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TOWNSVILLE GRAMMAR SCHOOL

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# POLICY

## CHILD PROTECTION

Townsville Grammar School is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at the school and their protection from foreseeable harm.

### Implementation

In practice, Townsville Grammar School's commitment to acting in accordance to the *Working with Children (Risk Management and Screening) Act 2000 (Qld)* ("the Act") to promote the safety and wellbeing of students means that it will implement the measures outlined below in points 1 - 8.

#### 1. Code of Conduct

At Townsville Grammar School we expect our employees to conduct themselves as follows:

School employees are expected to always behave in ways that promote the safety, welfare and well-being of our students. Employees must actively seek to prevent harm to students, and to support those who have been harmed.

Specific responsibilities include:

- Employees should avoid situations where they are alone in an enclosed space with a student.
- When physical contact with a student is a necessary part of the teaching/learning experience, employees must exercise caution to ensure that the contact is appropriate and acceptable. Employees must always advise the student of what they intend doing and seek their consent.
- Employees must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student.
- Employees must not have a romantic or sexual relationship with a student.

This commitment is evidence of Townsville Grammar School's fulfilment of the requirements of the Regulations S3(1)(b).

#### 2. Recruitment, Selection, Training and Management Procedures

Townsville Grammar School is committed to recruiting, selecting, training and managing employees in such a way that limits risks to students. In particular, Townsville Grammar School will:

- Ensure that its recruitment and selection procedures act to reduce the risk of harm to children from employees via:
  - Accurate position descriptions, including whether the successful applicant must be a teacher registered with the Queensland College of Teachers (who has been subject to relevant police and other safety checks), whether a Blue Card is necessary for the successful applicant, the responsibilities and supervision associated with the position, the nature and environment of the service provided to students, and the experience and qualifications required by the successful applicant.
  - Advertising the position with a clear statement about the school's commitment to safe and supportive work practices and identifying that candidates will be subject to a teacher registration check or Blue Card screening, a police check, referee checks, identification verification and the requirement to disclose any information relevant to the candidates' eligibility to engage in activities including children.

- A selection process that includes assessing the application via an interview process and referee and other checks (as identified above) based on the accurate position description.
- A probationary period of employment, which allows the school to further assess the suitability of the new employee and to act as a check on the selection process.
- Ensure that its training and management procedures act to reduce the risk of harm to students from employees via:
  - Management processes that are consistent, fair and supportive.
  - Performance management processes to help employees to improve their performance in a positive manner.
  - Supportive processes for staff when they are experiencing challenges, such as mentoring, mediation, conflict resolution, coaching, additional training, and external support and counselling services.
  - An induction program which thoroughly addresses the school's policies and procedures, particularly its expectations regarding student risk management and to assist employees to understand their role in providing a safe and supportive environment for students.
  - Training new and existing staff on an ongoing basis to enhance skills and knowledge and to reduce exposure to risks, as follows:
    - the school's policies and procedures
    - identifying, assessing and minimising risks to students
    - handling a disclosure or suspicion of harm to a child.
  - Keeping a record of the training provided to employees.
  - Exit interviews to assist the school to identify broader issues of concern that may impact on the safety and wellbeing of students at the school.

This commitment is evidence of Townsville Grammar School's fulfilment of the requirements of the Regulations S3(1)(c).

### **3. Handling Disclosures or Suspicions of Harm**

Any of the types of concerns or reports below should be reported and managed under the Townsville Grammar School Child Protection Policy as follows:

- all staff with concerns about sexual abuse or likely sexual abuse
- teachers with concerns of sexual or physical abuse
- all staff who have received a report of inappropriate behaviour by another staff member.

When reporting any type of harm, staff members should use the Report of Suspected Harm or Sexual Abuse Form in Appendix 2 of this document.

Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the Principal of Townsville Grammar School will report to the Queensland College of Teachers any investigations into allegations of harm caused, or likely to be caused, to a student because of the conduct of a relevant teacher at the school.

This commitment is evidence of Townsville Grammar School's fulfilment of the requirements of the Regulations 3(1)(d).

### **4. Managing Breaches of this Child Risk Management Strategy**

Townsville Grammar School is committed to appropriately managing breaches of this Child Risk Management Strategy in accordance with its other relevant policies as appropriate in the circumstances, such as its Child Protection Policy, Employee Code of Conduct and Communications, Concerns and Complaints Handling Policy. This is evidence of fulfilment of the requirements of the Regulations S3(1)(e).

### **5. Implementing and Reviewing the Child Risk Management Strategy**

This Strategy in its entirety and its related policies and procedures are evidence of fulfilment of the requirements of the Regulations S3(1)(f)(i) relating to implementation.

The introduction to this Child Risk Management Strategy and the "Compliance and Monitoring" section below state Townsville Grammar School's commitment to reviewing the Strategy annually and are evidence of fulfilment of the requirements of the Regulations S3(1)(f)(i) relating to review.

## 6. Blue Card Policies and Procedures

Townsville Grammar School is committed to acting in accordance with Chapter 8 of the Act relating to the screening of employees in such a way that limits risks to children. In particular, Townsville Grammar School will:

- Require relevant prospective or current employees, volunteers, trainee students and school board members to apply for a Blue Card or Exemption Notice, and check the validity and appropriateness of any currently held notices as appropriate, in accordance with Townsville Grammar School position descriptions and the Act
- Complete a *Link an applicant/cardholder to this organisation* application when necessary
- Submit a *Change in police notification* form when notified by employee that such a change has occurred
- Not allow a person to continue to work with children if their Blue Card or Exemption Notice is cancelled or suspended or a negative notice is received after a change of police information
- Submit a *No longer with organisation* form when appropriate
- Appoint a school contact person who will be responsible for managing the screening process and all related documentation and records
- Keep written records of all the above actions, decisions and outcomes, including the dates of expiry of Blue Cards and Exemption Notices
- Ensure that all information in relation to Blue Cards and Exemption Notices is kept confidential
- Act to remind employees to keep their Blue Card or Exemption Notice up to date.

## 7. High Risk Management Plans

Townsville Grammar School is committed to identifying risks, assessing risks, eliminating and minimising risks and the monitoring of risk to the safety of students on an ongoing basis. Townsville Grammar School will utilise various risk management tools to assist it in this process and will keep appropriate records of decisions made and actions taken in relation to risks to children.

## 8. Strategies of Communication and Support

Townsville Grammar School is committed to training employees in relation to risks to students and will conduct this training regularly via annual formal training and informal updates at staff meetings.

### Responsibilities

Townsville Grammar School is responsible for developing and implementing this Child Risk Management Strategy and related policies and procedures to ensure it fulfils its obligations.

All employees at Townsville Grammar School are responsible for acting in compliance with this Child Risk Management Strategy and related policies and procedures.

### Compliance and Monitoring

Townsville Grammar School is committed to the annual review of this Strategy. Townsville Grammar School will also record, monitor and report to the Board of Trustees of Townsville Grammar School regarding any breaches of the Child Protection Strategy.

In addition, Townsville Grammar School is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

### Related Documents

- Townsville Grammar School Child Protection Policy
- Townsville Grammar School Communications, Concerns and Complaints Handling Policy
- Townsville Grammar School Blue Card Register
- Townsville Grammar School Risk Management Framework
- Townsville Grammar School Employee Code of Conduct

### Appendices

- Appendix 1 - Summary of Reporting Harm
- Appendix 2 - Report of Suspected Harm or Sexual Abuse Form

<b>Purpose:</b>	<p>The purpose of this policy is to provide written processes about –</p> <ul style="list-style-type: none"> <li>(a) how the school will respond to harm, or allegations of harm, to students under 18 years; and</li> <li>(b) the appropriate conduct of the school's staff and students</li> </ul>	
<b>Scope:</b>	<p>Students and 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 Townsville Grammar School and covers information about the reporting of harm and abuse.</p>	
<b>Status:</b>	Approved	<b>Date of Authorisation:</b> August 2019
<b>References:</b>	<ul style="list-style-type: none"> <li>□ <a href="#">Child Protection Act 1999 (Qld)</a></li> <li>□ <a href="#">Education (General Provisions) Act 2006 (Qld)</a></li> <li>□ <a href="#">Education (General Provisions) Regulation 2017 (Qld)</a></li> <li>□ <a href="#">Education (Accreditation of Non-State Schools) Act 2017 (Qld)</a></li> <li>□ <a href="#">Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</a></li> <li>□ <a href="#">Working with Children (Risk Management and Screening) Act 2000 (Qld)</a></li> <li>□ <a href="#">Working with Children (Risk Management and Screening) Regulations 2011 (Qld)</a></li> <li>□ Townsville Grammar School Communications, Concerns and Complaints Handling Policy</li> <li>□ Townsville Grammar School Child Risk Management Strategy (for the Working with Children (Risk Management and Screening) Act 2000 (Qld))</li> <li>□ Townsville Grammar School Work Health and Safety Policy (for the Work Health and Safety Act 2011 (Qld))</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> January 2020
<b>Policy Owner:</b>	School Governing Body	

## Definitions

- **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.
  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
    - b) a series or combination of acts, omissions or circumstances.
- **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
  - b) does not have a parent able and willing to protect the child from the harm.
- **Section 364 of the Education (General Provisions) Act 2006 - “Sexual abuse”**, 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.

## Health and Safety

The school has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

## Responding to Reports of Harm

When the school receives any information alleging 'harm'<sup>1</sup> to a student (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 school’s Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy.

## Conduct of Staff and Students

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students.

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### Reporting Inappropriate Behaviour

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

Child Protection Officer:	Acting Deputy Principal/Head of School – Mr Connor Barrett
Child Protection Contacts:	Head of School (North Ward) – Mr Connor Barrett
	Head of Junior School – Mr Noel Nethery
	Head of Boarding – Mr Jaye Beutel
	Director of Enrolments – Mrs Kristell Scott

### Dealing with Report of Inappropriate Behaviour

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 a member of the school's governing body. Reports will be dealt with under the School's Communication, Concerns and Complaints Handling Policy.

### Reporting Sexual Abuse

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 section 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 to a Trustee of the Townsville Grammar School Board of Trustees immediately.

The Principal or the Trustee must immediately give a copy of the report to a police officer.

If the first person 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 a Trustee of the Townsville Grammar School Board of Trustees.

A report under this section must include the following particulars: -

- 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 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 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

Section 366A of the *Education (General Provisions) Act 2006* states that if a staff member 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 section 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 to a Trustee of the Townsville Grammar School Board of Trustees.

The School's principal or the director must immediately give a copy of the report to a police officer.

If the first person who 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 a Trustee of the Townsville Grammar School Board of Trustees.

A report under this section must include the following particulars: -

- 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 sexually abuse the student;
  - iii. the identity of anyone else who may have information about suspected likelihood of abuse.

### **Reporting Physical and Sexual Abuse**

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

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

The doctor, nurse, teacher or early education and care professional must give a written report to the Chief Executive of the Department of Communities, Child Safety and Disability

Services (or other department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars: -

- a) state the basis on which the person has formed the reportable suspicion
- b) include the information prescribed by regulation, to the extent of the person's knowledge.

### **Awareness**

The School will inform students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website and in the School Handbook.

The School will inform staff of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website, the School Handbook, the Staff Handbook, staff induction and annual staff training.

### **Training**

The school will train its staff in processes relating to the health, safety and conduct of staff and students during their induction and will refresh training annually.

An attendance register will be kept of all staff training.

### Implementing the Processes

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually.

### Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration.

### Complaints Procedure

Suggestions of non-compliance with the School's processes may be submitted as complaints under the Townsville Grammar School Communications, Concerns and Complaints Policy.

### Appendix 1

#### Summary of Reporting Harm

Who	What abuse	Test	Report to	Legislation
<b>All staff</b>	Sexual	Awareness or a suspicion Sexually abused or likely to be sexually abused	Principal, through to police	EGPA sections 366 and 366A
<b>Teacher</b>	Sexual and physical	Significant harm Parent may not be willing and able	Confer with principal, report to Child Safety	CPA sections 13E and 13G
<b>All staff</b>	Physical, psychological, emotional, neglect, exploitation	Significant harm Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulations section 16
<b>All staff</b>	Any	Not a level that is otherwise reportable to Child Safety, refer with consent	Principal, through to Family and Child Connect	CPA Sections 13B and 159M
<b>Principal</b>	Any	Not a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA Sections 13B and 159M
<b>Any member of the public</b>	Any	Significant harm Parent may not be willing and able	Child Safety	CPA section 13A

## Appendix 2

### Private and Confidential

#### Report of Suspected Harm or Sexual Abuse

Date:
School:
School Phone:
School Email and/or Fax:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
Primary language spoken:	
Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander <input type="checkbox"/>	
Does the student have a disability verified under EAP:  Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability Category:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS	
Parent/caregiver 1:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Parent/caregiver 2:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Is the student in out of home care? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE		
<input type="checkbox"/> Adult family member	<input type="checkbox"/> Child family member	<input type="checkbox"/> Other adult
<input type="checkbox"/> Student/other child	<input type="checkbox"/> Unknown	

**PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE**

(Attach extra pages if necessary).

**Details of any harm and/or sexual abuse to the student** – please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.

**Please indicate the identity of anyone else who may have information about the harm or abuse**

**Additional information provided as an attachment** YES ☐ NO ☐

**Name of staff member making report if not the Principal:**

<b>Position:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Principal:</b>	<b>Signature:</b>	<b>Date:</b>

**Principal's email address:**

**Response requested by school:**

**ACTION TAKEN**

Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Communities (Child Safety Services)
	<input type="checkbox"/>	Family and Child Connect

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

**Confirm receipt of faxed or emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.**