

Child Protection Risk Management Strategy for Carinity Education Services – Procedure

Responsibility:	The Baptist Union of Queensland trading as Carinity Education Southside and Carinity Education Glendyne (hereafter 'Carinity')		
Points of Contact:	Chief Executive Officer Executive Manager – Education Services		
Implementation:	12/03/2012	Review: Biennial	Revised 27/11/13; 22/04/2014
Application:	This strategy applies to all staff, including volunteers, and other operators associated with Carinity Education Services		
Distribution:	Executive Management, Line Management, Human Resources		
CEO Approval:	<i>Approved by CEO</i>		

1 PURPOSE

The purpose of this strategy is to provide written processes to ensure Carinity schools comply with legislation applying in Queensland about the care and protection of children. In particular, the strategy sets out risk management activities undertaken for the purpose of reducing the risk of harm to children.

2 SCOPE

This procedure applies to Carinity Education Southside and Carinity Education Glendyne.

Carinity recognises that sexual acts by an adult employee, contractor or volunteer with a student will always be considered an act of sexual abuse.

This strategy should be read in conjunction with the Carinity Child Protection Policy, Code of Conduct, Employee Guidelines and Volunteer Guidelines.

3 DEFINITIONS

Child means 'an individual under 18 years of age' Child Protection Act 1999.

Harm:-

- is any detrimental effect of a significant nature on a student's physical psychological or emotional well being, however caused;
- can be caused by
 - physical, psychological or emotional abuse or neglect or sexual abuse or exploitation.

Inappropriate behaviour includes but is not limited to any behaviour, including words, towards a child that is contrary to what is required of staff members under Carinity Code of Conduct.

Parent means custodial parent or lawful guardian of the child.

Reasonable suspicion means a suspicion that would be formed by a reasonable person based on evidence (specific facts or circumstances) available to them.

Respondent is a staff member, volunteer, other member of the school community or student who is the subject of an allegation or reasonable suspicion of causing harm to a student.

Sexual abuse in relation to a child, includes sexual behaviour involving the child and another person in the following circumstances –

1. the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
2. the relevant person has less power than the other person;
3. there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

Staff Member means a Carinity employee or volunteer.

Student means

A student attending a Carinity school;

A pre-preparatory aged child registered in a pre-preparatory learning program at a Carinity school: and

A person with a disability who -

- (i) under section 420(2), is being provided with special education at a Carinity school: and
- (ii) is not enrolled in the preparatory year at the school.

4 PROCEDURE

Outline of this Procedure

Part A: Principles and Practices explain general child safety principles and practices undertaken by Carinity.

Part B: Reporting Harm explains staff responsibility relating to reporting harm.

Part C: Dealing with suspicions of harm, sexual abuse and inappropriate behaviour from within the school and dealing with suspicions of harm and sexual abuse from outside the school explains procedures for dealing with reporting for harm, sexual abuse and inappropriate behaviour.

Part D: Harm Not Covered by Specific Legislation explains procedures for dealing with bullying, discrimination, sexual harassment and self harm by students.

Part A – Principles and Practices

Carinity will uphold the following principles:

- *Child Protection:* Children have the right to live in safe and supportive families and communities and to receive the services they need to enable them to succeed in life.
- *Confidentiality:* If Carinity staff members are involved in any of the processes under this policy and procedure, they must ensure they maintain absolute confidentiality of the process.
- *Compliance:* All staff members will comply with relevant legislative requirements affecting child protection.
- *Timeliness:* Processes under this procedure will be undertaken as quickly as possible in the circumstances.
- *Natural Justice:* The Principles of Natural Justice will apply to decisions made under this procedure.

Accessibility and Awareness

The Principal will ensure that the Child Protection Policy and Child Protection Risk Management Strategy for Carinity Education is made available:

- to staff members generally via the Carinity Intranet;
- to each new staff member, on induction;
- to staff, families and students by its display on the school website;
- to agreed contractors; and
- on request, to staff, families and students from the school reception.

In addition, the Principal will ensure that all staff acknowledges that they have received training in the Child Protection Policy and Child Protection Risk Management Strategy (*Agreement to Comply with Child Protection Risk Management Strategy*).

In addition, Carinity's policy, strategy and attitude towards child protection is conveyed via the newsletter on a regular basis, including details about how to report harm or suspected harm. Students are also informed at assembly and in regular classroom meetings about how to protect themselves and who to report to if they are concerned about their safety.

Blue Cards

All staff members, including Board members, and other people in contact with students of the school, must have current prescribed notices (blue cards) where required by legislation.

Each school maintains a register of:

- all teacher registration numbers; and
- all blue card numbers of non-registered teacher staff members and the dates for renewal.

Head Office maintains a register of:

- all blue card numbers of board members and the dates for renewal.

Choosing Staff

Carinity recognises that risk management for child protection begins with the recruiting, screening and selection of the right people to work in schools, and continues by having consistent procedures in place for all staff and contractors to follow, with adequate management and supervision to ensure they comply with these procedures.

Carinity, therefore, has written policies on the recruitment and selection and management of staff members and contractors.

Refer to Carinity Recruitment and Selection Policy, Recruitment and Selection Procedure, Volunteer Management Policy and Volunteer Management Procedure.

Confidentiality

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. Carinity is unable to promise absolute confidentiality since applicable legislation and its policies will require disclosing, internally and externally, certain details involved in responding to disclosures.

Conduct of staff members and students

All staff and contractors must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff and contractors must not cause harm to students (see **Protocols**).

Criminal Law

Where there are allegations of criminal misconduct, the allegations should be referred to the police.

Defamation

A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability.

Disciplinary action

Carinity staff members who fail to comply with the *Child Protection – POLICY and Child Protection Risk Management Strategy for Carinity Education Services – PROCEDURE* may face disciplinary action and termination of their employment.

Inappropriate Behaviour

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

- a teacher who is part of the teaching team within the student's classroom; or
- a senior teacher.

A staff member who receives a report of inappropriate behaviour must report it to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must inform the Executive Manager Education Services or Chief Executive Officer.

(Allegation of Inappropriate Behaviour by an Employee Form)

Induction

Carinity has a written induction process which applies to all staff members during the first twelve months of appointment, and includes procedures for making staff members aware of the legislation on Child Protection and the Carinity Code of Conduct.

The Induction process includes, but is not limited to:

- professional development about identifying and reporting harm or suspected harm
- making staff aware of the protocols for the protection of children (see **Protocols**)
- working through policies and procedures related to child protection

Insurer

The school will keep its insurer informed about circumstances which may give rise to a claim under Carinity's insurance policies.

Police Action

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing internal enquiries or disciplinary proceedings. This does not preclude the Principal from seeking advice from police regarding the duty of care to existing students which may involve the standing down of a staff member during an investigation. The police are not required to inform the school about their investigation.

Some of the Police material may be acquired under a Freedom of Information request when their work on the case is finished.

Protocols

It should be noted that it is a policy of Carinity that:

- staff members are not alone with individual students in areas where they cannot be seen by other staff members or students;
- all interviews with a child in relation to behaviour management issues are carried out in the presence of at least two members of staff;
- staff members do not use their private vehicles to transport students without the permission of the Principal;
- staff members do not provide students with personal contact details (e.g. home/ mobile phone numbers and personal email addresses); and
- staff members do not have current students as friends on social networking sites such as Facebook.

Professional Development

All staff members are required, on an annual basis, to sign a register that they have read and understood Carinity's Child Protection Policy and this strategy. In addition, Carinity provides professional development in relation to child protection on a regular basis and a record is kept of such activities.

At least one staff meeting per term includes discussion of a child protection case study.

Review of this Policy

Carinity will ensure this policy is reviewed at least once every 2 years or sooner as changes in legislation deem it necessary.

End of Term Child Protection Policy and Child Protection Risk Management Meeting

Chairperson will be the School Principal or his/her delegate.

Members will include staff working at the school.

Operating Procedures

- meetings will be held quarterly at the end of each term
- the Chairperson shall prepare Agendas and issue Notice of Meetings
- the Chairperson or nominated person will take notes of proceedings and prepare Minutes of meeting. Minutes will be made available to participants and included in the Principal's monthly report to the Executive Manager Education Services.

Main function

- discuss key issues relating to child protection
- one staff member will present a child protection case study
- to recommend any procedural or administrative changes relating to child protection at the school.

Support

The school will offer support for both the student who has been or is suspected of having been harmed and the respondent through professional external counselling services, even if allegations have not yet been proven or disproven.

Teachers

If the *respondent* is a registered teacher, the school will give notification of the matter to the Queensland College of Teachers, if required to do so under applicable legislation.

Volunteers

Volunteers within the school environment who are parents of students who are enrolled at a Carinity school do not require a current positive suitability notice 'Blue Card' issued by the Commissioner for Children and Young People and Guardian where they are engaged in volunteer activities not involving overseeing, guiding and/or leading students (e.g. a parent making materials), and/or they are in the constant presence of a staff member (e.g. a parent facilitating a reading group within a teacher directed classroom).

Volunteers attending 'Going Out' activities where they will be escorting children outside of the school environment without the presence of a staff member, must have a current positive suitability notice 'Blue Card' issued by the Commissioner for Children and Young People and Guardian.

Part B: Reporting Harm

If a staff member is aware or reasonably suspects harm has been caused to a student who, when the harm was caused or is suspected to have been caused, was under 18 years and the harm has not been reported under any other sections of this policy, the staff member must report the harm to the school's Principal.

If the Principal is aware or reasonably suspects the harm has been caused, the Principal must report the harm or suspected harm to an authorised officer (e.g. child safety officer) in the Department of Communities, Child Safety and Disability Services (or other department administering the Child Protection Act 1999) or to a police officer.

Persons delegated the directors function under s.366B of the *Education (General Provisions) Act 2006* are the Chief Executive Officer and Executive Manager Education Services.

Reports relating to this strategy should be documented on the *Report of Suspected Harm or Risk of Harm Education Services Form*.

Reporting of sexual abuse under education (General Provisions Act) Act 2006

Section 366 of the Education (General Provisions) Act 2006 states that if a staff member becomes aware, or reasonably suspects in the course of their employment at the school, that any of the following has been sexually abused by another person:-

- (a) a student under 18 years attending the school;
- (b) a pre-preparatory aged child registered in a pre-preparatory learning program at the school;
- (c) a person with a disability who:-
 - (i) under s.420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - (ii) is not enrolled in the preparatory year at the school;

then the staff member must give a written report about the abuse or suspected abuse to the Principal or the Executive Manager Education Services or the Chief Executive immediately.

If the staff member who becomes aware or reasonably suspects sexual abuse is the school's Principal, the Principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to the Executive Manager Education Services or the Chief Executive immediately.

A report under this section must include the particulars required by s.68 of the *Education (General Provisions) Regulation 2006* which are currently:-

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

Reporting Likely Sexual Abuse under Education (General Provisions) Act 2006

Section 366A of the Education (General Provisions) Act 2006 states that if a staff member becomes aware, or reasonably suspects in the course of their employment at the school, that any of the following is likely to be sexually abused by another person:

- (a) a student under 18 years attending the school;
- (b) a pre-preparatory aged child registered in a pre-preparatory learning program at the school;
- (c) a person with a disability who:-
 - (i) under s.420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and

(ii) is not enrolled in the preparatory year at the school;

then the staff member must give a written report about the suspicion to the Principal or Executive Manager Education Services or the Chief Executive immediately.

If the staff member who becomes aware or reasonably suspects likely sexual abuse is the school's Principal, the Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Executive Manager Education Services or the Chief Executive immediately.

A report under this section must include the particulars required by s.68 of the *Education (General Provisions) Regulation 2006* which are currently:-

- (a) the name of the person giving the report (the **first person**);
- (b) the student's name and sex;
- (c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- (d) any of the following information of which the first person is aware:-
 - (i) the student's age;
 - (ii) the identity of the person who is suspected to be likely to abuse the student;
 - (iii) the identity of anyone else who may have information about the suspected likelihood of abuse.

Part C:

Dealing with suspicions of harm, sexual abuse and inappropriate behaviour from within the school and dealing with suspicions of harm and sexual abuse from outside the school

Dealing with Incidents

Each school keeps a register in the Principal's office of all incidents related to sexual abuse, harm or inappropriate behaviour (*refer to Child Protection Register located at each school*).

Where legislation requires, incidents of harm or suspected harm are reported to the relevant state authorities immediately, and the incident is noted in the register.

Where an incident of inappropriate behaviour is reported, full details, including the steps taken to resolve the incident, are entered in the register.

Staff, parents and students can access Carinity's Complaints Management Policy and Complaints Management Procedure in cases where an issue is not resolved to their satisfaction.

Suspicion of harm

A person has 'reasonable grounds' to suspect harm if:

- A child or young person tells them they have been harmed
- Someone else, for example another child, a parent, or staff member, tells them that harm has occurred or is likely to occur
- A child or young person tells them they know of someone who has been harmed (it is possible they may be referring to themselves)
- They are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries, or
- They see the harm happening.

Disclosures of harm

Disclosures of harm may sound like:

- "I think I saw ..."
- "Somebody told me that ..."
- "Just think you should know ..."
- "I'm not sure what I want you to do, but ..."

Any disclosure of harm is important and must be acted upon, regardless of whether:

- The harm to a child or young person has been caused by a person from within or outside your organisation, or
 - The child or young person disclosing the harm to you is from within or outside your organisation.
- It is crucial to have procedures in place so any disclosure from an adult, child or young person is dealt with efficiently and effectively.

What to do when a disclosure is made

- Don't panic
- Find a private place to talk
- Listen
- Believe the person, and
- Don't ask leading questions.

It is NOT the role of the person receiving a disclosure or a report to investigate allegations of harm.

He/she should only ask enough questions to confirm the need to report the matter to the Queensland Police Service or the Department of Communities, Child Safety and Disability Services. The safety of the child or young person is paramount. Unnecessary questions or interviews could cause distress, confusion and interfere with any subsequent investigation authorities undertake.

Carinity will not:

- Conduct its own investigation to substantiate claims
- Hold its own internal hearing or
- Attempt to mediate a settlement of the matter instead of notifying relevant authorities.

Investigations conducted by Carinity could lead to:

- The destruction of evidence by an accused person
- Intimidation of the person disclosing the information, or
- Intimidation of the child or young person being harmed (if the disclosure was made by somebody else).

Remember, when a person makes a report to the Department of Communities, Child Safety and Disability Services or the Queensland Police Service, his/her details are kept confidential and the person's identity is strictly protected. For more information, about what happens when a report is made go to: www.childsafety.qld.gov.au/child-protection/report-process.html.

Reporting of Harm

PROCEDURES FOR REPORTING HARM		
SCOPE:	applies to: <ul style="list-style-type: none"> • harm of any student of this school who was under 18 years at the time the harm was caused; and behaviour of a staff member that a student considers is inappropriate.	
DEFINITION:	"harm":- <ul style="list-style-type: none"> • is any detrimental effect of a significant nature on a student's physical psychological or emotional well being, however caused • can be caused by <ul style="list-style-type: none"> - physical, psychological or emotional abuse or neglect; or sexual abuse or exploitation. 	
Subject	If	Then
Reporting Harm (Accreditation Regulation s.10)	You as a student are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 at the time	Report it to any staff member

Subject	If	Then
	You are a staff member and you are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 at the time	Report it to the Principal or to the Deputy or Assistant Principal Keep a written record of your actions
	You are:- the Principal or the Deputy Principal and you receive a report of harm or suspected harm to a student of the school; and you are aware of the harm having been caused or you reasonably suspect the harm to have been caused	Report it to the police or the Department of Communities, Child Safety and Disability Services Keep a written record of your actions
Reporting Inappropriate Behaviour (Accreditation Regulation s.10)	You are a student and you wish to report behaviour by a staff member that you consider inappropriate. You, the Principal receive the report under the preceding step	Report the behaviour to the Principal or Dean of Students Interview the student Interview the staff member named in the report Interview any other person who may be able to provide useful information As Principal take action on the basis of the report
Reporting Sexual Abuse Education (General Provisions) Act s.366 and S366B)	you are:- <ul style="list-style-type: none"> • a staff member; and • aware or you reasonably suspect that a student of the school who was under 18 at the time has been sexually abused by another person 	Give a written report about the abuse to the Principal immediately or a director of the governing board if you suspect the Principal of involvement. Contents of the written report are prescribed by regulation made under the Education (General Provisions) Act.
	You, the Principal, or a member of the board of directors, receive a report under the preceding step	Give a copy of the report to a police officer immediately

Part D: Harm Not Covered by Specific Legislation

Bullying and Discrimination

The school has a responsibility to take reasonable steps to promote a learning environment free from bullying, discrimination and sexual harassment. To this end, Carinity has processes in place to assist in the management of an appropriate learning environment.

Self-Harm by Students

During their schooling, some students may be at risk of harming themselves. This harm may occur with or without suicidal intent; or may be symptomatic of, or associated with, a known medical condition or intellectual disability.

Staff members who suspect or discover that a student has self harmed or is at risk of self harming must ensure the student's immediate safety and arrange first aid in the first instance then report the incident to the Principal.

Not all cases of self-harm relate to suicidal intent. Students may engage in a variety of high risk behaviours, such as: alcohol/substance abuse; drug-taking; unsafe promiscuity; or cutting/burning oneself.

The school provides educational programmes to assist students to make appropriate choices in relation to drug and alcohol use and sexual activity.

5. RELATED DOCUMENTATION

1.1 Policies

- (a) Child Protection – Policy
- (b) Conflict of Interest - Policy
- (c) Complaints Management – Policy
- (d) Criminal History Checks - Policy
- (e) Incident Reporting and Incident Investigation – Policy
- (f) Privacy – Policy
- (g) Progressive Disciplinary Management – Policy
- (h) Recruitment and Selection – Policy
- (i) Risk Management - Policy

1.2 Procedures

- (a) Child Protection Strategy for Community Programs – Procedure
- (b) Conflict of Interest - Procedure
- (c) Complaints Management – Procedure
- (d) Criminal History Checks - Procedure
- (e) Incident Reporting and Incident Investigation – Procedure
- (f) Privacy – Procedure
- (g) Progressive Disciplinary Management – Procedure
- (h) Recruitment and Selection – Procedure
- (i) Risk Management - Procedure

1.3 Forms

- (a) Agreement to Comply with Child Protection Risk Management Strategy
- (b) Carinity Incident Report Form
- (c) Report of Suspected Harm or Risk of Harm Education Services
- (d) Allegation of Inappropriate Behaviour by an Employee

1.4 Internal Documents

- (a) Carinity Code of Conduct
- (b) Employee Guidelines for Education and Training Centres
- (c) Volunteer Guidelines