



Calvary Christian College Child Protection Policy

PURPOSE OF THIS POLICY: To provide written processes about the appropriate conduct of Calvary Christian College staff and students that accord with legislation applying in Queensland about the care and protection of children.

SCOPE: Applies to all staff, parents, volunteers/visitors and students at Calvary Christian College.

REFERENCES: *Education and Other Legislation (Student Protection) Act 2003* which incorporates amendments to the following:

*Commission for Children and Young People Act 2000 and Child Protection Act
Education (General Provisions Act) 2006
Queensland College of Teachers 2006
Education (Accreditation of Non-State Schools) Regulation 2001*

DEFINITIONS:

A *child* is a person under 18 years of age.

Harm 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 (within the College or outside the College) by:

- Physical, psychological or emotional abuse or neglect
- Sexual abuse or exploitation, or
- Domestic or family violence.

A *student* is any person regardless of age who is enrolled at the College.

USEFUL CONTACTS:

Queensland College of Teachers, telephone 07 3377 4777.

PART A – PRINCIPLES AND GUIDELINES

PRINCIPLES:

Calvary Christian College will uphold the following principles under this Policy:

1. Protecting students from harm and the risk of harm is fundamental to maximising their personal and academic potential
2. Calvary Christian College recognises that people who are subjected to abuse are harmed by it
3. At Calvary Christian College, the welfare and best interests of the child will always be a primary consideration
4. Calvary Christian College expects our students to show respect to our staff members and volunteers and to comply with safe practices

5. All employees must ensure that their behaviour towards and relationships with students reflect proper standards of care for students, and are not unlawful
6. Sexual acts by an adult employee or volunteer with a student will always be sexual abuse
7. Calvary Christian College will respond diligently to a report of suspected or actual harm, or risk of harm to a student
8. Reprisals against students or others making a complaint will not be tolerated
9. Student management practices will be administered with respect and in a manner which maintains the student's dignity
10. Calvary Christian College will act fairly and reasonably towards an employee or volunteer who is the subject of allegations of improper conduct
11. Calvary Christian College will support an employee or volunteer who is the subject of a proven false allegation of causing harm to a student
12. Anybody within Calvary Christian College who becomes aware or reasonably suspects that a student is being harmed must report it to the College in accordance with the College's procedures for reporting harm
13. Calvary Christian College will take disciplinary action against employees who harm others, and appropriate action against volunteers who harm others
14. Calvary Christian College will not permit people to work in a position if the College believes on the basis of all information available that, if the allegations against them were wholly or partly true, there would be an unacceptable risk that others might be harmed
15. Calvary Christian College will cooperate with state authorities in resolving allegations of harm.

GUIDELINES

In complying with these principles, Calvary Christian College will be guided by the following:

1. Natural Justice

The principles of natural justice will apply to decisions to be made under this Policy. The two fundamental principles of natural justice are:

- That those making a decision are not biased
- That nobody should be judged unless they are given prior notice of the allegations against them and they have a fair opportunity to be heard.

2. Process

It is important to make the lodging of a complaint easy.

3. Confidentiality

Each person who has access to information regarding suspected or disclosed harm has an obligation to respect the confidentiality of student protection matters and must follow the reporting guidelines. Calvary Christian College is unable to promise absolute confidentiality since its policies will require disclosing, internally and externally, certain details involved in responding to any complaint. State authorities can compel people to give evidence about actions under the Policy and to produce documents.

4. Criminal Law

Where there are allegations of harm/sexual abuse or criminal offences, the allegations will be referred to the police. The Principal must refer all allegations of paedophilia to the police, including those from the past, except where the alleged perpetrator is deceased.

5. Defamation

A person providing information about harm in good faith to a person who needs to know that information (Senior Management or Student Protection Officer) has a defense against defamation.

6. Promptness

All steps under the Policy should be carried out promptly. The College will keep the victim and the alleged perpetrator informed of progress.

7. Protective Actions

The Principal will ensure that the following are undertaken in order to reduce the chance of abuse occurring:

- 7.1 Ensure that each staff member understands and fulfills their obligations under this Policy
- 7.2 Ensure that there is an acceptable reference and referee check for each staff member engaged since the commencement of this protocol, from their previous employer
- 7.3 Ensure that each non-teaching staff member and volunteer who has contact with children has a current positive suitability notice issued by the Commissioner for Children and Young People (Blue Card)
- 7.4 Ensure that each teaching staff member is a registered teacher.

8. Support

The College will provide support for the victim through professional counselling if it is requested, even if any allegation is not yet proved or disproved. The College will support the respondent to a complaint with professional counselling if it is requested until the matter has been resolved.

9. Interviews

There will be two representatives of the College present at interviews involving student protection, where practical. In cases of allegations of abuse it is best not to interview a student in any detail. State authorities will conduct their own interviews.

10. Teachers

If a respondent to an allegation is a registered teacher, the College will give notification to the College of Teachers as required to do so under *legislation*. *Allegations against blue card holders will be reported to the Children's' Commission.*

11. Public Relations

The Principal will ensure that the College is able to react quickly to allegations of harm so that accurate and relevant information is available for staff members, students and their families and for the media. Only the Principal has the authority to conduct these communications.

12. Insurer

The College will keep its insurer informed about developments.

13. Publication

The Principal will ensure that this policy is published:

- 13.1 To staff members generally
- 13.2 To each new staff member, on induction
- 13.3 By reference to it in the College newsletter
- 13.4 By display on the College's portal site (portal/College Resources/Policies and Procedures).

The Principal will ensure that a copy of the policy is always available from the College's administration.

14. Review

The College will ensure that this Policy is reviewed at least once every two years.

PART B - DEALING WITH ALLEGATIONS OF HARM INVOLVING A STUDENT AND STAFF MEMBER.

The following are the actions required in any cases relating to harm or suspected harm against a child:

1. If a staff member becomes aware or suspects that another staff member is harming a child, he/she should record details of the allegations and must take them to a Child Protection Officer (Spiritual Director and Heads of School) or Principal
2. The Child Protection Officer or the Principal will decide whether the allegation must be reported to authorities.
3. If the harm constitutes suspected or actual sexual abuse of a student by an employee, it is mandatory for the reporting staff member to write a report which is to be immediately given to the Principal or the Chairperson of the College Council
4. The person against whom the allegations have been made must be made aware of the allegations promptly
5. If there is unacceptable risk, the Principal will stand down the staff member. In extreme cases, where evidence is sound, the staff member will be dismissed summarily
6. Counselling will be offered to the student and the respondent
7. Parents. Please note that when harm to students is suspected from people outside the College, the responsibility for informing parents/caregivers rests with the investigating child protection agency officers, not with the College. Refer to Part C of the policy under 'Evidence'
8. Inform the College Council
9. Inform the College's insurers
10. Investigate allegations internally when inappropriate behaviours are reported or suspected (not harm, sexual abuse). Note: if the allegations have been reported to police, do not begin the investigations until the prosecution is complete and the police inform you they have decided not to charge the respondent

11. Attend to public relations
12. Take disciplinary action against the respondent if the circumstances require it
13. Keep the student and the respondent informed as the matter proceeds.

PART C - PROCEDURES FOR REPORTING HARM

Staff members at Calvary Christian College are expected to reflect the highest standards of care in their behaviour towards and relationships with students.

Mandatory reporting is required to address Child Protection issues.

Employees of Calvary Christian College must not under any circumstances engage in physical or emotional abuse or engage in any inappropriate or sexual contact of any nature with a student of the College. It is irrelevant whether the conduct is consensual or non-consensual, or condoned by parents or caregivers. The age of the student is also irrelevant. This includes sexual or informal contact using technology.

Failure to behave in an appropriate manner may result in criminal proceedings and/or disciplinary action, including dismissal.

The following table outlines the procedures for reporting harm and sexual abuse which will apply in Calvary Christian College.

Where a reference is made to **PROVIDING A WRITTEN REPORT** in the below procedures, the following matters are to be included in the written report:

1. Name of the person giving the report
2. Name, gender and (if known) age of the child victim
3. Details of the basis for the maker of the report becoming aware, or reasonably suspecting, that the child has been sexually abused
4. Details of the actual or suspected sexual abuse
5. Particulars of the identity of the alleged perpetrator of the abuse (if known), and
6. Particulars of the identity of any other person who may be able to give information about the abuse (if known).

PROCEDURES FOR REPORTING HARM	
DEFINITION:	<p>“harm” is any detrimental effect of a significant nature on a child’s physical psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:</p> <ul style="list-style-type: none"> • physical, psychological or emotional abuse or neglect. • sexual abuse or exploitation; or • domestic or family violence.

ACTIONS REQUIRED ('PROCEDURES FOR REPORTING HARM'):

(Printable version in Appendix 3)

Subject	If	Then
<p>Reporting Harm (Accreditation Regulation s.10)</p>	<p>A student is aware or reasonably suspects that harm has been caused by anyone to a student –</p> <hr/> <p>A staff member or volunteer is aware or reasonably suspects that harm has been caused by anyone to a student of the College (this applies whether the harm has been caused internally or externally to the College) -</p> <hr/> <p>If the Principal or the Head of School receives a report of harm or suspected harm to a student of the College; and forms the view that the harm has been caused or there is reasonable suspicion of harm caused (this applies whether the harm has been caused internally or externally to the College) -</p>	<p>Students are encouraged to report to Head of School, the Principal or any staff member</p> <hr/> <p>It must be reported to the Head of School. Form 1 is to be used and a written record of your actions is to be kept by the staff member (see Part C PROCEDURES FOR REPORTING HARM)</p> <hr/> <p>It must be reported to the police or the Department of Child Safety. The College Chairperson is to be informed. A written record of the report (Form 4) is to be kept by the Principal & Head of School.</p>
<p>Reporting Inappropriate Behaviour (Accreditation Regulation s.10)</p>	<p>If a student wishes to report behaviour by a staff member that he/she considers inappropriate -</p> <hr/> <p>The Head of School or other staff members receive the report -</p> <hr/> <p>If the Principal or Head of School receives the report under the preceding step -</p>	<p>The student should report the behaviour to the Principal or Head of School or other staff members.</p> <hr/> <p>Document (use Forms 1 & 2) and report to Principal.</p> <hr/> <p>The Principal/Head of School is to:</p> <ul style="list-style-type: none"> • decide how best to investigate • interview the student • interview the staff member named in the report • interview any other person who may be able to provide useful information • keep written records of findings • take action on the grounds of the outcome of the reports • inform the College Chairperson
<p>Reporting Sexual Abuse (Education (General Provisions Act))</p>	<p>If a staff member becomes aware or reasonably suspects that an employee of the College has sexually abused a student of the College -</p> <hr/> <p>If the Principal or Chairperson receives a report under the preceding step -</p>	<p>It is mandatory for the reporting staff member to write a report (use Form 3) which is to be immediately given to the Principal or the Chairperson of the College Council.</p> <hr/> <p>The Principal or Chairperson must give a copy of the report to a police officer immediately</p>

Copies of Forms 1, 2, 3 & 4 are in Appendix 4

Additional Information

Where an employee has concerns or is unsure whether or not observations should be cause for concern, **it is mandatory** that they report their concerns to the Principal or Head of School.

The Principal will contact the Department of Child Safety to discuss, in the first instance, the fact there is a concern and to seek advice as to the appropriateness of formally reporting the matter.

If it is deemed, after this discussion, that further investigation is warranted, then the Principal, on behalf of the employee who made the original observation, will report the matter to the Queensland Police Service. Reporting to the police is mandatory where harm caused to a child indicates a criminal offence may have taken place, such as a sexual assault. At this time the employee concerned must be available to give a firsthand account of the situation.

It should be noted that the role of the employee is not an investigative one. Staff must not undertake investigations beyond satisfying themselves that they have reasonable grounds to suspect that a student has been, or is at risk of harm. Neither the employee nor the Principal is obliged to obtain proof, establish the cause of harm or assess its severity.

Once a report has been made, the employee is not required to take further action, beyond the requirement to exercise a duty of care.

1. Evidence

The investigation of these matters is a complex and sensitive process. In the course of an investigation, officers from the child protection agencies may request permission to interview the student concerned. In most cases, in order to ensure the interests of the child are protected, the student may be interviewed before the matter is discussed with the parent/caregiver.

The responsibility for informing parents/caregivers of notifications and any interviews rests with the investigating child protection agency officers, not with the Principal. For this reason, any person making an inquiry or complaint concerning an investigation or an interview must be promptly referred to the Principal who will refer the enquirer to the appropriate department, with the explanation that it is the responsibility of that department to answer such inquiries or complaints.

2. Confidentiality

The identity of the person reporting the matter must not be revealed to any person or officer of any department without that person's consent.

Child protection agencies operate under strict laws of confidentiality. This means they do not divulge the identity of the person reporting the matter except to others requiring the information to perform duties under the *Child Protection Act 1999*, neither do they divulge information about their investigations to the person reporting the matter.

Section 22 of the Child Protection Act 1999 provides for the protection from civil liability for persons who, acting honestly, notify or give information about suspected harm to a child. It also states that merely because the person gives the notification, the person cannot be held

to have breached any code of professional etiquette or ethics, or departed from accepted standards of professional conduct. Furthermore, Section 146B (5) of the *Education and Other Legislation (Student Protection) Act 2003* provides similar protection with respect to reports of sexual abuse.

3. Support for the Student

The College has a responsibility to offer a long-term, supportive environment for all students. The following are suggested as ways to support a student who may be in need of protection:

- 3.1 Treat the student with respect and dignity.
- 3.2 Be sensitive to the student's needs, feelings and concerns.
- 3.3 Monitor the situation.
- 3.4 Maintain confidentiality as far as is practicable.
- 3.5 Immediately notify the Principal if, after the initial report, any further incidents of harm are suspected.