



Policy Aim:	The purpose of this policy is to provide written processes about the health and safety of Staff and students at Moreton Bay College and Moreton Bay Boys' College and about the appropriate conduct of the Colleges' Staff and students.
Scope and Responsibilities:	Applies to students and Staff, 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 Moreton Bay College and Moreton Bay Boys' College and covers information about the reporting of harm and abuse.
Board Approval:	Required
Background information:	
Policy:	<p>1. Health and safety</p> <p>The Colleges will protect students from harm as far as it is reasonably able. The safety, wellbeing and best interests of our students are of primary importance. The Colleges will ensure the health and safety of Staff and others in accordance with workplace health and safety legislation.</p> <p>2. Conduct of Staff and students</p> <p>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.</p> <p>The Colleges will ensure that Staff and volunteers have a positive notice ("blue card") as required by the <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i> or that they are registered teachers.</p> <p>3. Reporting Inappropriate behaviour</p> <p>If a student considers the behaviour of a Staff member to be inappropriate, the student should report the behaviour to:-</p> <ul style="list-style-type: none"> (a) Executive Principal (b) Head of College (c) Any other Staff member.



4. Dealing with the Report of inappropriate behaviour

A Staff member who receives a report of inappropriate behaviour must report such behaviour to the Executive Principal or to the Head of College.

Where the Head of College is the subject of the report of inappropriate behaviour, the Staff member must inform the Executive Principal or the College Board Reporting Delegate.

Where the Executive Principal is the subject of the report of inappropriate behaviour, the Staff member must inform the Chair of the Board of Governors' or the College Board Reporting Delegate.

However, any inappropriate behaviours by staff may be dealt with in accordance with the Colleges' Code of Conduct.

If the behaviour is sexual abuse, the Executive Principal, Head of College, Chair of the Board of Governors or the College Board Reporting Delegate will submit a report directly to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the Education (General Provisions) Act 2006 (EGPA).

5. Responding to Reports of Harm

When the College receives any information alleging Harm to a student it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can in accordance with this policy and the College's Child Protection Risk Management Strategy Procedures.

6. Reporting Sexual Abuse

If a Staff member becomes aware, or reasonably suspects in the course of their employment or engagement with the College, that any of the following has been sexually abused by another person:

- a) a student under 18 years attending the College



- b) a pre-preparatory aged child registered in a pre-preparatory learning program at the College
- 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 College
 - ii. is not enrolled in the preparatory year at the College.

then the Staff member must give a written report about the abuse or suspected abuse to the Executive Principal or to the Chairperson of the College Board or to the College Board Reporting Delegate immediately.

The Executive Principal or the Chairperson of the College Board or the College Board Reporting Delegate must immediately give a copy of the report to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the *Education (General Provisions) Act 2006* (EGPA).

The Executive Principal, Chairperson of the College Board or the College Board reporting Delegate shall notify the reporting Staff member as soon as possible after their submitting a report to the relevant authorities.

If the Staff member who becomes aware or reasonably suspects such sexual abuse, is the College's Executive Principal, the Executive Principal must then give a written report about the abuse, or suspected abuse to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the *Education (General Provisions) Act 2006* (EGPA) immediately and must also give a copy of the report to the Chairperson of the College Board of Governors or to the College Board Reporting Delegate.

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 gender
- 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.

If a Staff member is concerned that the Executive Principal may be involved in the Harm or Sexual Abuse, the Staff member must directly report their concern to the Chairperson of the Board of Governors or the College Board Reporting Delegate who shall then give a written report about the abuse, or suspected abuse to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the *Education (General Provisions) Act 2006* (EGPA) immediately.

7. Reporting Likely Sexual Abuse

If a Staff member becomes aware, or reasonably suspects in the course of their employment or engagement with the College, that any of the following is likely to be sexually abused by another person:

- a) a student under 18 years attending the College
- b) a pre-preparatory aged child registered in a pre-preparatory learning program at the College
- 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 College; and



ii. is not enrolled in the preparatory year at the College.

then the Staff member must give a written report about the suspicion to the Executive Principal or to the Chairperson of the College Board of Governors or to the College Board Reporting Delegate immediately.

The Executive Principal or the Chairperson of the College Board or the College Board Reporting Delegate must immediately give a copy of the report to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the *Education (General Provisions) Act 2006* (EGPA).

If the Staff member who becomes aware or reasonably suspects likely Sexual Abuse is the College's Executive Principal, the Executive Principal must then give a written report about the suspicion to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the *Education (General Provisions) Act 2006* (EGPA) immediately and must also give a copy of the report to the Chairperson of the College Board of Governors or to the College Board Reporting Delegate who shall make the appropriate reports in accordance with the EGPA.

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 gender
- 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 has abused, or is suspected to be likely to abuse, the student



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

If a Staff member is concerned that the Executive Principal may be involved in the harm, the Staff member must directly report their concern to the Chairperson of the College Board or to the College Board Reporting Delegate who shall submit the report directly to the Queensland Police Service in accordance with the process for reporting pursuant to the provisions of the *Education (General Provisions) Act 2006* (EGPA)

8. Harm and Reportable Suspicion

When the College receives any information alleging 'harm' 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 College's Child Protection Procedures. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy.

If a Staff member forms a reportable suspicion about a child in the course of their engagement in their profession, they must make a written report and give such report to the Executive Principal who then forwards the report to Child Safety. The Staff member, in forming a reportable suspicion, must also discuss their concerns with an appropriate Child Protection Officer of the college.

A Teacher, College Nurse or Early Childhood Education and Care Professional as mandatory reporters have the option of reporting directly to Child Safety or to the Executive Principal. In either case consultation with the Executive Principal is permissible.

A report under this section must state the basis on which the person has formed the reportable suspicion; and include the following particulars:

- a) the child's name and sex;
- b) the child's age;



- c) details of how to contact the child;
Examples –
 - address the child usually lives
 - name and address of the school the child attends
- d) details of the harm to which the reportable suspicion relates;
- e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- f) particulars of the identify of any other person who may be able to give information about the harm to which the reportable suspicion relates.

The Executive Principal shall keep a copy of the report provided under this clause 8 and deal with it in accordance with the Table of Actions set out in Appendix A of the Colleges' Child Protection Risk Management Strategy Procedures.

The Executive Principal shall advise the reporting Teacher, College Nurse or Early Childhood Education and Care Professional as soon as possible that the report they submitted has been made to Child Safety.

If a reporting Teacher, College Nurse or Early Childhood Education and Care Professional has not received confirmation as soon as reasonably practicable of a report under this section that the Executive Principal has forwarded that report to Child Safety or otherwise believes that such report has not been so forwarded then the reporting Teacher, College Nurse or Early Childhood Education and Care Professional should give a report directly to Child Safety in accordance with S13E and S13G of the *Child Protection Act 1999*.

9. Managing Breaches of the Child Protection Policies and Procedures

The Colleges are committed to appropriately managing breaches of the Child Protection Policies and Procedures in



accordance with its other relevant policies as appropriate in the circumstances, such as its Staff Code of Conduct, Complaints Policy and Enterprise Bargaining Agreement.

10. College Board Delegate

At the College Board meeting held on 8 November 2016, Mr Neil Ballment was confirmed by unanimous resolution as the College Board delegate under S 366B *Education (General Provisions) Act 2006* for both MBC and MBBC. Mr Ballment (Legal Counsel Qld, CSIRO) is an appropriately qualified person who will remain the delegate for the duration of his tenure after which the College Board would appoint a successor.

11. Reports of investigations of alleged Harm

Where the College is investigating an allegation of Harm caused, or likely to be caused, to a child because of the conduct of a teacher the Executive Principal shall, as soon as practicable after the investigation starts, give notice to the Queensland College of Teachers pursuant to the *Education (Queensland) College of Teachers Act 2005* in the form required by that act and give any further notifications required by that act as to the outcome of those investigations.

12. Awareness

The College will inform Staff, students and parents of its processes relating to the health, safety and conduct of Staff and students, with respect to Child Protection, in communications to them and it will publish these processes on its website.

This policy is accessible on the MBC and MBBC College website and a hard copy will be made available on request from the administration department. Each new Staff member will be made aware of the policy as part of their induction.

13. Training

The College will train its Staff in processes relating to the health, safety and conduct of Staff and students, with



respect to Child Protection, during their induction and will refresh training annually.

14. Implementing the Processes

The College will ensure it is implementing processes relating to the health, safety and conduct of Staff and students, with respect to Child Protection, by auditing compliance with the processes annually.

15. Accessibility of Processes

Processes relating to the health, safety and conduct of Staff and students, with respect to Child Protection, are available on the College website and upon request from the College administration.

Students and Parents will be made aware of this policy in the respective Student and Parent Handbooks.

Staff will be made aware of this policy in the Electronic Staff Handbook and each Staff member will be requested to sign that they have read and understood the policy on the Moodle site.

The Report of Suspected Harm or Risk of Harm form is contained in the Colleges' Child Protection Procedures.

16. Complaints Procedure

Suggestions of non-compliance with the Colleges' processes may be submitted as complaints under the Complaints Policy and Procedure.

17. Compliance

All Staff will comply with this Policy and the Child Protection Risk Strategy Plan Procedures enacted by the College from time to time.

Definitions:

“Board of Governors” or “Board” means the Board of Governors of the Moreton Bay College or the Board of the Moreton Bay Boys College or both as the context requires.

“Child Protection Officer” means a person who is appointed to that position within the College from time to time.



“**Child Safety**” means the Chief Executive of the Queensland Department of Communities, Child Safety and Disability Services or any successor thereto.

“**College**” means Moreton Bay College and Moreton Bay Boys College or either of them as the context requires.

“**College Reporting Delegate**” means the person appointed by the Board as the delegate to undertake the reporting responsibilities of the Board from time to time.

“**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
 - 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.

“**HOC or Head of College**” means the person appointed as the Head of College for either the Moreton Bay College or the Moreton Bay Boys College or both as the context requires.

“**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.

“**Sexual abuse**”, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances:



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	<p>a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person</p> <p>b) the relevant person has less power than the other person</p> <p>c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.</p> <p>“Staff” means and includes employees, whether full-time, part-time, permanent, fixed-term or casual employees, together with contractors, volunteers and people undertaking work experience or vocational placements at the College</p>
<p>Related Documentation:</p>	<p><i>Child Protection Risk Management Strategy Procedures Form – Report of Suspected Harm or Risk of Harm</i></p>
<p>Legislation Applicable:</p>	<p>Child Protection Act 1999 (Qld) Education and Training Legislation Amendment Act 2011 Working with Children (Risk Management and Screening) Act 2000 (Qld) Working with Children (Risk Management and Screening) Regulations 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 2001 (Qld) Education (Accreditation of Non-State Schools) Regulation 2001(Qld) Education Services for Overseas Students (ESOS) Act 2000 (Cth) Education (Overseas Students) Act 1996 (Qld) Moreton Bay College & Moreton Bay Boys' College Complaints Policy Moreton Bay College & Moreton Bay Boys' College Complaints Procedure</p>



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2.0	April 2013	
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Approval

This document has been approved for publishing by:

Reviewed by	ELT
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