



<p>Policy Aim:</p>	<p>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.</p>
<p>Scope and Responsibilities:</p>	<p>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.</p>
<p>Board Approval:</p>	<p>Required</p>
<p>Background information:</p>	
<p>Policy:</p>	<p>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 in accordance with workplace health and safety legislation.</p> <p>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>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; or (b) Head of College. <p>Dealing with the Report of inappropriate behaviour</p> <p>A staff member who receives a report of inappropriate behaviour must report it. Where the Executive Principal is the subject of the report of inappropriate behaviour, the staff member must inform a director of the governing body of the respective College.</p> <p>If the inappropriate behaviour is sexual abuse or "harm", the Executive Principal or a director will report to a child safety officer in the Department of Communities (or other department administering the Child Protection Act 1999) or to a police officer.</p>



Health professionals must report harm or suspected harm under s.191 of the *Public Health Act 2005*.

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 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 s.420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at either College; and
 - (ii) is not enrolled in the preparatory year at either College;

then the staff member must give a written report about the abuse or suspected abuse to the College's Executive Principal or to a director of the school's governing body immediately.

If the staff member who becomes aware or reasonably suspects sexual abuse is the Colleges' Executive Principal, the Executive 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 director of the respective College's governing body.

A report under this section must include the 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 becomes aware, or reasonably suspects in the course of their employment at 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 s.420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at either College; and
 - (ii) is not enrolled in the preparatory year at either College.

then the staff member must give a written report about the suspicion to the College Executive Principal or to a director of the College's governing body immediately.

If the staff member who becomes aware or reasonably suspects likely sexual abuse is the College Executive Principal, the Executive 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 director of the College's governing body.

A report under this section must include the particulars required by s.68A of the *Education (General Provisions) Regulation 2006* which are currently:-

- (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 has abused, or is suspected to be likely to abuse the student;
 - (iii) the identity of anyone else who may have information about the 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 or a teacher 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; and
- b) may not have a parent able and willing to protect the child from the harm.

The doctor, nurse or teacher 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 or teacher must include the following particulars:

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

Responding to Reports of Harm

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.

Accessibility of policy

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 and they will be required to sign that they have read and understood the policy in Moodle.

Awareness of policy

The policy will be placed on each College Website.

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.

Training

The College will train its staff in processes relating to the health, safety and conduct of staff and students on their



	<p>induction and will refresh training annually.</p> <p>Implementing the Processes</p> <p>The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually.</p> <p>Compliance Procedure</p> <p>Suggestions of non-compliance with the Colleges' processes may be submitted as complaints under the Complaints Policy and Procedure.</p> <p>Form for Reporting</p> <p>The Report of Suspected Harm or Risk of Harm form is attached in the Child Protection Procedures.</p>
<p>Definitions:</p>	<p>Section 9 of the <i>Child Protection Act 1999</i> - "Harm", caused to a student under 18 years, is defined as any detrimental effect of a significant nature on the student's physical, psychological or emotional wellbeing.</p> <p>(1) It is immaterial how the harm is caused.</p> <p>(2) Harm can be caused by:</p> <ul style="list-style-type: none"> (a) physical, psychological or emotional abuse or neglect; or (b) sexual abuse or exploitation. <p>(3) Harm can be caused by –</p> <ul style="list-style-type: none"> (a) a single act, omission or circumstance; or (b) a series or combination of acts, omissions or circumstances. <p>Section 10 of the <i>Child Protection Act 1999</i> – A "child in need of protection" is a student who –</p> <ul style="list-style-type: none"> (a) Has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and (b) Does not have a parent able and willing to protect the child from the harm. <p>Section 364 of the <i>Education (General Provisions) Act 2006</i> - "Sexual abuse", in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances:</p> <ul style="list-style-type: none"> (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.



Child Protection Policy



Related Documentation:

*Child Protection Procedures
Form – Report of Suspected Harm or Risk of Harm*

Legislation Applicable:

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



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Approval

This document has been approved for publishing by:

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