1 POLICY

1.1 Carinity will protect children who are part of or use our services from harm as far as it is reasonably practicable.

1.2 Carinity is committed to actively promoting child safety and the well being of children.

1.3 Carinity recognises that people who are subject to abuse are harmed by it.

2 SCOPE

This policy applies to all Carinity services that provide care to children.

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

This policy should be read in conjunction with the Child Protection Strategy and Procedures, Code of Conduct, Employee Guidelines and Volunteer Guidelines.

3 PURPOSE

3.1 The purpose of this policy is to:

(a) provide a written statement about Carinity’s commitment to the safety, well being and protection of children;

(b) ensure child protection risk management strategies are in place in Carinity services;

(c) provide procedures for handling breaches of the child protection risk management strategies;

(d) provide procedures for handling disclosures or suspicions of harm including reporting guidelines;

(e) provide procedures for handling allegations of ‘inappropriate behaviour’ towards a child by a person who is a staff member of Carinity;

(f) provide guidelines to Carinity staff members regarding their responsibilities as ‘mandated notifiers’ in relation to the reporting harm or suspected harm to a child;

(g) ensure compliance with legislative requirements relating to child protection.
4 DEFINITIONS

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

Harm (Section 9 of the Child Protection Act 1999) to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.

1. It is immaterial how the harm is caused.
2. Harm can be caused by -
   a) physical, psychological or emotional abuse or neglect; or
   b) sexual abuse or exploitation.
3. Harm can be caused by -
   a) a single act, omission or circumstance; or
   b) a series or combination of acts, omissions or circumstances.

Inappropriate behaviour includes but is not limited to any behaviour of an unacceptable or unprofessional nature, between students and staff or volunteers, including words, that is contrary to what is required by Carinity Code of Conduct and contractual obligations.

Parent: A parent of a child is the child’s mother or father, or a person who exercises parental responsibility for the child. However a person standing in the place of a child on a temporary basis is the parent 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.

Reportable suspicion about a child is a reasonable suspicion that the child: -

   a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and

   b) may not have a parent able and willing to protect the child from the harm.

Sexual Abuse (Section 364 of the Education (General Provisions) Act 2006) in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances -

   a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;

   b) the relevant person has less power than the other person;

   c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

5 LEGISLATIVE OBLIGATIONS

Carinity is committed to complying with the obligations imposed on Carinity under all legislation relevant to maintaining and protecting individuals, including but not limited to the:

Child Protection Act 1999 (Qld)
Child Protection Regulation 2011 (Qld)
Education (General Provisions) Act 2006 (Qld)
Education (General Provisions) Regulation 2006 (Qld)
Education (Queensland College of Teachers) Act, 2005 (Qld)
Education (Accreditation of Non-State Schools) Act 2011 (Qld)
Education (Accreditation of Non-State Schools) Regulation 2012 (Qld)
Education Services for Overseas Students (ESOS) Act 2000 (Cth)
Education (Overseas Students) Act 1996 (Qld)
6 DOCUMENTATION

6.1 Policies
(a) Conflict of Interest Policy
(b) Complaints Management Policy
(c) Criminal History Checks Policy
(d) Incident Reporting and Incident Investigation Policy
(e) Privacy Policy
(f) Progressive Disciplinary Management Policy
(g) Recruitment and Selection Policy
(h) Volunteer Management Policy

6.2 Procedures
(a) Child Protection Risk Management Strategy and Procedure for Community Programs
(b) Child Protection Risk Management Strategy and Procedure for Carinity Education Services
(c) Conflict of Interest Procedure
(d) Complaints Management Procedure
(e) Incident Reporting and Incident Investigation Procedure
(f) Privacy Procedure
(g) Progressive Disciplinary Management Procedure
(h) Recruitment and Selection Procedure
(i) Volunteer Management Procedure

6.3 Forms
(a) Agreement to Comply with Child Protection Risk Management Strategy and Procedure for Education Services
(b) Agreement to Comply with Child Protection Risk Management Strategy and Procedure for Community Service
(c) Critical/Non Critical Incident Report Form (On Track)
(d) Carinity Incident Report Form
(e) Child Protection Reporting Form Education Services
(f) Allegation of Inappropriate Behaviour by an Employee

6.4 Internal Documents
(a) Carinity Code of Conduct
(b) Employee Guidelines for Education and Training Centres
(c) Employee Guidelines for Communities
(d) Volunteer Guidelines