



Child Protection Policy

PREFACE

The Presbyterian and Methodist Schools Association is aware of its duty of care and responsibility for the welfare and well-being of the students of all its schools and the children in its Early Learning Centres, and recognises the need to protect children from Abuse by members of the school, Centre and wider community.

PURPOSE

The purpose of this policy is to provide written processes about the care and protection of children, including processes for appropriate conduct of school employees, for the reporting of harm or suspected harm and processes for handling disclosures of harm.

SCOPE

This policy applies to all employees, students, volunteers and contractors at all PMSA schools and Early Learning Centres, and to Homestay Service Providers, Homestay Hosts, residents of, and visitors to Homestay Host residences and Homestay Students. It covers information about the reporting of physical abuse, emotional and psychological abuse, sexual abuse or exploitation, as well as neglect, inappropriate behaviour and self-harm.

RELEVANT LEGISLATION

- Child Protection Act (1999) (Qld)
- Child Protection Regulation 2000 (Qld)
- Education and Training Legislation Amendment Act 2011
- Education and Care Services National Law (Queensland) Act 2011
- Education and Care Services National Regulations
- Education (General Provisions Act) 2006 (Qld)
- Education (General Provisions) Regulation 2006 (Qld)
- Education (Accreditation of Non-State Schools) Act 2001 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2001 (Qld)
- Education (Queensland College of Teachers) Act 2005 (Qld)
- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- Education (Overseas Students) Act 1996 (Qld)
- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Working with Children (Risk Management and Screening) Regulation 2000 (Qld)



PRINCIPLES

PMSA schools will uphold the following principles under this policy:

1. Staff members, contractors and volunteers at PMSA schools are expected to reflect the highest standards of care in their behaviour towards and relationships with students.
2. Members of the PMSA school communities must not, under any circumstances, Abuse a student of the school.
3. Because of the authority that exists between a staff member and a student, a student cannot "consent" to Abuse.
4. Failure to behave in an appropriate manner may result in criminal proceedings and/or disciplinary action, including dismissal for staff and expulsion for students.
5. Protecting students from harm and the risk of harm is fundamental to maximising their personal and academic potential.
6. Employees of PMSA Schools must not, under any circumstances, engage in physical or emotional abuse or engage in sexual conduct of any nature with a student of any PMSA school. 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.
7. PMSA schools recognise that people who are subjected to Abuse are harmed by it.
8. At PMSA schools the welfare and best interests of the child will always be a primary consideration.
9. PMSA schools expect their students to show respect to their staff and volunteers and to comply with safe practices.
10. PMSA schools will respond diligently to a report of suspected or actual harm, or risk of harm to a student.
11. PMSA schools will not tolerate reprisals against students or others making a complaint.
12. At PMSA schools, student management practices will be administered with respect and in a manner which maintains the student's dignity.
13. PMSA schools will act fairly and reasonably towards an employee or volunteer who is the subject of allegations of improper conduct.
14. PMSA schools will support an employee or volunteer who is the subject of a proven false allegation of causing harm to a student.
15. PMSA schools will take disciplinary action against employees who harm others, and appropriate action against volunteers who harm others.
16. A PMSA school will not permit people to work in a position if that School 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.
17. PMSA schools will co-operate with state authorities in resolving allegations of harm.



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18. A person making a report of Abuse or likely Abuse, Sexual or otherwise, is not liable, civilly criminally or under an administrative process for giving information contained in the report, and the confidentiality of notifiers of harm or risk of harm, is protected.
[Education (General Provisions) Act 2006 ss. 366 and 366A; Child Protection Act 1999 ss. 22 and 186]
19. Persons receiving information about Abuse or suspected Abuse should explain to the informant that the information supplied will be:
 - confidential, to the extent that this is possible given the need to investigate allegations and requirements of the law; and
 - victimisation of the informant will not be tolerated.

GUIDELINES

In complying with these principles, PMSA schools will be guided by the following:

Risk Management

The PMSA has in place a Child Protection Risk Management Strategy and Homestay Risk Management Strategy, which identify the policies, procedures and risk management strategies in place across the PMSA and its schools which, together, act to protect students from harm.

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 condemned unless they are given prior notice of the allegations against them and they have a fair opportunity of being heard.

Confidentiality

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. PMSA schools are 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.

Defamation

A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability for defamation.

Promptness

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



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Public Relations

The Principal will ensure that the School 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/or the media.

Police Action

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing internal enquiries or disciplinary proceedings. This does not preclude the Principal from seeking advice from police regarding the duty of care to existing students which may involve the standing down of a staff member during an investigation. The police are not required to inform the School about their investigation. Some of their material may be acquired under a Right to Information request when their work on the case is finished.

PROCEDURES FOR REPORTING HARM

When a PMSA school 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 PMSA Child Protection Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy.

1. A student who becomes aware or reasonably suspects that harm (other than harm arising from physical or sexual abuse) has been caused by anyone to a student of a PMSA school who was under 18 at the time should report it to any staff member. (Accreditation Regulation S.10)

A child or parent who becomes aware or reasonably suspects that harm (other than harm arising from physical or sexual abuse) has been caused by anyone to a child of a PMSA Early Learning Centre who was under 18 at the time should report it to any staff member. (Child Protection Act 1999 s13A)

2. A staff member who becomes aware or reasonably suspects that harm (other than harm arising from physical or sexual abuse) has been caused by anyone to a student of a PMSA school who was under 18 at the time must report it to the Principal or Deputy Principal of that school, and keep a written record of the actions taken. (Accreditation Regulation S.10)

A staff member who becomes aware or reasonably suspects that harm (other than harm arising from physical or sexual abuse) has been caused by anyone to a child of a PMSA Early Learning Centre who was under 18 at the time must report it to the Nominated Supervisor of that centre, and keep a written record of the actions taken. (Child Protection Act 1999 s.13A)

A person who becomes aware of the identity of a person who has notified authorities about harm must not disclose the identity of that person except in the circumstances set out in



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s186(2) of the Child Protection Act 1999.

3. The Principal or Deputy Principal of a PMSA school, upon receiving a report of harm or suspected harm (other than harm arising from physical or sexual abuse) to a student of that school and upon becoming aware of the harm having been caused or reasonably suspecting the harm to have been caused, must report it to the Department of Child Safety, and keep a written record of the actions taken. (Accreditation Regulation s.10)

The Nominated Supervisor of a PMSA Early Learning Centre, upon receiving a report of harm or suspected harm (other than harm arising from physical or sexual abuse) to a child of that centre and upon becoming aware of the harm having been caused or reasonably suspecting the harm to have been caused, must report it to the Principal and then through to the Department of Child Safety, and keep a written record of the actions taken. (Child Protection Act 1999 s.13A)

4. A student who wishes to report behaviour by a staff member considered by that student to be inappropriate, should report the behaviour to the Principal, Deputy Principal, Student Counsellor, Head of Sub-School or School Nurse, whose contact details are made available in Student Handbooks of the school concerned. (Accreditation Regulation S.10)

A child or parent who wishes to report behaviour by a staff member of an Early Learning Centre, considered by that child or parent to be inappropriate, should report the behaviour to the Nominated Supervisor, whose contact details are made available in Early Learning Centre Handbooks of the school concerned.

5. The Principal, upon receiving a report by a student of inappropriate behaviour of a staff member, should interview the student, the staff member named in the report and any other person who may be able to provide useful information. A Deputy Principal, Student Counsellor or Head of Sub-School of the school concerned should report the findings to the Principal of that school with a recommendation for action to be taken. (Accreditation Regulation S.10)

A Principal of a PMSA school should take action on the basis of the report. (Accreditation Regulation S.10)

The Nominated Supervisor upon receiving a report by a child of inappropriate behaviour of a staff member, should interview the child, the staff member named in the report and any other person who may be able to provide useful information. A Nominated Supervisor should report the findings to the Principal of the associated PMSA School with a recommendation for action to be taken.

The Principal of the associated PMSA School should take action on the basis of the report.

Reporting Sexual Abuse

6. A staff member who 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 programme at the school;
 - c) A person with a disability who:



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- i. Under s420(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 immediately give a written report about the Abuse or suspected Abuse to the Principal of that school or a director of the school's governing body, that is to say, any member of the PMSA Council, who must then immediately give a copy of the report to the police

The report must contain the information set out in 10 below. [s 366 of the *Education (General Provisions) Act 2006*]

7. The Principal of a PMSA school who becomes aware, or reasonably suspects Sexual Abuse, must immediately give a copy of the report to a police officer, and must also give a copy of the report to a director of the school's governing body, that is to say, any member of the PMSA Council.

The report must contain the particulars as set out in 10 below.

Reporting Likely Sexual Abuse

8. 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 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 programme at the school;
 - c) A person with a disability who:
 - i. Under s420(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 school

then the staff member must immediately give a written report about the suspicion to the Principal of that school or a director of the school's governing body, that is to say, any member of the PMSA Council, who must then immediately give a copy of the report to the police.

The report must contain the particulars as set out in 10 below.

9. If the school Principal becomes aware, or reasonably suspects likely Sexual Abuse, the Principal must immediately give a written report about the suspicion to a police officer, and must also give a copy of the report to a director of the school's governing body, that is to say, any member of the PMSA Council.

The report must contain the particulars as set out in 10 below.

10. The written report must contain 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, or is likely, to be Sexually Abused by another person;
 - d) details of the Abuse or suspected Abuse;



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- e) any of the following information of which the first person is aware:
- the student's age;
 - the identity of the person who has Abused, or is suspected to be likely to Abuse, the student;
 - the identity of anyone else who may have information about the Abuse or suspected Abuse. [s.68A of the Education (General Provisions) Regulation 2006]

Mandatory Reporting of Physical and Sexual Abuse

11. Under Section 13E of the Child Protection Act 1999, if a doctor, nurse, teacher, or early childhood 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: -

- has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
- may not have a parent able and willing to protect the child from the harm.

The doctor, nurse, teacher, or early childhood 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 childhood education and care professional, where appropriate, should confer with the Principal in preparing the written report.

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

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

Prescribed information per Section 10 of the *Child Protection Regulation 2011* is:

- the child's name and sex;
- the child's age;
- details of how to contact the child;
- details of the harm to which the reportable suspicion relates;
- 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;
- particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

12. **"Reportable Suspicion" Tests**

12.1 The "Significant Harm Test"

For a reportable suspicion about a child to be a reasonable suspicion it must fulfil the **Significant Harm Test**, meaning that the concern must relate to the student having suffered, is suffering, or is at unacceptable risk of suffering, "significant harm" caused by the physical or sexual abuse.

It is important to note however that significant harm has no legislative definition. Matters



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to consider, under the *Child Protection Act 1999*, when considering the significance of harm under mandatory reporting obligations include:

- a) the nature and severity of any detrimental effects to the child,
- b) the likelihood the effects will continue, **and**
- c) the child's age

12.2 The "Parent Test"

For a suspicion to be "reportable" it must also fulfil the "**Parent Test**". The parent test is fulfilled if a child may not have a parent **willing and able** to protect them from the significant harm. A "parent willing and able" has no legislative definition, however "willing" goes to **choice** and "able" goes to **capacity**.

A parent, for example, may be willing to protect a child, but not have capacity to do so and therefore they are not considered "able". This includes situations such as where the parent's inability is due to factors such as intellectual impairment or ill health. Alternatively, a parent may have the capacity to protect a child (able), but may choose not to do so (not willing). This might include situations where parents choose an ongoing relationship with a person who is abusing their child and are thus "unwilling" to protect the child.

If there is considered to be at least one parent "able" and "willing" to protect the child, the child is considered to not be in "need of protection".

A doctor, nurse, teacher, or early childhood education and care professional is not required to make an investigation or determination as to whether a parent is willing and able, "reasonably suspecting" that a child may not have a parent willing and able to protect them is sufficient.

12.3 Conferrals with colleague and related information sharing

- (1) A relevant person may give information to a colleague, and a colleague may give information to a relevant person, for any of the following purposes—
 - (a) for the relevant person to form a suspicion about whether a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse;
 - (b) in the case of a relevant person under section 13E of the Child Protection Act 1999—for the relevant person to form a suspicion about whether a child has a parent able and willing to protect the child from harm mentioned in paragraph (a);
 - (c) for the relevant person to give a report under section 13G or keep a record about giving a report;
 - (d) for the relevant person or colleague to take appropriate action to deal with suspected harm or risk of harm to a child. For example:
 1. A teacher with a reportable suspicion about a child under section 13E may give information to the Principal at the school to enable the Principal to take appropriate action to protect the child or other children from risk of harm.
 2. An educator under the Education and Care Services National Law (Queensland) with a reportable suspicion about a child under section 13E may give information to the nominated supervisor for the approved education and care service, within the meaning of the Law, to enable the supervisor to take appropriate action to



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protect the child or other children from risk of harm.

13. Reports of Harm under the *Education (Accreditation of Non-State Schools) Regulations 2001*

Harm reported by all staff, including teachers, under the *Education (Accreditation of Non- State Schools) Regulations 2001* must also meet both the *Significant Harm* and *Parent Tests* before a report can be made directly, or after conferral with the Principal, to Child Safety.

14. The Principal of a PMSA school must keep the appropriate insurer informed of any report or claim that is advised to the Principal.

A summary of the reporting of harm can be found in Appendix 1 of this document.

RESPONDING TO REPORTS OF HARM

Suspicion of Harm

Reasonable grounds for suspecting harm exist if:

- A child or young person reports that they have been harmed
- Someone else, for example another child, a parent, or a staff member, reports that harm has occurred or is likely to occur
- A child or young person reports that they know of someone who has been harmed (it is possible that they may be referring to themselves)
- Significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries are a concern
- The harm is observed happening

Any disclosure of harm is important and must be acted upon, regardless of whether:

- The harm to a child or young person has been caused by a person within or outside a PMSA school, or
- The child or young person disclosing the harm is from within or outside a PMSA school

It is crucial to have procedures in place so that any disclosure from an adult, child or young person is dealt with efficiently and effectively.

The Role of the Principal

The Principal of the school concerned should not, under any circumstances, caution the alleged victim as to the possible consequences of reporting Abuse (e.g. possible break-up of the family unit), especially if the alleged abuser is a family member.

1. On receipt of a report of Abuse other than the suspected Sexual Abuse of a student by an employee referred to in paragraph 3, the Principal of the school concerned will carry out a preliminary assessment to determine whether that Principal reasonably suspects the Abuse has occurred.
2. There will be two representatives of the School concerned present at interviews, where practical.



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In cases of allegations of serious harm, it is best not to interview a student who is a child unless a properly qualified person, i.e. a police officer or staff member of the Department of Communities, conducts the interview.

3. If the Principal of the school concerned receives a written report from a staff member about Sexual Abuse or suspected Sexual Abuse by another person of any of the following:
 - a) A student under 18 years attending the school;
 - b) A pre-preparatory aged child registered in a pre-preparatory learning programme at the school;
 - 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 the school; and
 - ii. Is not enrolled in the preparatory year at the school

The Principal of that school will immediately provide a copy of the report to the police, and must also give a copy of the report to a director of the school's governing body, that is to say, any member of the PMSA Council. In the case of an Early Learning Centre, the Nominated Supervisor must also complete and forward to the Office for Early Childhood Education and Care, a Form S101 Notification of Serious Incident or a Form NL01 Notification of Complaints and Incidents (other than serious incidents). The Principal of that school must, upon becoming aware of all allegations of abuse, immediately refer them in writing to the police, and the Nominated Supervisor of that Early Learning Centre must also refer them in writing to the Office for Early Childhood Education and Care..

4. The Principal of the school concerned will support the student by:
 - offering pastoral support;
 - offering to arrange professional counselling, if circumstances warrant it, even if any allegation is not yet proved or disproved;
 - treating the child with respect and dignity;
 - being sensitive to the child's needs, feelings and concerns; and
 - maintaining confidentiality, to the degree possible in the circumstances.
5. The Principal of the school concerned will contact the child's parents, inform them of the allegations and explain how that Principal intends to proceed, except where the suspected harm is from people outside the school, in which event the responsibility for informing parents/caregivers rests with the investigating child protection agency official.
6. The Principal of the school concerned will inform the respondent of the allegations and:
 - if the respondent is a member of the school community, offer pastoral support;
 - treat the respondent with respect and dignity;
 - arrange for professional counselling if it is requested until the matter has been resolved.
7. The Principal of the school concerned will stand down any member of staff if there is an unacceptable risk in leaving the member of staff in their position.
8. The Principal of the school concerned will suspend the enrolment of any student if there is an unacceptable risk in permitting the student to attend the school.
9. When a police prosecution relating to the information is completed or if there is no police prosecution, the Principal of the school concerned will investigate the information to determine



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whether:

- redress should be offered to the student;
- disciplinary action should be taken.

Possible forms of redress may include, but are not limited to:

- Acknowledgement and/or apology;
- correction of the record; and
- counselling services;

The Principal of the school concerned, may involve independent professionals in the investigation.

10. The Principal can also make referral to the Department of Communities Family and Child Connect which aims to link vulnerable children and their families with appropriate local support services. Referrals can be made through the Principal **only** and may be made when:
 - There are concerns that are not of a level requiring a report to Child Safety; or
 - The School believes that a student is likely to become in need of protection if no preventative support is provided.

More information on Family and Child Connect Services can be found on the Department of Communities website.

11. If the Principal of the school concerned believes disciplinary action should be taken against the respondent, the Principal of that school will initiate that action and ensure that the principles of Natural Justice are observed.
12. In all instances where the Principal of the school concerned has received a report from an employee about Abuse, including Sexual Abuse or suspected Abuse, including suspected Sexual Abuse of a student by an employee, the Principal of the school concerned will, at the completion of any investigations write to the employee from whom the Principal received the initial report notifying the employee that their report of Abuse or suspected Abuse has been addressed. This notification should take into account the privacy rights of those involved and not include any details specific to the investigation process or outcome.
13. Notifications to Queensland College of Teachers (QCT)
 - a) A Principal who investigates an allegation of harm caused or likely to be caused to a child because of the conduct of a teacher must, as soon as practicable after the investigation starts, inform the Queensland College of Teachers (QCT) of the investigation, including the following details:
 - The names of the Principal, the School and the relevant teacher; and
 - Particulars of the allegation, including the date the investigation commenced and other relevant information.
 - b) If the investigation ends for any reason, the Principal must provide to the QCT, in addition to the details required in sub-section (a) above, the date the investigation ended, the findings of the investigation, the outcome and any reasons for the outcome and, if relevant, the Principal's decision and reasons for the decision.



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- c) If the Principal dismisses a teacher in circumstances that, in the opinion of the Principal, call into question the competency of the teacher to be employed as a teacher, the Principal must provide to the QCT, in addition to the details required in sub-section (a) above, the date of the notice of dismissal, the effective date of the dismissal and the reasons given by the Principal for the dismissal.
14. The Principal of the school concerned and the Nominated Supervisor of the Early Learning Centre concerned will ensure that the following are undertaken in order to reduce the chance of Abuse occurring:
- Ensure that each staff member understands and fulfils their obligations under this Policy;
 - Ensure that there is an acceptable reference for each staff member engaged since the commencement of this protocol, from their previous employer;
 - Ensure that each non-teaching staff member and volunteer who has contact with children has a current positive prescribed notice issued by the Department of Justice and Attorney-General.

The Principal of the school concerned will also ensure that each teaching staff member is a Registered Teacher.

The Nominated Supervisor of the Early Learning Centre concerned will also ensure that all staff members of the Centre (both teaching and non-teaching) are qualified in accordance with the Child Care Act 2002, Child care Regulation 2003 and Child Care Regulation Amendment 2008 to teach/care for children in the Centre.

15. Each PMSA school will keep its insurer informed about developments.

When a Disclosure is Made

No investigation of allegations of harm should be undertaken by a PMSA school or a PMSA Early Learning Centre. Only enough questions should be asked as to confirm the need to report the matter to the Queensland Police Service, or in the case of the school the Department of Child Safety, and in the case of the Early Learning Centre the Office for Early Childhood Education and Care, except when the alleged harm occurs away from the Early Learning Centre, in which case no report to the Office of Early Childhood Education and Care is required. The safety of the child or young person is paramount. Unnecessary questions or interviews could cause distress or confusion and interfere with any subsequent investigation undertaken by the authorities.

In the first instance, reports by the school of suspected child abuse should be made to the Department of Child Safety and by the Early Learning Centre to the Office for Early Childhood Education and Care, which are staffed by professionally trained child protection personnel who are skilled in dealing with suspected child abuse reports.

A report should also be made by the Early Learning Centre to the Principal or Business Manager of the school concerned.

To discuss or report an incident involving a child or young person to the Queensland Police Service, contact can be made with the local Child Protection and Investigation Unit (formerly Juvenile Aid Bureau) through the nearest Police District Communication Centre.

A PMSA school should not:

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- Conduct its own investigation to substantiate claims
- Hold its own internal hearing, or
- Attempt to mediate a settlement of the matter instead of notifying relevant authorities

Investigations conducted by a PMSA school could lead to:

- The destruction of evidence by an accused person
- Intimidation of the person disclosing the information, or
- Intimidation of the child or young person being harmed (if the disclosure was made by someone else)

NB: When a report is made to the Department of Child Safety, the Office for Early Childhood Education and Care or the Queensland Police Service, reporting details are kept confidential and the identity of the reporter is strictly protected.

Role of the School Council

Under the *Education (Accreditation of Non-State School) Act 2001* school governing bodies must be able to demonstrate how the school is implementing the processes which relate to appropriate conduct of its staff and students, that accord with legislation applying in the State about the care or protection of children and the processes for reporting harm. All PMSA school councils must ensure the following:

- (a) staff, students and parents are made aware of the processes; and
- (b) staff are trained in implementing the processes; and
- (c) the school is implementing the processes; **and**
- (d) the processes are readily accessible by staff, students and parents.

COMPLAINTS PROCEDURE

Suggestions of non-compliance with the school's processes may be submitted as a complaint under the respective school's complaints policy and procedure.

POLICY DISTRIBUTION

This policy is to be made available to students and parents of PMSA schools, children and parents of PMSA Early Learning Centres and Homestay Hosts arranged by and for PMSA schools via the school website, student diary, parent manuals, including that for boarders, and Homestay Handbook, and by display on at least one noticeboard at each school and each Early Learning Centre, always. The attention of parents, students and children will be drawn to the Policy at least twice a year via the School and Early Learning Centre newsletters. The Principals and Nominated Supervisors will ensure that a copy of this Policy is always available from the administration of each PMSA school and each PMSA Early Learning Centre respectively. The policy will be directed to the attention of all staff through the staff handbook, and in particular, on the first Staff Professional Development Day of each school year for school staff, the first staff meeting of the year for Early Learning Centre staff, and to all new staff at the time of appointment.



HOMESTAY STUDENTS

For provisions relating specifically to Homestay Students please refer to the *PMSA Homestay Welfare and Accommodation Policy*.

DEFINITIONS

"Abuse" means activity or deliberate or careless inactivity which causes significant harm, that is to say, any detrimental effect of a significant nature on a person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. The harm can be caused by:

- Physical, psychological or emotional Abuse or neglect
- Sexual Abuse or exploitation.

"Child" means a person under 18 years of age.

"Child in need of protection" under 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; and
- b) does not have a parent able and willing to protect the child from the harm.

"Colleague" of a relevant person, means a person working in or for the same entity as the relevant person.

"Early Childhood Education and Care Professional" under Section 13E (4) of the Child Protection Act 1999 means an individual, other than a volunteer or an individual under the age of 18, who is –

- (a) any of the following under the *Education and Care Services Act 2013* –
 - (i) an approved provider;
 - (ii) a supervisor for a QEC approved service;
 - (iii) An educator for a QEC approved service; or
- (b) any of the following under the *Education and Care Services National Law (Queensland)* –
 - (i) an approved provider;
 - (ii) a nominated supervisor for an approved education and care service;
 - (iii) an educator for an approved education and care service;
 - (iv) a family day care coordinator for an approved family day care service;
 - (v) a family day care educator for an approved family day care service.

"Early Learning Centre" is an educational institution offering a kindergarten programme.



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"Harm", to a child, under Section 9 of the Child Protection Act 1999 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.

"Pastoral Care" is emotional support from a person who does not necessarily hold academic qualification required for professional counselling.

"PMSA" is The Presbyterian and Methodist Schools Association, the governing body of Brisbane Boys' College, Clayfield College and Somerville House schools in Brisbane and Sunshine Coast Grammar School on the Sunshine Coast.

"PMSA School" includes PMSA Early Learning Centres and Homestay Hosts arranged by and for PMSA schools, unless expressly stipulated otherwise.

"Principals of PMSA Schools" include Nominated Supervisors of PMSA Early Learning Centres, unless expressly stipulated otherwise.

"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", under 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.

"Staff" includes current or former employees (for example teachers, administration people and grounds staff), contractors and volunteers (for example sports coaches).

"Students of PMSA Schools" includes any person regardless of age who is enrolled at any PMSA school, or Early Learning Centre, unless expressly stipulated otherwise.



HARM NOT COVERED BY SPECIFIC LEGISLATION

Bullying and Harassment

In most cases, harm of this nature is not required to be reported to external authorities, unless it involves criminal behaviour or is harm under the definitions supplied in this policy. The Child Protection Policy should be read in conjunction with the Anti-bullying and Sexual Harassment policies of the PMSA schools.

Self-Harm

Self-harm may occur with or without suicidal intent, or may be symptomatic of, or associated with, a known medical condition or intellectual disability.

Self-harm with Suicidal Intent

Common risk factors include:

- Previous attempts at suicide (most powerful risk predictor)
- Depression
- Drugs and alcohol abuse
- Conduct disorder
- Disruptive and unsupportive family background
- Relationship conflicts
- Poor coping skills
- Psychiatric illnesses
- Ready availability of lethal means to commit suicide
- Copycat behaviour after an incident of self-harm by another person

Other risk factors include:

- Recent bereavement
- Chronic physical illness
- Anniversary phenomenon (of past losses or major life events)
- Early loss experiences
- School failure
- Perfectionism and overachievement as a result of students having high expectations of themselves

Threats of self-harm by a student should be taken seriously and reported to the school counsellor and Principal immediately.

An employee who becomes aware of, or suspects that, a student is experiencing significant psychological distress, should consult the school counsellor, or school-based nurse (where applicable) for further advice and report the information to the Principal.

In the case of an acutely distressed student, the immediate safety of the child is paramount.



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An employee should ensure the immediate safety of the student, arrange for an adult to be with the

student at all times and then report concerns to the Principal and the school counsellor. Employees should note that while it is important to support a student, they should be careful not to substitute support for professional help.

Following a report, the school counsellor should meet with the distressed student on the day of the report, to conduct an initial assessment and determine an appropriate course of action. In cases of serious concern, the Principal, or counsellor under the direction of the Principal, should notify the student's parents and make arrangements for access to professional assistance.

Self-Harm Without Suicidal Intent

Not all cases of self-harm relate to suicidal intent. Students may engage in a variety of high risk behaviours, such as alcohol/substance abuse, drug-taking, unsafe promiscuity, cutting/burning oneself.

All school employees are expected to act to prevent all high risk behaviours occurring within the school, and to support any other interventions undertaken to reduce the risk of such behaviours occurring outside the school.

Employees who are aware that a student is engaging in, or is at risk of engaging in, high risk activities, should consult with the school counsellor for further advice and report their concerns to the Principal.

Following a report, the Principal should consult with a student counsellor to determine what course of action should occur. Possible actions include:

- Contacting parents
- Arranging professional assistance
- Consulting with the local office of the Department of Child Safety
- Consulting with the Office for Early Childhood Education and Care
- Contacting the police where appropriate

Self-Harm as a Symptom of a Medical Condition or Intellectual Disability

Where it is known that a student has a propensity to engage in self-harm that is symptomatic or associated with a known medical condition or intellectual disability, the school Principal, in cooperation with other qualified school staff and external treating professionals (where applicable) should devise an individual programme of management to prevent or reduce the likelihood of the student engaging in self-harm at school.

The programme should complement any other management procedures adopted outside the school setting to address the self-harm behaviour.

REVIEW

The PMSA will ensure that this Policy is reviewed annually or more frequently as required by legislative changes.



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APPENDIX 1 – Child Protection – Summary of Reporting Harm

<i>Who</i>	<i>What abuse</i>	<i>Test</i>	<i>Report to</i>	<i>Legislation*</i>
All staff	Sexual	Awareness or a reasonable suspicion. Sexually abused or likely to be sexually abused.	Principal, through to Police.	EGPA, sections 366 and 366A.
Teacher	Sexual and physical	Significant harm. Parent may not be willing and able.	Confer with Principal, report to Child Safety.	CPA, sections 13E and 13G
Health Care Professional (Doctor/Nurse)	Sexual and physical	Significant harm. Parent may not be willing and able.	Confer with Principal, report to Child Safety.	CPA, sections 13E and 13G
ECEC Professional (from 1 July 2017 onwards)	Sexual and physical	Significant harm. Parent may not be willing and able.	ELC Nominated Supervisor to confer with Principal, report to Child Safety.	CPA, sections 13E and 13G
ECEC Professional	<i>Regarding an ELC student:</i> Physical, psychological, emotional, neglect, exploitation.	Significant harm. Parent may not be willing and able.	ELC Nominated Supervisor, through Principal to Child Safety.	CPA, section 13A. EaCS NQS 2.3.4 EaCS Nat Reg 84
All Staff	Physical, psychological, emotional, neglect, exploitation.	Significant harm. Parent may not be willing and able.	Principal, through to Child Safety.	Accreditation Regulations, section 10. CPA, section 13A
All Staff	Any	Not of a level that is otherwise reportable to Child Safety, refer with consent.	Principal, through to Family and Child Connect.	CPA, sections 13B and 159M
Principal	Any	Not of a level that is otherwise reportable to Child Safety, refer without consent.	Family and Child Connect	CPA, sections 13B and 159M
Any member of the public	Any	Significant harm. Parent may not be willing and able.	Child Safety.	CPA, section 13A

* EGPA = *Education (General Provisions) Act*; CPA = *Child Protection Act*; EaCS NQS = *Education and Care Services National Quality Standards*; EaCS Nat Reg = *Education and Care Services National Regulations*.