#)

[Department of Communities, Government of Western Australia](#)

[Growing and Developing Healthy Relationships, Department of Health, Government of Western Australia](#)

[NAPCAN: National Association for the Prevention of Child Abuse and Neglect \(AUS\)](#)

[NSPCC: National Society for the Prevention of Cruelty to Children \(UK\)](#)

[Queensland Legislation](#)

[Queensland College of Teachers](#)

[Queensland Police Service](#)

[The Australian Human Rights Commission](#)

[The National Office of Child Safety](#)

[True Relationships and Reproductive Health](#)

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PART E: APPENDICES

APPENDIX 1: KEY TERMS AND DEFINITIONS

Abuse: Behaviour that causes, or could reasonably be expected to cause, harm. It can be a single incident, or several incidents that take place over time. For the purpose of the Policy and these Procedures, examples of Abuse include:

- (a) A SEXUAL OFFENCE COMMITTED AGAINST, WITH OR IN THE PRESENCE OF A CHILD
 - (i) Sexual offences refer to criminal conduct of a sexual nature and includes:
 - (A) sexual assault
 - (B) indecent acts
 - (C) production or possession of child abuse material
 - (D) 'grooming' a child in order to commit a sexual offence. Grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time.
 - (b) SEXUAL MISCONDUCT
 - (i) Sexual misconduct includes behaviour, physical contact, speech or other communication of a sexual nature, inappropriate touching, grooming behaviour, and voyeurism. This captures a broader range of inappropriate behaviours of a sexual nature that are not necessarily criminal. Examples of sexual misconduct include:
 - (A) an adult developing a close and inappropriate relationship with a child which crosses professional boundaries
 - (B) an adult inappropriately discussing sex and sexuality with a child
 - (C) other overtly sexual acts that could lead the ASC to take disciplinary or other action.
 - (c) PHYSICAL VIOLENCE
 - (i) Physical violence includes an act that causes physical injury or pain. Examples of physical violence can include:
 - (A) hitting/kicking/punching
 - (B) pushing/shoving/grabbing/throwing/shaking
 - (C) using an object to hit or strike
 - (D) using restraint or excessive force that is inappropriate to the situation.
 - (ii) Physical violence does not include lawful behaviour. For example:
 - (A) reasonable steps taken to protect a child from immediate harm, such as taking a child's arm to stop them from going into oncoming traffic
 - (B) medical treatment given in good faith by an appropriately qualified person, such as a senior first aid officer administering first aid.
 - (d) BEHAVIOUR THAT CAUSES SIGNIFICANT EMOTIONAL OR PSYCHOLOGICAL HARM TO A CHILD
 - (i) Examples of behaviours that may cause emotional or psychological harm include:
 - (A) exposure to violence or threats of violence, including family violence
 - (B) persistent hostility/rejection
 - (C) humiliation/belittling

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- (D) scapegoating.
- (ii) Please note the following does not constitute behaviour that causes significant emotional or psychological harm to a child:
 - (A) a person takes reasonable steps to protect a child from immediate harm
 - (B) a person with responsibility for discipline takes lawful and reasonable disciplinary action, such as sending a child to sit in 'time out' for a period of time, in line with organisational policy
 - (C) the conduct is related to providing medical treatment or care given in good faith, such as a first aid officer administering first aid.
- (e) SIGNIFICANT NEGLECT OF A CHILD
 - (i) The neglect:
 - (A) must be more than minor and insignificant
 - (B) does not need to have a lasting or permanent effect
 - (C) may be an ongoing situation or a one-off incident, as long as it is not minor in nature.
 - (ii) Examples of different types of neglect include:
 - (A) supervisory neglect, which is the absence or inattention of a person which places the child at risk of physical harm or injury, sexual abuse or allows other criminal behaviour towards the child
 - (B) physical neglect, which is the failure to provide basic physical necessities for a child, such as adequate food, clothing and housing
 - (C) medical neglect, which is the failure to provide for appropriate medical care for a child, including a failure to acknowledge the seriousness of an illness or condition, or deliberately withholding appropriate care.

Also see: <https://aifs.gov.au/cfca/publications/what-child-abuse-and-neglect>

The Queensland Government publishes the following information on child abuse: <https://www.cyjma.qld.gov.au/protecting-children>. This information is referenced here as it is published by the Department that administers the *Child Protection Act 1999*, including the requirement for relevant persons to notify reportable suspicions a child is in need of protection from physical or sexual abuse.

Adult student: a person enrolled as a student of a School who is 18 years or older.

All persons: All children and young people, **staff, volunteers** and **visitors** in the School or Service.

Appropriate Authority:

An Appropriate Authority in a School refers to members of the senior or executive leadership team who include, but are not limited to:

- The Principal.
- The Deputy Principal, Heads of 'Schools' (e.g. Junior, Middle, Senior), Assistant Heads, Deputy Heads, Deans and Directors.

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An Appropriate Authority in an ECS refers to the Director/Coordinator or Nominated Supervisor of the Service.

In some circumstances (e.g. complaints), Schools owned or controlled by ACSQ or ECS for which ACSQ is the Approved Provider, the Chair of a school council or ECS management committee or the Executive Director, Anglican Schools Commission may be considered as an Appropriate Authority. For other Anglican Schools or ECS, the Chair of the School's governing body or ECS management committee may be considered an Appropriate Authority.

Appropriate Person: the term 'Appropriate Person' will differ depending on the person who is reporting a concern. Please see the table below to ascertain who the 'Appropriate Person' would be in different circumstances.

<i>Person with concern</i>	<i>Appropriate persons to share information with</i>
<i>Children and young people</i>	<p>Children and young people are asked to raise any concerns (impacting either themselves or their peers) with <u>an adult they trust</u>, so that the adult can help.</p> <p>Student Protection Officers (in Schools) and Responsible Persons and Nominated Supervisors (in Services) are particularly available to help</p> <p>It is also recognised that friendship and support from peers is important to help children and young people feel safe and less isolated.</p>
<i>Visitors, including parents and carers</i>	<ul style="list-style-type: none"> • In Schools: A Student Protection Officer or person with Appropriate Authority • In Services: A person with Appropriate Authority
<i>Volunteers and staff</i> <i>(staff are also to refer to relevant sections below regarding statutory reporting obligations)</i>	<ul style="list-style-type: none"> • In Schools: A Student Protection Officer or the Principal • In Services: A Nominated Supervisor or the Approved Provider <p>Where required to guide the application of the Policy, volunteers and staff are also able to share information with staff from:</p> <ul style="list-style-type: none"> • The Anglican Schools Commission • The Office of the Director of Professional Standards (regarding sexual misconduct)

Approved Provider: Holds provider approval for the Education and Care Service under the *Education and Care Service National Law 2018*.

As soon as practicable: As soon as is able to be done (often immediately).

ASC: the Anglican Schools Commission.

Archbishop and Bishops: Refers to the Archbishop of Brisbane and the ACSQ Regional Bishops, as well as the Bishop of the North Queensland Diocese.

Child Abuse: Please see definition of *Abuse*.

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Child and Youth Risk Management Strategy: Sections 171 and 172 of the *Working with Children (Risk Management and Screening) Act 2000* requires our Schools and Services to have a Child and Youth Risk Management Strategy that implements employment practices and procedures to promote the wellbeing of a child affected by the regulated employment or regulated businesses undertaken as part of the School or Service and to protect the child from harm.

Child safe principles: [National Principles for Child Safe Organisations](#) as published by the Australian Human Rights Commission.

Child Safety: Refers to the Queensland Department of Children, Youth Justice and Multicultural Affairs.

Children and young people: Consistent with *the Child Protection Act 1999*, a child means anyone under the age of 18 years. In addition to this, in this context, the terms child and/or young person are used. This includes young people who are 18 years or older where they are enrolled in an Anglican School. Children and young people are also commonly referred to as students (defined below).

Note: for the purpose of the Policy and the Procedure, requirements related to students apply to any child or young person associated with the School or Service or where the concern is obtained through a person's engagement with a School or Service.

Child sexual offences: Are detailed within the *Criminal Code 1899*.

Concern: Information of whatever nature and from whatever source, that leads to a reasonable suspicion of circumstances that may have posed or continues to pose a risk to the physical or psychological safety of a child or young person. This includes, but may not be limited to:

- incidents or allegations of sexual, physical, or other abuse or inappropriate behaviour;
- matters that are recent or historical in nature.

Conflict of interest: A conflict of interest is a situation in which someone in a position of trust or responsibility has competing professional or personal interests. A conflict may exist even if no unethical or improper acts result. A conflict can create an appearance of impropriety that can undermine confidence in the person or the School or Service.

Director of a school's governing body: As defined in section 9 of the *Education (Accreditation of Non-State Schools) Act 2017*. See Appendix A of the Policy for more information.

Education and care professionals: An individual, other than a volunteer or an individual under the age of 18, who is:

- (a) any of the following under the *Education and Care Services Act 2013*:
 - i. an approved provider;
 - ii. a supervisor for a QEC approved service;
 - iii. an educator for a QEC approved service; or

- (b) any of the following under the *Education and Care Services National Law (Queensland)*:

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- i. an approved provider;
- ii. a nominated supervisor for an approved education and care service;
- iii. an educator for an approved education and care service;
- iv. a family day care co-ordinator for an approved family day care service;
- v. a family day care educator for an approved family day care service.

Grooming: As defined in the *Professional Standards Canon*, means the cultivation of a relationship in order to:

- (a) initiate or hide sexual assault or abuse;
- (b) facilitate the procurement of a child to engage in a sexual act; or
- (c) expose, without legitimate reason, a child to any indecent matter.

In the case of child sexual abuse, an offender may groom not only the child, but also the child's parents or guardians, colleagues or other persons.

Harm: As defined in section 9 of the *Child Protection Act 1999* and the *Education (Queensland College of Teachers) Act 2005*: Harm, to a child, is any detrimental effect of a significant nature on the child'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.

In need of protection: As defined in 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.

Inappropriate behaviour:

- (a) is **sexual** in nature, including **grooming**, or
- (b) regardless of the nature of the behaviour, where it is reasonable to suspect this behaviour has placed a child or young person at risk of harm, caused harm, or there is a **likelihood of future harm**. For example, this includes behaviour defined as **abuse**.

Information: As defined in Professional Standards Canon, information of whatever nature and from whatever source relating to:

- (a) alleged conduct of a Church Worker wherever or whenever occurring involving sexual harassment or assault, or sexually inappropriate behaviour, grooming or the possession, making or distribution of child exploitation material;
- (b) alleged inappropriate or unreasonable conduct or omission of a Church Worker who had knowledge of (a); or
- (c) an alleged process failure.

Licensed persons: A person ordained to the order of bishop, priest or deacon within the Anglican Church of Australia. These are known as Holy Orders.

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Likelihood of future harm: Relates to harm where it is reasonable to believe it will present later in a person's development. This includes harm that is likely to occur should the alleged inappropriate behaviour of concern continue.

Mandatory Reporter: Pursuant to s 13E of the *Child Protection Act 1999* a mandatory reporter is any of the following:

- (a) a doctor;
- (b) a registered nurse;
- (c) a teacher;
- (d) a police officer who, under a direction given by the commissioner of the police service under the *Police Service Administration Act 1990*, is responsible for reporting under this section;
- (e) a person engaged to perform a child advocate function under the *Public Guardian Act 2014*;
- (f) an early childhood education and care professional.

Nominated Supervisor: Means an individual who is nominated by the Approved Provider of the Service under the *Education and Care Service National Law 2017* to be a Nominated Supervisor of that Service; and who has provided written consent to that nomination.

Parent: Consistent with the *Child Protection Act 1999* and *Working with Children (Risk Management and Screening) Act 2000*, a parent is the child's mother, father or someone else having or exercising parental responsibility for the child, other than on a temporary basis.

Peers: a child or young person of similar age. For example, for a year 10 student, other high school students are their peers.

Principal: Consistent with the *Education (General Provisions) Act 2006*, the person responsible for the school's day-to-day management. Also known as a Head of the School, Headmaster/mistress or other similar title.

Procedures: Means the *Protecting Children and Young People in Anglican Education Guidelines and Procedures*

Policy: Means the *Protecting Children and Young People in Anglican Education Policy*

Reasonable belief: Means believes on grounds that are reasonable in the circumstances.

Reasonable suspicion: Means suspects on grounds that are reasonable in the circumstances.

Registered nurse: Consistent with the *Child Protection Act 1999* means a person registered under the *Health Practitioner Regulation National Law*:

- (a) to practise in the nursing profession, other than as a student; and
- (b) in the registered nurse's division of that profession.

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Responsible Person: Consistent with the definition within section 162 of the Education and Care Service National Law, a Responsible Person includes:

- (a) the approved provider, if the approved provider is an individual or, in any other case, a person with management or control of an education and care service operated by the approved provider;
- (b) a nominated supervisor of the service;
- (c) a person in day-to-day charge of the service.

Safety: the condition of being protected from harm.

Sexual abuse: Sexual abuse is defined in section 364 of the *Education (General Provisions) Act 2006* as including sexual behaviour involving the student and another person, where:

- (a) The other person bribes, coerces, exploits, threatens or is violent toward the student; or
- (b) The student has less power than the other person; or
- (c) There is a significant disparity between the student and the other person in intellectual capacity or maturity.

Serious Incident: A Serious Incident includes:

- the death of a child at the ECS, or following an incident at the ECS
- any incident involving serious injury or trauma to a child where it could be reasonably expected the children required urgent medical attention from a registered medical practitioner, or attend a hospital (e.g. broken limb)
- any incident involving serious illness, where a child ought reasonably to have attended a hospital (e.g. anaphylaxis)
- any emergency for which emergency services attended
- any circumstance where a child appears to be missing or cannot be accounted for
- any circumstance where a child appears to have been taken or removed from the premises in a manner that contravenes Regulations, or
- any circumstance where a child is mistakenly locked in or locked out of the premises or any part of the premises.

Staff: A staff member is a person who is employed by the School or Service.

Student: Consistent with the *Education (General Provisions) Act 2006*, includes a student under 18 years attending the School; a kindergarten age child registered in a kindergarten learning program at the School; or a person with a disability who is being provided with special education at the School.

Student Protection Officers: A person appointed by the Principal under section 10.6 of the Policy. See section 17 of these Procedures for further information.

Teachers: An approved teacher under the *Education (Queensland College of Teachers) Act 2005* employed at a school.

Visitors: Any person visiting the School or Service.

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Volunteers: Consistent with the *Working with Children (Risk Assessment and Screening) Act 2000*, a person undertaking work for a School or Service without receiving financial reward. 'Undertaking work' is understood to mean holding a position or performing a function with the actual or apparent authority of the School or Service.

Working with Children in Anglican Education Policy: As published by the Anglican Schools Commission

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APPENDIX 2: LAW AND CANON

The following is a description of notable law or canon and where it is applied within the *Protecting Children and Young People in Anglican Education Policy*.

<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
<i>Child Protection Act 1999 and Regulation 2011</i>	<ul style="list-style-type: none"> S13E: Mandatory reporters (teachers, all adult ECS staff, registered nurses) must report a 'reportable suspicion' to Child Safety. A reportable suspicion is a reasonable suspicion a child is in need of protection from sexual or physical abuse. <p>The following information is prescribed in the Regulation for inclusion in the relevant person's report:</p> <ol style="list-style-type: none"> the child's name and sex; the child's age; details of how to contact the child; details of the harm to which the reportable suspicion relates; 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; particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates. <ul style="list-style-type: none"> S13A: Any person may inform the chief executive if the person reasonably suspects: <ol style="list-style-type: none"> a child may be in need of protection; or an unborn child may be in need of protection after he or she is born. 	<p>10.3</p> <p>10.4 (d) and 10.5.3 (d)</p>	<p>Mandatory reporters to Child Safety (e.g. ECS adult staff, teachers, nurses, doctors)</p> <p>Student Protection Officers, Nominated Supervisors and Principals</p>
<i>Civil Liability Act 2003 and Regulation 2014</i>	<ul style="list-style-type: none"> S33D Duty to prevent child abuse: An institution has a duty to take all reasonable steps to prevent the abuse of a child by a person associated with the institution while the child is under the care, supervision, control or authority of the institution. <p>S33E Proof of whether duty was breached:</p>	<p>Assisted by implementation of this Policy</p>	<p>Governing body</p>

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<ol style="list-style-type: none"> 1) This section applies if a person associated with an institution abuses a child while the child is under the care, supervision, control or authority of the institution. 2) The institution is taken to have breached its duty under section 33D unless the institution proves it took all reasonable steps to prevent the abuse. 3) In deciding whether the institution took all reasonable steps to prevent the abuse, the matters that are relevant include: <ol style="list-style-type: none"> (a) the nature of the institution; and (b) the resources that were reasonably available to the institution; and (c) the relationship between the institution and the child; and (d) the position in which the institution placed the person in relation to the child, including the extent to which the position gave the person: <ol style="list-style-type: none"> i. authority, power or control over the child; or ii. an ability to achieve intimacy with the child or gain the child's trust. 		
<i>Criminal Code 1899 (Schedule 1)</i>	<ul style="list-style-type: none"> • 229BB makes it an offence for certain persons associated with institutions, including Anglican Schools and Services, to fail to protect a child from child sexual offences in relation to the child. <p>An adult associated with the School or Service (other than a regulated volunteer), commits an offence if:</p> <ol style="list-style-type: none"> (a) the person knows there is a significant risk that another adult (the alleged offender) will commit a child sexual offence in relation to a child; and (b) the alleged offender: <ol style="list-style-type: none"> i. is associated with an institution; or ii. is a regulated volunteer; and (c) the child is under the care, supervision or control of an institution; and (d) the child is either: <ol style="list-style-type: none"> i. under 16 years; or ii. a person with an impairment of the mind; and 	10.1(e) to (i) 10.2 (d) to (e) 10.5.1 (b) 10.5.3 (b) to (c), (e) and (h)	

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<p>(e) the person has the power or responsibility to reduce or remove the risk; and (f) the person wilfully or negligently fails to reduce or remove the risk.</p> <ul style="list-style-type: none"> • 299BC makes it an offence for any adult in Queensland to fail to report to police information about a child sexual offence. <p>An adult commits the offence if:</p> <p>(a) the 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 against a child by another adult; and</p> <p>(b) at the relevant time, the child is or was:</p> <ol style="list-style-type: none"> i. under 16 years; or ii. a person with an impairment of the mind. <p>Reasonable excuses for not reporting information to a police officer include, but may not be limited to:</p> <p>(a) the adult believes on reasonable grounds that the information has already been disclosed to a police officer; or</p> <p>(b) the adult has already reported the information under any of the following provisions, or believes on reasonable grounds that another person has done or will do so:</p> <ol style="list-style-type: none"> i. the <i>Child Protection Act 1999</i>, chapter 2, part 1AA; ii. the <i>Education (General Provisions) Act 2006</i>, chapter 12, part 10; iii. the <i>Youth Justice Act 1992</i>, part 8 or 9; or <p>(c) the adult gains the information after the child becomes an adult (the alleged victim), and the adult reasonably believes the alleged victim does not want the information to be disclosed to a police officer; or</p> <p>(d) both of the following apply:</p> <ol style="list-style-type: none"> i. the adult reasonably believes disclosing the information to a police officer would endanger the safety of the adult or another person, other than the alleged 	<p>10.1 (c) to (i) 10.2 (e) 10.5.3 (a) to (c)</p>	<p>All adults</p>

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<p>offender, regardless of whether the belief arises because of the fact of the disclosure or the information disclosed;</p> <p>ii. failure to disclose the information to a police officer is a reasonable response in the circumstances.</p>		
<i>Education (Accreditation of Non-State Schools) Act 2017</i>	<ul style="list-style-type: none"> • s 176: A person who is, or was, involved in the administration of this Act including, for example, as a public service employee, must not disclose information if the information is about a child and identifies, or is likely to identify, the child. • There are a limited number of circumstances in which such information can be disclosed, including where: <ul style="list-style-type: none"> ○ disclosure is in the performance of functions under the Act; ○ a parent or guardian of the child to whom the information relates has given their written consent; ○ the information is otherwise publicly available; ○ disclosure is authorised or permitted under an Act or required by law; or • the information is disclosed to a law enforcement agency where the person disclosing the information is reasonably satisfied that disclosure is necessary for the prevention, detection investigation or punishment of a criminal offence or a breach of a law. 	11 12.1	Governing body All staff
<i>Education (Accreditation of Non-State Schools) Regulations 2017</i>	<ul style="list-style-type: none"> • S16 (1) A school must have written processes about how the school will respond to harm, or allegations of harm, to students under 18 years; and the appropriate conduct of the school's staff and students. • S16 (2) these written processes must include a process for: <ol style="list-style-type: none"> (a) reporting by a student to a stated staff member of the conduct of another staff member that the student considers inappropriate (b) how the information reported to the staff member must be dealt with by that staff member (c) reporting sexual abuse and likely sexual abuse as per the <i>Education (General Provisions) Act 2006</i> sections 366 and 366A, and (d) reporting a reportable suspicion under the <i>Child Protection Act 1999</i>, section 13E 	The policy and these Procedures 10.1.(c) to (e) 10.2, 10.3, 10.4, 10.5.3	Governing body

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<ul style="list-style-type: none"> • S16 (3) for the processes detailed in 16 (2) a, there must be at least 2 stated staff members. • S16 (4) requires governing bodies to ensure: <ul style="list-style-type: none"> (a) the school's staff and students, and students' parents and guardians, are made aware of the processes (b) the processes are readily accessible by staff, students, parents and guardians (c) staff are trained annually in implementing the processes (d) the school is implementing the processes • S16 (5) The school must have a written complaints procedure to address allegations of non-compliance with the processes (S 16(1)) • S16 (6) The complaints procedure may form part of any other written procedure for dealing with complaints. 	<p>10.6 (a)</p> <p>7, 10.1(j), 10.5.1, 10.5.2, 10.8, 10.9 (h) to (i)</p> <p>5, 10.2 (d) alongside the Complaints Management in Anglican Schools Policy and Procedures</p>	<p>Principals</p> <p>Principals, School Councils and governing bodies</p> <p>Governing body</p>
<i>Education and Care Services National Law and Regulations</i>	<ul style="list-style-type: none"> • S84 of the Regulation requires that the Approved Provider of an education and care service must ensure that nominated supervisors and staff members at the service who work with children are advised of: <ul style="list-style-type: none"> (a) the existence and application of the current child protection law; and (b) any obligations that they may have under that law. • S167 of the Law requires the Approved Provider and Nominated Supervisor/s of an education and care service to ensure that every reasonable precaution is taken to protect the children being educated and cared for by the service, from harm and from any hazard likely to cause injury. Similarly, sections 167, 170, 171 and 172 of the Regulation requires: <ul style="list-style-type: none"> ○ the Service to have policies and procedures in relation to providing a child safe environment, ○ for policies and procedures to be followed and 	<p>Assisted by implementation of the Policy (notably 10.5.1)</p> <p>Assisted by implementation of the Policy</p>	<p>Approved Provider and Nominated Supervisor/s</p>

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<ul style="list-style-type: none"> ○ for policies and procedures to be kept available, with changes to policies or procedures notified to parents of children enrolled at the service. ● S176 (2) (C) of the Regulation requires Approved Providers to notify the Regulatory Authority (Qld Department of Education), within 7 days, of: <ul style="list-style-type: none"> ○ Any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child attending the service. ○ Any incident where the Approved Provider reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring, while the child is being educated and cared for by the ECS. ○ Allegations that physical or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the ECS. ● S12 of the Law and S176 (2) (a) and (b) of the Regulations require the Approved Provider, within 24 hours of becoming aware of the incident or allegation, to notify the Regulatory Authority (Qld Department of Education) of any serious incidents that occur or are alleged to have occurred (complaints). A Serious Incident includes: <ul style="list-style-type: none"> ○ the death of a child at the ECS, or following an incident at the ECS ○ any incident involving serious injury or trauma to a child where it could be reasonably expected the child required urgent medical attention from a registered medical practitioner, or attend a hospital (e.g. broken limb) ○ any incident involving serious illness, where a child ought reasonably to have attended a hospital (e.g. anaphylaxis) ○ any emergency for which emergency services attended ○ any circumstance where a child appears to be missing or cannot be accounted for ○ any circumstance where a child appears to have been taken or removed from the premises in a manner that contravenes Regulations, or ○ any circumstance where a child is mistakenly locked in or locked out of the premises or any part of the premises 	<p>10.1 (c) to (i) 10.7 (b) to (c) 10.9 (d) and Appendix C</p>	<p>All persons, Nominated Supervisor/s and the Approved Provider</p>

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<ul style="list-style-type: none"> Note, other notification requirements may apply, for example, breaches or alleged breaches (complaints) of the Education and Care Service National Law such as incidents involving inappropriate supervision or discipline require notification within 24 hours. 		
<i>Education (General Provisions) Act 2006 and Regulation 2017</i>	<ul style="list-style-type: none"> S366 and 366A: all staff must immediately provide a written report to the Principal or a Director of a school's governing body if they reasonably suspect a student has been, is being or is likely to be sexually abused by another person; and the Principal or Director must immediately provide this report to the Police. Also under this section, if the Principal is the 'first person' with the reasonable suspicion, as well as reporting to the Police, they must provide a copy of the report to a Director. S 364: For the purposes of these sections, sexual abuse includes sexual behaviour where: <ul style="list-style-type: none"> another person bribes, coerces, exploits, threatens or is violent toward the student; the student has less power than the other person; there is a significant disparity between the student and the other person in intellectual capacity or maturity. Written reports must include (S68 and 69 of Regulation): <ol style="list-style-type: none"> the name of the person giving the report (the first person); the student's name and sex; details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been, or is likely to be sexually abused, by another person; details of the abuse or suspected abuse; any of the following information of which the first person is aware: <ol style="list-style-type: none"> the student's age; the identity of the person who has sexually abused, or is suspected to have sexually abused, the student; the identity of anyone else who may have information about the abuse or suspected abuse. 	10.2 (e), 10.5.3 (b), 10.9 (c)	All staff, the Principal, any Director (or delegate)

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	<ul style="list-style-type: none"> S366B details that the Directors' functions of receiving a report and giving a copy of the report to a police officer under section 366 or 366A, by unanimous resolution, can be delegated to an appropriately qualified individual. This individual cannot be the Principal or any other staff member of the School. 	10.9 (c) and Appendix C	Governing body and delegate
<i>Education Services for Overseas Students Act 2000 (Cth)</i>	<p>Requires Schools (Registered Providers) to comply with the National Code of Practice for Providers of Education and Training to Overseas Students: Standard 5, specifically the welfare requirements for younger overseas students (under the age of 18 years). Relevant to this Policy, this includes that all registered providers who enrol overseas students under the age of 18 must meet certain obligations. They must:</p> <p>(a) meet Commonwealth, state or territory legal requirements relating to child welfare and protection; and</p> <p>(b) give younger overseas students important age and culturally appropriate safety information, including what to do and who to contact in an emergency, and how to report any incident or allegation of sexual, physical or other abuse.</p>	<p>Assisted by implementation of the Policy</p> <p>10.5.1 (e)</p>	Principal
<i>Education (Queensland College of Teachers) Act 2005 and Regulation 2016</i>	<p>Schools (employing authorities) are obliged to inform the Queensland College of Teachers (QCT) about particular allegations:</p> <ul style="list-style-type: none"> S76: Schools (employing authorities) are required to notify QCT as soon as possible, after starting to deal with an allegation of harm or likely harm to a child due to the teacher's conduct. S77: Schools (employing authorities) are required to notify QCT of the outcome (after dealing with an allegation). S78: Schools (employing authorities) are required to notify QCT within 14 days if the school has dismissed a teacher in circumstances that call the teacher's competence to be employed as a teacher into question (regardless of reporting under 76 or 77). 	10.5.3 (g)	Principal

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
	Under this legislation, QCT also have powers regarding information sharing and any complaints or investigations relevant to a teacher's competence and schools have responsibilities associated with assisting their management of such.		
Professional Standards Canon and the ACSQ Protocol for Responding to Child Sexual Abuse and Sexual Misconduct	<p>Staff and volunteers in Schools or Services owned or controlled by the ACSQ meet the definition of Church Worker and as such are required to inform a Responsible Person or the Office of Professional Standards, of any information regarding child sexual abuse.</p> <p>The Responsible Person is then required to report the matter to the Office of Professional Standards.</p>	10.1 (c) to (i), 10.2 (e), 10.5.3 (e) 10.9 (e) to (f) and appendix C	All staff and volunteers in Schools or Services governed or controlled by the ACSQ, and the Principal or Nominated Supervisor (as a Responsible Person).
Safe Ministry to Children Canon	Staff and volunteers in Schools or Services owned or controlled by the ACSQ meet the definition of Church Worker and as such are required to comply with the Our Commitment: Creating an environment for children and young people to thrive – Code of Conduct for Anglican Schools and Education & Care Services.	8.1 (b), 10.5.1 (a)	All staff and volunteers in Schools or Services governed or controlled by the ACSQ
<i>Work, Health and Safety Act and Regulation 2011</i>	<p>1. Schools and ECSs are responsible for ensuring, so far as reasonably practicable, that the health and safety of children and young people is not put at risk by their attendance or enrolment at the school/ECS, or from attending an activity directly associated with their enrolment or attendance at the school/ECS.</p> <p>2. Schools and ECSs are responsible for providing information, training, instruction, and supervision necessary to protect children and young people from risks to their health and safety resulting from their attendance or enrolment at the school/ECS, or from attending an activity directly associated with their enrolment or attendance at the school/ECS.</p>	<p>Assisted by implementation of the Policy</p> <p>10</p>	<p>Governing body</p> <p>Principal and Nominated Supervisor/s</p>

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<i>Law or Canon</i>	<i>Summary</i>	<i>Most relevant sections of the Policy</i>	<i>Person's responsible</i>
<p><i>Working with Children (Risk Management and Screening) Act 2000 and Regulation 2020</i></p>	<ul style="list-style-type: none"> • Requires all regulated businesses, as part of their risk management strategy to have policies and procedures for handling disclosures or suspicions of harm to children, including reporting guidelines. Note this strategy is required to be reviewed on an annual basis (refer to Working with Children in Anglican Education Policy). • Relatedly, regulated businesses are also required to provide communication and support for implementing the risk management strategy, including: <ul style="list-style-type: none"> ○ written information about the risk management strategy for, and where the strategy may be accessed by: <ul style="list-style-type: none"> ▪ persons employed or otherwise engaged by the responsible person for the risk management strategy ▪ children, or parents of children, who receive a service or take part in an activity associated with the regulated employment or regulated business to which the risk management strategy relates ○ training materials for persons employed or otherwise engaged by the responsible person for the risk management strategy: <ul style="list-style-type: none"> ▪ to help identify risks of harm to children ▪ to help handle disclosures or suspicions of harm to children ▪ about matters included in the risk management strategy. 	<p>The Policy</p>	<p>Principals, Approved Providers and governing bodies</p>