

# Child Protection Policy & Mandatory Reporting

## Policy Scope

This policy relates to ACC Moreton Ltd.

Everyone working in a college is responsible for the care and protection of the children and reporting information about child maltreatment concerns such as neglect or physical, sexual and emotional maltreatment. The college will act in the best interests of the child.

When the 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. 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.

## Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to: The College Principal or Head of On-Campus.

## 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 board.

## 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:-
  - a. under section 420(2) of the Education (General Provisions) Act 2006 is being provided with special education at the school; and
  - b. 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 director of the school's board immediately.

If the Principal becomes aware or reasonably suspects sexual abuse, 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 the nominated Board member.

A report under this section must include the following particulars:

1. the name of the person giving the report (the first person);
2. the student's name and sex;
3. details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
4. details of the abuse or suspected abuse;
5. any of the following information of which the first person is aware:-
  - a. the student's age;
  - b. the identity of the person who has abused, or is suspected to have abused, the student;
  - c. 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 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:-
  - a. under section 420(2) of the Education (General Provisions) Act 2006 is being provided with special education at the school; and
  - b. is not enrolled in the preparatory year at the school
- D. then the staff member must give a written report about the suspicion to the Principal or to a director of the school's governing body immediately. (A child attending the Before School and After School Program operated by Camp Australia on our premises is subject to the Camp Australia Child Protection Policy which is available at every session);

If the staff member who becomes aware or 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 the school's governing body.

A report under this section must include the following particulars:

1. the name of the person giving the report (the first person);

2. the student's name and sex;
3. details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
4. any of the following information of which the first person is aware:-
  - a. the student's age;
  - b. the identity of the person who has abused, or is suspected to be likely to abuse, the student;
  - c. 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 teacher forms a 'reportable suspicion' about a child in the course of their engagement in their profession, then the obligation is on that person to determine if there is a reportable suspicion.

A reportable suspicion about a child is that the child:-

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

The teacher may consult with the Principal to determine if there is a reportable suspicion but once the reportable suspicion is determined the obligation is on the teacher to make a written report.

The 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 teacher should give a copy of the report to the Principal.

#### **Note:**

A teacher is not required to give a report if they know, or reasonably suppose, that the Chief Executive (Child Safety Services) is aware of the matter (Section 13G (3) (b) of the Child Protection Act 1999).

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

1. state the basis on which the person has formed the reportable suspicion; and
2. include the information prescribed by regulation, to the extent of the person's knowledge.
3. If the Principal writes the report on behalf of the teacher then the Principal must provide written confirmation to the teacher that a written report has been submitted to Child Safety Services.

### **Awareness**

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and these policies are published on the college website.

### **Training**

The school will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training with all staff every two years.

### **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 ACCM Complaints Management Policy, available on the college website <http://moreton.acc.edu.au>.

### **Policy Review**

On change of legislation or at the discretion of the School Board of ACC Moreton Ltd.

### **Policy Version**

4.0