

<b>Responsibility:</b>	The Baptist Union of Queensland - Carinity		
<b>Implementation:</b>	12 March 2012	<b>Review Biennial:</b>	Revised 23/10/2013; 22/4/2014, 5/2/2015, 07/03/17,12/10/17
<b>CEO Approval:</b>			

## 1 POLICY

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- 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.
- 1.4 Carinity recognises that sexual acts by an adult employee, contractor or volunteer with a child will always be considered an act of sexual abuse.
- 1.5 When Carinity receives any information alleging 'harm' to a child (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in the Child Risk Management Strategy and Procedures for Schools, and the Child Risk Management Strategies and Procedures for Carinity Youth and Community Services. Information relating to physical or sexual abuse is handled under obligations to report set out in these procedures.
- 1.6 Carinity will maintain written processes in place about the health and safety of its staff and clients (including students within its Schools) in accordance with relevant health and safety legislation.
- 1.7 All staff, contractors and volunteers will ensure that their behaviour towards and relationships with children reflect proper standards of care for children. Staff, contractors and volunteers must not cause harm to children.
- 1.8 Carinity will ensure proper, fully informed delegation 'Under section 366 B of the Education (General Provisions) Act 2006, of the directors' function under section 366 A from the Board of Queensland Baptists (as the Governing Body of Carinity Schools), to appropriately qualified individuals within Carinity Executive – ordinarily the Executive Manager Education Services and the Carinity Chief Executive Officer.'

## 2 SCOPE

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

It applies to employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Carinity, as well as students within Carinity Schools, and clients within Carinity services and covers information about the reporting of harm and abuse

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

### 3 PURPOSE

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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

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

**A Child in need of protection** (Section 10 of the Child Protection Act 1999) is a student who –

- (a) Has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm;
- (b) Does not have a parent able and willing to protect the child from the harm.

**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**

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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 2017 (Qld)
- Education (Queensland College of Teachers) Act, 2005 (Qld) Education (Accreditation of Non-State Schools) Act 2001 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2001
- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Working with Children (Risk Management and Screening) Regulations 2011 (Qld)
- (Qld) Education Services for Overseas Students (ESOS) Act 2000 (Cth) Education (Overseas Students) Act 1996 (Qld)

## **6 DOCUMENTATION**

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### **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
- (i) Work Health and Safety 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
- (c) Volunteer Guidelines