

# 3.13 Policy

## Student Protection Policy



**VICTORY**  
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## Victory College Student Protection Policy

<b>Purpose:</b>	There are several written policies at Victory College which address the safety and wellbeing of students and staff. The purpose of this policy is to make clear the reporting and response process when inappropriate behaviour or harm, sexual abuse or neglect to a student, whether internal or external to the College, is disclosed or suspected. Where there is any conflict between the Student Protection Policy and other College policies, the former will prevail.	
<b>Scope:</b>	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 Victory College and covers information about the reporting of harm and abuse	
<b>Status:</b>	Approved	<b>Supersedes:</b> Student Protection Policy
<b>Authorised by:</b>	Victory College Committee of Management	<b>Date of Authorisation:</b> February 2024
<b>References:</b>	<ul style="list-style-type: none"> <li>• Age Discrimination Act 2004 (Cth)</li> <li>• Anti-Discrimination Act 1991 (Qld)</li> <li>• Australian Human Rights Commission Act 1986 (Cth)</li> <li>• Child Protection Act 1999 (Qld)</li> <li>• Civil Liability Act 2003 (Qld)</li> <li>• Crimes Amendment (Working With Children—Criminal History) Act 2010 (Cth)</li> <li>• Criminal Code Act 1889 (Qld)</li> <li>• Common Law – Contract and Duty of Care (Cth) (Qld)</li> <li>• Disability Discrimination Act 1992 (Cth)</li> <li>• Education (General Provisions) Act 2006 (Qld)</li> <li>• Education (General Provisions) Regulation 2017 (Qld)</li> <li>• Education (Queensland College of Teachers) Act 2005 (Qld)</li> <li>• Education (Accreditation of Non-State Schools) Act 2017 (Qld)</li> <li>• Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</li> <li>• Education and Training Amendment Act 2011 (Qld)</li> <li>• Education Services for Overseas Students Act 2000 (Cth) – referred to as the ESOS Act 2018, hereafter.</li> <li>• Limitation of Actions Act 1974 (Qld)</li> <li>• National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</li> <li>• Racial Discrimination Act 1975 (Cth)</li> <li>• Sex Discrimination Act 1984 (Cth)</li> <li>• Work Health &amp; Safety Act 2011 (Qld) Working with Children (Risk Management and Screening) Act 2000 (Qld)</li> <li>• 3.20 Victory College Complaints Handling Policy</li> <li>• 2.70Victory College Child Risk Management Strategy (for the Working with Children (Risk Management and Screening) Act 2000</li> <li>• 3.90 Victory College Work Health and Safety Policy (for the Work Health and Safety Act 2011 (Qld))</li> <li>• Victory College Child Protection Reporting Form</li> </ul>	
<b>Review Date:</b>	Biennially	<b>Next Review Date:</b> February 2026
<b>Policy Owner:</b>	Victory College Committee of Management	



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## 1. INTRODUCTION

Victory College is committed to preventing harm to students and staff by providing a safe and supportive learning environment for all students and College staff. Any behaviour which jeopardises such an environment will not be tolerated. This Policy conforms with relevant Child Safety Legislation.

## 2. DEFINITIONS

### Relevant Person<sup>1</sup>

- A student under 18 years attending the school (College);
- A kindergarten age child registered in a kindergarten learning program at the school (College);
- A person with a disability who
  - Under section 420(2) of the Education (General Provisions) Act 2006 is being provided with special education at the school (College); and
  - Is not enrolled in the preparatory year at the school (College).

This term is usually used in regards to sexual abuse.

### Relevant Child<sup>2</sup>

- A child in need of protection; or
- A child who may become a child in need of protection if preventative support is not given to the child or the child's family.

This term is usually used in regards to physical, psychological or emotional abuse or neglect.

### Child

A person up to the age of eighteen (18) years of age<sup>3</sup>.

### Student

A student is any person regardless of age who is enrolled at the College.

### Governing Body

The National Executive of Christian Outreach Centre trading as International Network of Churches.

### Director

A member of the Governing Body.

### College Committee of Management

The Committee of Management appointed by the Local Church Committee of Management by authority of the Governing Body to oversee the day-to-day management of the College.

### Committee of Management Member

A member of the College Committee of Management.

### Department of Children, Youth Justice and Multicultural Affairs

In this policy the Department of Children, Youth Justice and Multicultural Affairs will be referred to as Child Safety Services.

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<sup>1</sup> Education (General Provisions) Act 2006 (Qld) S366 and 366A (a) to (c)

<sup>2</sup> Child Protection Act (Qld) 1999 S159BA

<sup>3</sup> With the exception to references to an Accountable Person where a child is defined as a person under 16 years or a person with an impairment of the mind - Criminal Code Act 1899 (Qld) S229BC(1)(b)



### Harm<sup>4</sup>

Harm is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:

- A single act, omission or circumstance; or
- A series or combination of acts, omissions or circumstances.
- Physical, psychological or emotional abuse or neglect; or
- Sexual abuse or exploitation.

### Sexual abuse<sup>5</sup>

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.

### Grooming<sup>6</sup>

Grooming refers to the way some offenders form relationships and build trust with parents, carers, teachers and other children in order to get close to a child and create the opportunity for sexual abuse. Grooming can be difficult to identify as the behaviour itself may not be abusive or sexual. It is also important to note that not all offenders use grooming techniques<sup>7</sup>.

### Neglect

The term neglect in this policy may be defined as any act or omission causing harm to a child by any person. Neglect occurs when a child's basic necessities of life (example: food, housing, health care and medical treatment, adequate clothing, personal hygiene and adequate supervision) are not met, and their health and development are affected.

**Inappropriate Behaviour by a staff member towards a student:** Inappropriate Behaviour is NOT defined by law. For the purpose of this policy inappropriate behaviour includes any unwelcome behaviour by a College employee towards a College student that the student is uncomfortable with and breaches the trust implicit in a normal adult-student relationship, as defined by accepted societal values, professional and contractual obligations, current legislation and/or legal precedent. Behaviour which would be regarded by a reasonable person to be inappropriate between an adult and a child will be responded to as such even if the child does not reject it or indicates it is unwelcome.

### Reportable Suspicion

A Reportable suspicion is one where a staff member:

- a) has a reasonable suspicion that a relevant person or relevant child has suffered, is suffering, or is at an unacceptable risk of suffering significant harm caused by physical, psychological or sexual abuse; and
- b) may not have a parent able and willing to protect the relevant person or relevant child from harm.

### Teacher

A person employed in the capacity of a registered teacher at Victory College, and includes full time, part time, casual and re-appointments.

<sup>4</sup> Harm as defined under section 9 of Child Protection Act 1999

<sup>5</sup> Education (General Provisions) Act 2006 S364

<sup>6</sup> Criminal Code Act 1899 (Qld) Schedule 1, Part 4, Chap 22, S218B (2)

<sup>7</sup> <https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/child-abuse/child-sexual-abuse/child-sexual-abuse-protect>

**General Staff**

Includes those involved in administration, teaching assistants, groundsman, cleaners, coaches, referees and volunteers, paid and unpaid, working in any capacity within the College.

**Staff**

Includes all workers at the College including volunteers.

**Notifier**

A person who brings notice of significant harm to the attention of the College.

**Student Protection Contact Officer**

The named and published staff member, as required under the Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) S16, to whom students may refer complaints.

**Appropriately Qualified Individual**

A person, not being the College Head of College, nor a member of College staff, who possesses the qualifications, experience or standing appropriate to perform the function of receiving a report and giving a copy of the report to a Police officer under section 366 or 366A of the Education (General Provisions) Act 2006 on behalf of the Governing Body.

**Delegated Appropriately Qualified Individual**

The person appointed unanimously by the Governing Body, delegated with the directors' reporting function under section 366B of the Education (General Provisions) Act 2006. (Specifically, the person listed in Annexure J Student Protection Policy Contact Details for Reporting).

**Employee (of the College)**

A person engaged to carry out work at the College for financial reward.

**Accountable Person**

An accountable person is an adult who is associated with the College. This includes all staff at the College, including but not limited to, teachers, administration staff, ancillary staff, contactors, tutors and volunteers.

**Independent Protection Advisor**

A person appointed by the College, and is independent of the College, but available for assessment of complaints.

**Vexatious Complaint**

A complaint which has no substance and which may be brought with ill intent. Vexatious complaints may have serious consequences under College policy and legislation.

**Unacceptable Risk**

If the report of alleged abuse is of such concern that in the reasonable view of the Head of College (with consultation) the person implicated would be a danger – that person can be stood down or suspended in the interim.

### 3. THE LAW<sup>8</sup>

- Age Discrimination Act 2004 (Cth)
- Anti-Discrimination Act 1991 (Qld)
- Australian Human Rights Commission Act 1986 (Cth)
- Child Protection Act 1999 (Qld)
- Civil Liability Act 2003 (Qld)
- Crimes Amendment (Working With Children—Criminal History) Act 2010 (Cth)

<sup>8</sup> All references to legislation include amendments as of 01/09/2022



- Criminal Code Act 1889 (Qld)
- Common Law – Contract and Duty of Care (Cth) (Qld)
- Disability Discrimination Act 1992 (Cth)
- Education (General Provisions) Act 2006 (Qld)
- Education (General Provisions) Regulation 2017 (Qld)
- Education (Queensland College of Teachers) Act 2005 (Qld)
- Education (Accreditation of Non-State Schools) Act 2017 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)
- Education and Training Amendment Act 2011 (Qld)
- Education Services for Overseas Students Act 2000 (Cth) – referred to as the ESOS Act 2018, hereafter.
- Limitation of Actions Act 1974 (Qld)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Work Health & Safety Act 2011 (Qld) Working with Children (Risk Management and Screening) Act 2000 (Qld)

NB: In relations to Child Protection, the College is aware of the legislative action taken to amend laws to ensure a cohesive framework to protect victims of violence and their children<sup>9</sup>, some of which may be part of our school community. The College will support amendments as they relate to the requirements that schools respond as required to assist in the provision of safety to the families and staff experiencing violence, including with:

- Providing paid leave as legislated;
- Increased attentiveness to DV Orders (now to be more specific to each family circumstance); including:
  - Family Court Orders, and amendments to Orders;
  - Availability of Greater Police interventions.

## 4. PRINCIPLES

This policy is founded on the following principles:

- The mandatory reporting to the appropriate authorities the reasonable suspicion that a relevant person or relevant child has suffered, is suffering, or is at an unacceptable risk of suffering significant harm caused by physical, psychological or sexual abuse;
- Every student has a right to protection from harm. Protecting students from harm and the risk of harm is fundamental to maximising their personal and academic potential.
- The welfare and best interests of the student will always be a primary consideration.
- Families have the primary responsibility for the upbringing, protection and development of their children.
- In all actions taken by the College, the best interests of the student will always be a primary consideration and include the reporting of any harmful behaviour, regardless of family issues.
- As part of its pastoral care commitments, the College will provide appropriate support to the student and family when an alleged abuse or inappropriate harm has taken place.
- The College will screen new staff/volunteers in relation to the suitability to work with children.
- The College will not tolerate harmful behaviours. Such behaviours will result in penalties being imposed by the College.

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<sup>9</sup> <https://www.justice.qld.gov.au/initiatives/end-domestic-family-violence/our-progress>



- The College will provide pastoral care to alleged offenders if they are students or employees of the College.
- The confidentiality of all parties will be respected.

### Natural Justice

The principle of natural justice will apply to processes and decisions under this policy. The principles of Natural Justice are that:

- A person alleged to have behaved improperly has a right to particulars of what has been allegedly done.
- The right to respond to the allegations.
- The person has a right to be heard in an unbiased forum.

**Note:** In instances where the alleged person is involved with or suspected of physical and/or sexual abuse of a relevant person, it may not be appropriate or permissible to inform the alleged perpetrator. Instead, the police need to be informed and the authorities will make the necessary contact.

### Confidentiality

It is important when handling complaints information that the confidentiality of all parties concerned is respected. Information will be regarded as confidential if:

- The information has the 'necessary qualities of confidence' in that any unauthorised use would be detrimental to a party and that;
- It was shared or confided under circumstances where there was a special need for trust, i.e. between the harassment officer and the complainant, or between the Head of College and the alleged offender. This special need for trust does not negate or take precedence over the mandatory reporting requirements for significant harm set out in the Child Protection Act 1999 (Qld)<sup>10</sup> and the mandatory reporting requirements for sexual offences set out in The Criminal Code Act 1899 (Qld)<sup>11</sup>. Information will be shared only with other parties as required by law.

## 5. SCOPE

This policy and the procedures contained herein will apply to all concerns/complaints/allegations of inappropriate conduct, harm or sexual abuse caused to a student or relevant child at the College, whether they occur internally or externally. This policy is to be read in conjunction also with the ESOS Act 2018. It applies to all staff, students, relevant persons and relevant children.

## 6. POLICY STATEMENT

Under this policy:

1. The College will adhere to the mandatory reporting process imposed by law – to Police and Child Safety Services.
2. All staff who become aware of allegations of harm, inappropriate behaviour or reasonable suspected harm towards a student must report to College delegates/the Head of College as required by this Policy including their responsibility as mandatory reporters.
3. All staff are considered an accountable person under Criminal Code Act 1899 (Qld)<sup>12</sup>. An accountable person commits a crime if they know there is a significant risk that another adult will commit a child sexual offence in relation to a child and willfully or negligently fails to reduce or remove the risk to the child<sup>13</sup>.

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<sup>10</sup> The Child Protection Act 1999 (Qld) S13E, S13G, 13H and 13I

<sup>11</sup> The Criminal Code Act 1899 (Qld) S229BB and 229BC

<sup>12</sup> The Criminal Code Act 1899 (Qld) S229BB and 229BC

<sup>13</sup> The Criminal Code Act 1899 (Qld) S229BB (1)(a)(f)



4. The College will work with State Authorities and in community partnership with Agencies and parents concerning student protection issues.
5. The College may report at the discretion of the Head of College other matters of harm, abuse and criminality which are not mandatory to State Authorities.
6. The College has internal processes in place to address matters (i.e. not physical or sexual harm) that are not reported/referred externally.
7. Failure to follow this policy will result in College disciplinary measures additional to any penalties which may apply at Law.
8. Formal grievances, disputes and/or complaints arising from the processing or outcomes of this policy may be engaged by accessing the College's Policy 3.20 Complaints located on the College's network storage platform and accessible to parents, students and staff from the College website.

## 7. RESPONSIBILITIES

### a) The Governing Body

- The Governing Body is responsible for ensuring that health, safety and conduct of staff and students' processes are implemented in accordance with the Education (Accreditation of Non-State Schools) Regulation 2017 (Qld), S16(4) (6) via delegation to the College Committee of Management through the Local Church Committee of Management.
- The Governing Body is responsible for the development of and compliance with this policy.
- The Governing Body is responsible for the appointment of an Appropriately Qualified Individual to receive and report any allegations relating to sexual abuse of a relevant person on behalf of the Governing Body.

### b) The College Committee of Management

- The College Committee of Management is responsible for compliance with this policy at the individual College level as delegated by the Governing Body whose responsibility is outlined in accordance with the Education (Accreditation of Non-State Schools) Regulation 2017 (Qld), S16(4). The College Committee of Management is responsible for establishing and maintaining the College formal complaints policy (3.20 Complaints) which covers complaints arising out of this Policy.

### c) The Head of College is responsible for:

- Ensuring they are conversant with relevant legislation (including the ESOS Act 2018) and this policy;
- Ensuring that their own behaviour neither encourages nor supports behaviour in others which may undermine the intention of this policy;
- Ensuring that all staff, for whom they are responsible, understand and fulfil their responsibilities within this policy;
- Appointing the College Independent Student Protection Adviser and Student Protection Contact Officers<sup>14</sup>;
- Ensuring that all staff know that they must not, in any circumstances, engage in sexual conduct of any nature with a student who is enrolled at Victory College, or any harmful or inappropriate behaviours. It is irrelevant whether the sexual conduct is consensual or non-consensual, or condoned by parents or caregivers. The ages of the student or employee involved are also irrelevant;
- Making it clear that victimization of students or others making a complaint will not be tolerated;

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<sup>14</sup> Annexure K



- Ensuring that student management practices are administered in a manner which maintains the student's dignity;
- Reporting, if deemed necessary under the mandatory reporting laws, particulars of allegations made against Victory College to the Queensland Police Service and/or Child Safety Services;
- Receiving any complaint/allegation made whether directly, or through a staff member or Student Protection Contact Officer;
- Assessing the complaint/allegation and, in cases regarding inappropriate behaviour, ensuring that assistance is sought from the College Independent Protection Advisor to decide upon the response; and
- Working with the Delegated Appropriately Qualified Individual in all matters concerning responding to and reporting sexual abuse.

**d) Independent Protection Advisor:**

- Will be available to advise on the safety of students, as required.

**e) Staff are Responsible for:**

- Complying with this policy and procedures;
- Reporting complaints/allegations/suspicions/information of inappropriate behaviour, harm or abuse (which are not sexual abuse) to the appropriate Student Protection Contact Officer and/or the Head of College (Annexure A & D);
- Reporting of all sexual abuse, suspected sexual abuse or likely sexual abuse to the Head of College or Delegated Appropriately Qualified Individual;
- Making clear and objective notes of what they suspect or have been told. (See Student Protection Forms – Annexure B – D);
- Protecting confidentiality;
- Complying with the ESOS Act 2018 when dealing with International Students; and
- Reducing or removing the risk if they know there is a significant risk that another adult will commit a child sexual offence in relation to a child<sup>15</sup>.

The Criminal Code Act 1899 (Qld)<sup>16</sup> names all adults as mandatory reporters regarding child sexual offences. The Child Protection Act 1999 (Qld)<sup>17</sup> names teachers as mandatory reporters of any significant harm to Child Safety Services. Under this Policy that obligation is placed upon all staff with consultation with the Head of College or the Delegated Appropriately Qualified Individual. The Head of College will work within the College's Christian Worldview when consulted with concerning all student protection issues.

**f) Student Protection Contact Officers<sup>18</sup>**

- Will be appointed by the Head of College in each of the sub-schools;
- Will undertake training in the requirements of the role;
- Will be known to staff and students, and should be persons that will be accessible;
- Will follow the procedures set out in this policy; and
- Must inform the Head of College of all incidents brought to their attention.

**g) Students**

All students are expected to contribute to the care and wellbeing of other students by complying with all College policies, rules and directions.

Students are encouraged to report any behaviour of staff that they consider inappropriate to a Student Protection Contact Officer.

<sup>15</sup> The Criminal Code Act 1899 (Qld) S229BB(1)

<sup>16</sup> The Criminal Code Act 1899 (Qld) S229BB and 229BC

<sup>17</sup> The Child Protection Act 1999 (Qld) S13E, S13G, 13H and 13I

<sup>18</sup> Annexure K



## 8. DEALING WITH ALLEGATIONS OF HARM, SEXUAL ABUSE INAPPROPRIATE CONDUCT AND SELF INJURY

### A) SEXUAL ABUSE

- The following outlines the procedures for reporting of known, suspected or likely sexual abuse which will apply in Victory College.
- Where a reference is made to **PROVIDING A WRITTEN REPORT** in the below procedures, the following matters are to be included in the written report. (required under S68 & 68a Education (General Provisions) Regulations 2017 (Qld))<sup>19</sup>:
  - (i) Name of the person giving the Report (the Notifier);
  - (ii) The relevant person's name and sex (the person who it is suspected has been sexually abused or is likely to be sexually abused);
  - (iii) Details of the basis for the Notifier becoming aware, or reasonably suspecting, that the relevant person has been sexually abused by another person;
  - (iv) Details of the abuse or suspected abuse (omit in the case of suspicion of likely sexual abuse);
  - (v) Any of the following information of which the Notifier is aware
    - a. the relevant person's age;
    - b. The identity of the person who has abused, or is suspected to have abused, the relevant person;
    - c. the identity of anyone else who may have information about the abuse or suspected abuse.

If a staff member is aware or reasonably suspects that a relevant person has been sexually abused or is likely to be sexually abused, a written report must be given to either the Head of College or the Delegated Appropriately Qualified Individual immediately<sup>20</sup>.

Without removing the mandatory obligation of the staff member to report the allegation, the Head of College or Delegated Appropriately Qualified Individual must immediately contact the Police and provide them with a copy of the report (Student Protection Form 3) and Student Protection Record. (Where State Authorities Interview Student or Relevant person at the College).

The Head of College or the Delegated Appropriately Qualified Individual must also provide a copy of the report to the governing body (i.e. "INC" – International Network of Churches).

If the Head of College is the first person who is aware or reasonably suspects that a relevant person has been sexually abused or is likely to be sexually abused, the Head of College must immediately provide a written report to a police officer and also provide a copy of the report to the Governing Body (i.e. "INC" – International Network of Churches).

If the Delegated Appropriately Qualified Individual is the first person who is aware or reasonably suspects that a relevant person has been sexually abused or is likely to be sexually abused the Delegated Appropriately Qualified Individual must immediately provide a written report to the Head of College and a police officer and also provide a copy of the report to the Governing Body (i.e. "INC" – International Network of Churches).

### b) REPORTABLE SUSPICION – Sexual Abuse

Reporting harm as a result of a child sexual offence under Section 229BC of the Criminal Code Act 1889 (Qld)

<sup>19</sup> Annexure A and Annexure D - Student Protection Form 3

<sup>20</sup> Annexure B- E, Student Protection Forms 1 -5



**Staff Obligations:**

The Criminal Code Act 1899 (Qld)<sup>21</sup> names all adults as mandatory reporters in regard to child sexual offences

**If:**

You have a “reportable suspicion”, i.e. a reasonable suspicion, that a child sexual offence is being or has been committed against a student

1. Complete the College's reporting forms<sup>22</sup>;
2. Consult/discuss your concerns with the Head of College or the Delegated Appropriately Qualified Individual;
3. The teacher/staff member will make the report to Child Safety Services as the “Notifier”;
4. The Head of College will acknowledge the receipt from teacher/staff member of a copy of the report;

**Or**

1. If you suspect the Head of College is involved in the abuse, directly inform the Delegated Appropriately Qualified Individual (refer to the contact details on the first page of the policy) prior to making a report (as mandatory reporter) to Child Safety Services (and providing a copy of the report to the Delegated Appropriately Qualified Individual);
2. Keep appropriate records of your decisions and actions.

The College recognises that a student may not meet the criteria of a relevant person (as set out in Section 2: Definitions) if over the age of 18, however, due to the nature of the teacher/student relationship there exists a *jus naturale*, whereas there is an inherent imbalance of power within this relationship where the student has less power than the teacher. Due to this, any sexual behaviour or suspected sexual behaviour involving a student over the age of 18 and a teacher, while not meeting the requirements of mandatory reporting as set out in the Education (General Provisions) Act 2006 (Qld)<sup>23</sup>, must be reported to the Head of College, a Director of the Governing Body or the delegated Appropriately Qualified Individual.

**c) REPORTABLE SUSPICION – Physical Abuse**

Reporting harm as a result of Physical abuse under Sections 13E and 13G of the Child Protection Act 1999 (Qld).

**Staff Obligations:**

**If:**

- You are a teacher/staff member (the obligation to report is extended to all staff under this Policy); and
- You have a “reportable suspicion”, i.e. a reasonable suspicion that a relevant child—
  - a. has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical; and
  - b. may not have a parent able and willing to protect the relevant child from the harm.

<sup>21</sup> The Criminal Code Act 1899 (Qld) S229BB

<sup>22</sup> Annexure B –Student Protection Form 1 and Annexure D – Student Protection Form 4

<sup>23</sup> Education (General Provisions) Act 2006 S366 and S366A



**Then:**

1. Complete the College's reporting forms<sup>24</sup>;
2. Consult/discuss your concerns with the Head of College or the Delegated Appropriately Qualified Individual;
3. The teacher/staff member will make the report to Child Safety Services as the "Notifier";
4. The Head of College will acknowledge the receipt from teacher/staff member of a copy of the report;

**Or**

1. If you suspect the Head of College is involved in the abuse, directly inform the Delegated Appropriately Qualified Individual (refer to the contact details on the first page of the policy) prior to making a report (as a mandatory reporter) to Child Safety Services (and providing a copy of the report to the Delegated Appropriately Qualified Individual);
2. Keep appropriate records of your decisions and actions.

The College recognises that a student may not meet the criteria of a Relevant child (as set out in Section 2: Definitions) if over the age the 18, however due to the nature of the teacher/student relationship there exists a jus naturale, whereas there is an inherent imbalance of power within this relationship where the student has less power than the teacher. Due to this, all physical abuse or suspected physical abuse involving a student over the age of 18 and a teacher, while not meeting the requirements of mandatory reporting as set out in the Child Protection Act 1999<sup>25</sup> must be reported to the Head of College or the delegated Appropriately Qualified Individual.

NB: If a staff member is suspected of having inappropriate behaviour or harm towards a student it is the prerogative of the Head of College/Governing Body to require the teacher or staff member be relieved of all duties that have student contact whilst the suspicion is investigated. The duration of this variation of duty should not be longer than 20 days.

**Head of College's, Directors' of the Governing Body, Delegated Appropriately Qualified Individual's Obligations:**

**If:**

- You are the Head of College, Director, Delegated Appropriately Qualified Individual; and
- A staff member (other than a staff member required to make a mandatory report e.g. teacher or registered nurse) under the College Policy reports a "reportable suspicion" to you; and
- You are aware or reasonably suspect the harm to have been caused and you are aware or reasonably suspect that the student may not have a parent willing and able to protect them.

**Then:**

1. Ensure that the College's reporting forms are completed;
2. If a report has not already been made by a teacher, make a report to Child Safety Services;
3. Inform the Governing Body through the Delegated Appropriately Qualified Individual of the staff member's report;

<sup>24</sup> Annexure B –Student Protection Form 1 and Annexure D – Student Protection Form 4

<sup>25</sup> Child Protection Act 1999 (Qld) S13E, S13G and S159BA



4. Keep appropriate records of your decisions and actions.

#### **d) REPORTABLE SUSPICION - Psychological, Emotional Harm Neglect Or Exploitation**

- (i) Should a staff member form a suspicion, observe harmful conduct or have harm disclosed to them, that staff member must inform the appropriate Student Protection Contact Officer by **providing a written report**<sup>26</sup>.
- (ii) The Student Protection Contact Officer must inform and consult with the Head of College or their delegate (Head of Primary/Middle/Senior College) in the absence of the Head of College.
- (iii) The Student Protection Contact Officer, in order to establish there are reasonable grounds for suspicion, may consult with the Independent Protection Advisor.
- (iv) The Head of College will, at their discretion:
  - Still report to Police or Child Safety Services
  - Adopt internal supports and remedies including:
    - Contacting parents to discuss partnership actions under contract,
    - Investigating
    - Referral to Family and Child Support Services
    - Pastoral Initiatives.

NB: In cases of actual or suspected harm, the role of the Student Protection Contact Officer is not an investigative one and the Student Protection Contact Officer will not undertake investigations beyond satisfying him/herself that s/he has reasonable grounds to suspect that a student has been, or is, at risk of harm. The Student Protection Contact Officer is not obliged to obtain proof, establish the cause of harm or assess its severity.

#### **e) INAPPROPRIATE BEHAVIOUR**

- (i) Students are encouraged, and staff are required to report any inappropriate behaviours of staff to a Student Protection Contact Officer.
- (ii) The Student Protection Contact Officer will report the matter to the Head of College.
- (iii) The Head of College will meet with the alleged offender to inform him/her of the allegation and to hear the alleged offender's response to the allegation. The Head of College will initiate the investigation ask questions concerning the particularized allegations.
- (iv) An outside investigator will conduct an investigation process and present a report to the Head of College to assist with decision making.
- (v) If there is unacceptable risk, the Head of College will stand down the alleged offender (in extreme cases, dismiss them summarily).

The Head of College will:

- Put in place any disciplinary consequences.
- Offer support to the student and the respondent.
- Inform the student's parents.
- Inform the College's governing body.
- Inform the College's insurers.

NB: Where a complaint/allegation is found to have no substance, every effort will be made to reinstate the alleged offender's status and reputation.

## **9. PROTECTIVE BEHAVIOURS – GUIDELINES FOR STAFF**

- When interviewing, talking to, or tutoring a student, be cautious of never being alone or in a private setting.

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<sup>26</sup> Annexure A, Annexure B - Student Protection Form 1 and Annexure D – Student Protection Form 4



- While counselling/advising a student requires a confidential setting – have a place with appropriate safeguards, e.g. a pane of glass in the door so staff personnel (not student) can be seen.
- Do not choose a place which is too isolated or overly private. Prefer group activities to working with students individually.
- Segregation of staff and student amenities must be observed.
- Be circumspect when supervising amenity blocks, change rooms and toilets. Announce your approach loudly.
- Make sure camps and excursions are authorised by parents and a minimum of 2 adult supervisors attend any overnight camp. A gender balance in the number of adults attending is preferred.
- Never invite a student to your home.
- If responding to a crisis, advise the Head of School immediately.
- Never **personally** search a student or his property. Prefer they turn out pockets, bags, etc., with a witness in attendance. Make a diary note of persons present.
- Ask the student's permission to touch. Remember that a distressed student may not be able to convey this.
- Never assume that physical contact is acceptable to a student. Remember you don't know what the student has experienced at home or elsewhere.
- Use verbal directions rather than touch when appropriate. For example, ask a student to move, rather than redirect with a touch.
- Use only physical contact that is least likely to be misconstrued, such as using a high-five rather than a hug.
- Respect the signs that a student is uncomfortable with touch.

## 10. TIMELY RESPONSE

Matters of abuse will be handled as a priority taking into account the complexity and implications of such accusations. The Head of College will ensure a timely response to the allegations which will serve the best interests of all parties.

## 11. INVESTIGATION

- a) The College does not investigate mandatory reporting matters or an alleged criminal offence. That is a matter for the appropriate State and/or Commonwealth Authorities. The College will cooperate with any government authority investigating a mandatory reporting matter.
- b) For an action falling short of mandatory reporting of a student, the College may decide on a number of responses including investigating the matter internally or with the assistance of an external investigator.

## 12. CONSEQUENCES of BREACH of POLICY

- a) Causing abuse to a student or relevant persons or children may attract criminal penalties as decided by legal process; Employment penalties will follow state investigations. In criminal cases the Head of College will stand down a staff member pending the results of an investigation by the Police.
- b) Breaches of inappropriate conduct, which may not result in reporting or external penalties, will result in consequences imposed by the Head of College and may include:
  - apology
  - counselling
  - warning
  - demotion
  - suspension
  - standing aside



- termination of employment

### 13. RECORD KEEPING

Any staff member who has concerns about harm to a student, relevant person or relevant child (including physical and sexual harm), either suspicious or disclosed, **MUST**

- Keep anecdotal records of observations, focusing on the persistence of indicators over time and the severity of effects;
- If speaking to a student, relevant person or relevant child, keep questions to what/where/when
- Take only short notes – must not investigate;
- Present physical and sexual harm documentation to the Head of College or Delegated Appropriately Qualified Individual;
- Present other forms of harm (which are not mandatory reporting) to the Student Protection Contact Officer (Annexure B).

Should the Head of College need to interview the student, relevant person or relevant child further, the same procedures must be followed – this is not an investigation. Records must be kept in a locked file or a secure section of the College's network storage platform.

### 14. LENGTH OF TIME RECORDS WILL BE KEPT

All records relating to child sexual abuse, physical abuse, psychological, emotional harm, neglect and/or exploitation that has occurred, or is alleged to have occurred will be retained for forty-five (45) years and if the relevant person is of Indigenous origin or in out- of-home care, retain permanently. This period is to allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse<sup>27</sup>.

In all cases of inappropriate behaviour, proven or alleged, the College will keep all events until the end of three (3) years after the last date on which the child was educated and cared for by the College<sup>28</sup>.

### 15. PUBLICATION

The Committee of Management will ensure that this policy is published:

- to staff members generally, at least once a year
- onto the College website
- to each new staff member, on induction

The Head of College will ensure that a copy of the policy is always available on the College website. A copy of the Student and Parent Information Leaflets are provided to parent(s)/guardian(s) via the College website and within the parent handbooks.

### 16. TRAINING AND PROFESSIONAL DEVELOPMENT

The governing body acknowledges its commitment to and will ensure that the College Committee of Management, teachers and staff members of the College are trained in Child Safety Services obligations.

All staff members will receive student protection professional development at the beginning of each academic year before commencement of term during the annual professional development week.

New staff members who are employed during the course of the year will receive their student protection training in the staff induction process.

<sup>27</sup> Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report Recommendations 8.1, 8.2, 8.3 and 8.5

<sup>28</sup> Australian Society of Archivists, Records Retention and Disposal Schedule for Non-Government Schools, 2nd Edition, April 2018



Additionally, each of the sub-school teachers/staff members will receive student protection training conducted by the Student Protection Contact Officers<sup>29</sup> or the respective schools to address specifics to the different age groups.

Student Protection Contact Officers<sup>30</sup> are required to attend annual student protection professional development conducted by external providers and they are updated regularly via ISQ news update and the college advisory barrister.

College Committee of Management members will receive regular student protection professional development and updates from the barrister or as legislation requires.

## 17. REVIEW OF POLICY

This policy will be reviewed annually or as required by legislation.

## 18. CONTACT INFORMATION

If, on receiving advice from an employee that he/she suspects a student is in need of protection from a situation outside of the immediate Victory College environment, the Head of College should contact and document the contact with either the:

- Queensland Police Service's Gympie Child Protection Investigation Unit<sup>31</sup>.  
Tel: 07 54894000, or
- Department of Children, Youth Justice and Multicultural Affairs (Child Safety Services)<sup>32</sup>  
Phone: 1800 811 810 (from 9am to 5pm Monday to Friday) or 1800 177 135 (outside office hours) or 1300 682 254 (Regional Office) and
- The Chief Executive Officer of Victory Church Tel: 5482 7248

### Reviewed and Approved by:

\_\_\_\_\_  
(Name/Designation)

\_\_\_\_\_  
(Signature/Date)

<sup>29</sup> Annexure K

<sup>30</sup> Annexure K

<sup>31</sup> <https://www.police.qld.gov.au/units/victims-of-crime/child-protection>

<sup>32</sup> <https://www.cyjma.qld.gov.au/protecting-children/reporting-child-abuse>



**STUDENT PROTECTION – ACTION SUMMARY**

**MUST REPORT\***

All reporting will be carried out in consultation with the Head of College and/or the delegated Appropriately Qualified Individual. Reporting to the Head of College and/or the delegated Appropriately Qualified Individual does not remove the mandatory reporting obligations of the staff member to report allegations under the Child Protection Act 1999 (Qld).

<b>Conduct</b>	<b>Who Must Report</b>	<b>Report To</b>	<b>Action Required</b>	<b>Relevant Legislation</b>
<p>1. Sexual Abuse</p> <p>Awareness, or reasonable suspicion, or likely</p> <p><b>this overlaps with 2 below</b></p>	All Staff	<p><b>MUST REPORT*</b></p> <p>To the Head of College or Delegated Appropriately Qualified Individual (DAQI) immediately.</p> <p>The Head of College or DAQI must immediately report to the Police and provide them with a copy of the written report.</p>	<p><b>MUST REPORT*</b></p> <p>Head of College, Governing Body <b>NOTIFICATION</b> report to Police. The staff member who makes the report will be listed as the NOTIFIER.</p>	<p>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld), S16</p> <p>Education (General Provisions) Act 2006 (Qld) S366, S366A</p> <p>Criminal Code 1899 (Qld) Schedule 1, Part 4, Chap 22, S229BB, S229BC (<i>The Criminal Code names all adults as mandatory reporters regarding child sexual offences</i>)</p>
<p>2. Reportable Suspicion of Sexual Abuse</p>	All Staff	<p><b>MUST REPORT*</b></p> <p>To the Head of College or Delegated Appropriately Qualified Individual (DAQI) immediately.</p> <p>The Head of College or DAQI must immediately report to Child Safety Services or the Police and provide them with a copy of the written report.</p>	<p><b>MUST REPORT*</b></p> <p>Provide a copy of the report to the Head of College, Governing Body</p> <p><b>NOTIFICATION</b> report to Child Safety Services. The staff member who makes the report will be listed as the NOTIFIER.</p>	<p>Criminal Code 1899 (Qld) S229BC</p> <p>Child Protection Act 1999 (Qld) S13E</p>
<p>3. Reportable Suspicion or Physical Abuse</p> <p>But must fit 2 criteria:            a. Significant Harm AND            b. Parent may not be able or willing to protect the child</p>	All Staff	<p><b>MUST REPORT*</b></p> <p>To the Head of College or Delegated Appropriately Qualified Individual (DAQI) immediately.</p> <p>The Head of College or DAQI must immediately report to Child Safety Services and provide them</p>	<p><b>MUST REPORT*</b></p> <p>Provide a copy of the report to the Head of College, Governing Body</p> <p><b>NOTIFICATION</b> report to Child Safety Services. The staff member who makes the report will be listed as the NOTIFIER.</p>	<p>Child Protection Act 1999 (Qld) S13E</p>



		with a copy of the written report.		
4(a)(b). Harm or Reasonable Suspicion of Harm or Other Concerns	All Staff	<b>MUST REPORT*</b> to Child Protection Officers/Middle Management and Head of College	Head of College/Delegate <b>4(a) MAY NOTIFY Child Safety Services</b> subject to criteria 3a and 3b, <b>OR (b) MAY NOTIFY Police</b>	Education (Accreditation of Non-State Schools) Regulation 2017 (Qld), S16 Child Protection Act 1999 (Qld) S9
4(c)Any Concerns /Harm where parents are supportive / in partnership with the College but which DO NOT fit both criteria of 3a & 3b above	All Staff	<b>MUST REPORT*</b> to Child Protection Officers/Middle Management and Head of College	Head of College/Delegate <b>4(c) MAY REFER</b> (with consent) to CBIR...FCC...IFSS	Child Protection Act 1999 (Qld) S9
4(d)Any Concerns/Harm where parents are not supportive / in partnership with the College and which DO NOT fit both criteria of 3a & 3b above	All Staff	<b>MUST REPORT*</b> to Child Protection Officers/Middle Management and Head of College	Head of College/Delegate <b>4(d) MAY REFER</b> (without consent) to CBIR...FCC...IFSS	Child Protection Act 1999 (Qld) S9
5. Inappropriate Behaviour (staff and students)	Inappropriate behaviour will continue to be managed internally by the College, via internal investigation and remedy, including by referral of students / families to FCC for support.			

**UNDER LEGISLATION THE PATHWAYS FOR REPORTING AND ACTION ARE:**

- Mandatory reporting (**IN RED ABOVE**) to Police or Child Safety Services as in 1 and 2 above, sometimes to both, of sexual and/or physical abuse.
- Reporting of Harm (that is not sexual or physical), as in 4 (a), (b), (c) and (d) above.
- Referral to support agencies CBIR, FCC or IFSS, as appropriate.
- Dealing with inappropriate behaviour, as in 4 above.

COMMON LAW DUTY OF CARE, THE CONTRACT AND THE BEST INTERESTS OF THE STUDENT OR RELEVANT CHILD WILL ALSO DIRECT YOUR THINKING AND RESPONSES.

*Adapted from table prepared by Suzanne Brooks, Barrister Liability limited by a scheme approved under*

*Professional Standards Legislation*

**CBIR REFERS TO – Community Based Intake & Referral;**

**FCC REFERS TO – Family and Child Connect;**

**IFSS REFERS TO – Intensive Family Support Services**



## STUDENT PROTECTION FORM 1

For all reporting EXCEPT sexual abuse, known or suspected, by any person (use Form 3 for sexual abuse, known or suspected)

## REFERRAL FORM 1 - TO BE GIVEN TO THE STUDENT PROTECTION CONTACT OFFICER

1. Name of person with reasonable concern \_\_\_\_\_
2. Name of student \_\_\_\_\_
3. Name of the alleged offender \_\_\_\_\_
4. Is the problem: External to the College: Parent  Relative   
Internal to the College: Teacher  Student  Other
5. Date you became concerned: \_\_\_\_\_
6. How did you form the reasonable suspicion? \_\_\_\_\_
7. Disclosure by the victim? \_\_\_\_\_
8. Disclosure from somebody else? \_\_\_\_\_
9. Did you observe something? \_\_\_\_\_
10. Did you have enough information to suspect something? \_\_\_\_\_
11. Did you take notes? \_\_\_\_\_
13. Have you spoken of your concern to anyone? \_\_\_\_\_  
NAME \_\_\_\_\_
14. Describe the "who, what, when and where" of the matter. (Use extra paper if necessary)
15. To whom did you report the concern first?  
The Contact Officer   
The Head of College   
Another
16. Name of the person referring \_\_\_\_\_ Role \_\_\_\_\_
17. Time of actual referral \_\_\_\_\_ Date \_\_\_\_\_

**Confidentiality Declaration**

I declare I will respect the requirements of confidentiality in this matter unless as required otherwise by law.

Signature: \_\_\_\_\_ Date of Reporting \_\_\_\_\_



**STUDENT PROTECTION – FORM 2**

**Annexure C**

**For All Reporting - To be Completed by Student Protection Contact Officer and given to Head of College.**

Today's Date: \_\_\_\_\_

1. Name of person reporting concern/information: \_\_\_\_\_

2. Name of Student: \_\_\_\_\_

3. Name of alleged offender: \_\_\_\_\_

Internal

External

Other

4. Please summarise the facts as they are known:

**WHO** \_\_\_\_\_

\_\_\_\_\_

**WHEN** (Date and Time) \_\_\_\_\_

\_\_\_\_\_

**WHAT:** \_\_\_\_\_

\_\_\_\_\_

**WHERE** \_\_\_\_\_

\_\_\_\_\_

5. Name of any likely witnesses:

\_\_\_\_\_

6. Name of any others who may have information or who may assist:

\_\_\_\_\_

\_\_\_\_\_

7. Has the person reporting filled in Form 1? Yes  No

**CONFIDENTIALITY DECLARATION**

I (Name): \_\_\_\_\_

Declare I will keep this information confidential.

Signed: \_\_\_\_\_



**STUDENT PROTECTION – FORM 3**  
**MANDATORY REPORTING FORM FOR REPORTING KNOWN or SUSPECTED**  
**SEXUAL ABUSE TO POLICE**

**Annexure D**

Reporting of all incidents is **mandatory for staff whether the situation has occurred inside or outside the College.**

This form is to be initiated by the staff member who has become aware of or suspecting of sexual abuse of a relevant person and forwarded to Head of College or the Delegated Appropriately Qualified Individual immediately.

*Name of Student: _____
*Sex Descriptor of Student _____ DOB: ____/____/____
Year Level: _____
Name of the staff member filling in this Form: _____
Role: _____
I first became aware of/suspected or considered abuse to be likely, (approx date): _____
I became aware of this situation because the student involved:
<input type="checkbox"/> Spoke to me <span style="margin-left: 150px;"><input type="checkbox"/> Other _____</span>
<input type="checkbox"/> Spoke to another student _____
<input type="checkbox"/> Spoke to another staff member _____
<input type="checkbox"/> Staff member/other observation comment _____
*Following is a brief description of what the student said (details of abuse or suspected abuse).
_____
_____
_____

Student Age _____
Identity of person suspected/likely to have caused abuse _____
Identity of anyone else who may have information about abuse _____

<i>I confirm that the details above are to my belief correct. I will maintain the confidentiality of all persons involved, and expect the information passed on, will be acted upon and resolved in accordance with the College Student Protection Policy.</i>	
_____ *Signed by staff member initiating process (and full name)	_____ Date
Referred to Head of College _____ <b>Signed:</b> by Head of College	_____ Date Received
Referred to Appropriately Qualified Individual _____	
<b>Signed:</b> Appropriately Qualified Individual	_____ Date Received
* IT IS A MANDATORY REQUIREMENT TO PROVIDE THESE DETAILS	





**STUDENT PROTECTION – FORM 5**

**Annexure E**

**To be completed by the Head of College**

**ACTION AND OUTCOME FORM**

Referred to Student Contact Office: Yes  No  Date:

Referred to Head of College: Time: Date:

Referred to: By whom: Date:

Contact with Committee of Management chair/delegated Appropriately Qualified Authority and External Protection Advisor?

- \_\_\_\_\_
- Assessment - Harm
  - Neglect
  - Grooming
  - Sexual abuse of student by staff member
  - Inappropriate Behaviour

Action Decided: \_\_\_\_\_

Who Took Action? \_\_\_\_\_

**TYPE OF ACTION TAKEN:**

- Issue dealt with under another College Policy (eg) Bullying
- No Harm or-Sexual Abuse - Issue dealt with internally
- Internal Investigation Needed (but no Criminality.)
- Counselling offered to \_\_\_\_\_(name)
- Warning / Termination / Expulsion
- Referral to Department of Children, Youth Justice and Multicultural Affairs
- Referral to Police
- Standing Aside / Suspension
- Referral To an Outside Agency
- Pastoral Care set in Place
- Other: (Please State)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other Comments (if applicable):  
\_\_\_\_\_  
\_\_\_\_\_

**Head of College's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**VICTORY COLLEGE****RECORD OF STUDENT PROTECTION ISSUES**  
**A Report from the COLLEGE COMMITTEE OF MANAGEMENT**  
**For COC/INC National Executive (the Governing Body)****Report from the Head of College to****Meeting of Directors (via the College Committee of Management) \_\_\_\_\_**

Report under: Criminal Code Act 1899 (Qld), Child Protection Act 1999 (Qld), General Provisions Act 2006 (Qld) and the Accreditation (Non-State Schools) Regulation 2017 (Qld)

Definitions:

**'College Committee of Management'** means the local College Committee of Management appointed by the local church Committee of Management under the College Committee of Management Charter outlined in the COC Colleges Governance Policies and Procedures Manual.

**'Governing Body'** means the National Executive of Christian Outreach Centre (COC) trading as International Network of Churches (INC).

1. This report is updated and presented at each College Committee of Management meeting for each meeting of the Governing Body (COC/INC National Executive) in response to the requirements of the Child Protection Act, 1999 (Qld), the Education General Provisions Act, 2006 (Qld) and Education (General Provisions) Regulation, 2017 (Qld), the Accreditation (Non-State Schools) Regulation, 2017 (Qld) and the Criminal Code Act, 1899 (Qld). The Acts and Regulations place a number of obligations on directors of the Company.

The Governing Body accepts the legal obligations under the before mentioned legislation. Notably the obligations detailed in Regulations 15 and 16 of the Accreditation (Non-State Schools) Regulation, 2017 (Qld) and Section 229BB and 229BC of the Criminal Code Act 1899 (Qld) .

Knowledge of child protections issues and actions taken requires College Committee of Management members and members of the Governing Body (in particular) to be familiar with the Child Protection Policy and with the requirements of Regulation 15 and 16 the Accreditation (Non-State Schools) Regulation, 2017(Qld) and Section 229BB and 229BC of the Criminal Code Act 1899 (Qld).

**2. RESPONSIBILITIES OF THE COLLEGE COMMITTEE OF MANAGEMENT AND THE GOVERNING BODY UNDER THE POLICY AND LEGISLATION**

The College Committee of Management and the Governing Body:

- will discharge their duties in accordance with Regulation 15 and 16 of the Accreditation (Non-State Schools) Regulation 2017(Qld) and Section 229BB and 229BC of the Criminal Code Act 1899 (Qld);
  - will receive regular reports from the Head of College at College Committee of Management and Governing Body meetings;
  - will ensure the College Formal Complaints Policy covers Child Protection complaints;
  - may appoint a Delegated Appropriately Qualified Individual to receive and report (to external authorities) any allegations relating to sexual abuse, including likely sexual abuse on behalf of the Governing Body (this relates to the Governing Body ONLY).
3. College Committee of Management Members and members of the Governing Body will be proactive to meet their responsibilities by:
    - Seeking professional development relevant to the area of Child Protection. This to take place annually or more frequently if required by changes to policy or law.
    - Including a review of the Child Protection Policy.

- Receiving annually, a completed and current copy of the Child Protection Checklist.
- Maintaining currency with all updates to legislation and regulations.
- Receiving a report at each College Committee of Management and Governing Body meeting which will provide a summary in number form only of reports received by the Head of College of the College.

**4. DOCUMENTATION**

**a. REPORTING PERIOD FOR THIS REPORT** \_\_\_\_\_

**b. TYPES OF PROTECTION ISSUES RAISED:**

- (i) Inappropriate Behaviour  (ii) Harm  (iii) Neglect
- (iv) Sexual Abuse  (v) Grooming

**c. Notifications to the Police**  
(Mandatory Reporting or Otherwise)

**d. Referrals to the Dept of Communities**  
(Mandatory Reporting or Otherwise)

**e. Those which required referral to an agency**

Signatures:

Head of College \_\_\_\_\_  
(Victory College)

Date \_\_\_\_\_

Delegated Appropriately Qualified Individual \_\_\_\_\_  
(Victory College Committee of Management)

Date \_\_\_\_\_

Chairperson \_\_\_\_\_  
(Victory College Committee of Management)

Date \_\_\_\_\_

Chairperson \_\_\_\_\_  
(Governing Body COC/INC National Chairperson)

Date \_\_\_\_\_



### STUDENT INFORMATION LEAFLET

Every student at the College has the right to feel safe and free from harm. We expect you to respect your teachers and other students and we expect that you will receive the same respect in return. You should never allow yourself to feel unsafe without reporting it to someone you trust.

#### **Who should I tell if I am not feeling safe at College or at home?**

There are delegated Student Protection Contact Officers. However, you may report to a teacher on staff. If you do not feel like talking to a member of staff, you may like to write him or her a letter.

#### **What will happen if I report what is happening to a member of staff?**

If the concern is worrying you but not causing you immediate harm, then the member of staff will discuss with you ways to solve your problem. If the concern is serious and the member of staff believes there is inappropriate behaviour or you are being harmed or in danger of being harmed, he or she will report it to the Contact Officer or Head of College.

#### **What if I don't want the member of staff to tell the Head of College?**

The member of staff will try to keep your concerns confidential as much as possible. However, if the member of staff is aware or reasonably suspects inappropriate behaviour or harm being caused to a student of the College, then College Policy and the law says that the matter must be reported to the Head of College, the Police and/or Child Safety Services. If the staff member has no choice about reporting what you have told them to someone else, he or she will explain to you exactly what will happen next.

**Remember the most important thing is that you feel safe and free from harm. You need to tell someone if you are being harmed or afraid that you will be harmed.**



## PARENT INFORMATION LEAFLET

### STUDENT PROTECTION INFORMATION

The College recognises that protecting students from harm, sexual abuse, grooming, neglect and inappropriate behaviour is fundamental to maximising their potential. For this reason, the welfare and best interests of the students within our College will always be a primary consideration. We expect our students to show respect to our staff and volunteers and to comply with safe practices, and we expect all employees to ensure that their behaviour towards and relationships with students reflect proper standards of care for students, and are not unprofessional or unlawful. The College will respond diligently to a report of suspected or actual harm, or risk of harm to a student. It is the intent of the College to provide the students with a safe learning environment within the College grounds and during College related activities. However, any activities outside of College hours and scope of activities will be the responsibility and care of the individual. The College will not have the capacity to provide the extended duty of care outside of College activities.

#### **What does the College mean by harm?** (defined under section 9 of Child Protection Act 1999)

Harm is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:

- A single act, omission or circumstance; or
- A series or combination of acts, omissions or circumstances.
- Physical, psychological or emotional abuse or neglect;
- Sexual abuse or exploitation.

#### **How does the College protect students from harm?**

The College has a comprehensive Student Protection Policy. This covers the actions to be taken if a member of staff or a parent of the College becomes aware of, or reasonably suspects that a student has been harmed by other staff, people outside the College or by other students.

#### **What to do if you become aware or reasonably suspect that harm has been caused to a student of the College by a member of staff, someone outside of the College or by other students.**

You are encouraged to report your concerns to a Student Protection Contact Officer or Head of College or to any other member of the teaching staff.

#### **What will happen next?**

If you report your concerns to a member of staff other than the Head of College, the member of staff will report it to the Head of College immediately. Or if the subject of the complaint is the Head of College then the member of staff will report to the Appropriately Qualified Individual or a Student Protection Contact Officer.

#### **What will the Head of College or Appropriately Qualified Individual do?**

If the Head of College or Appropriately Qualified Individual receives a report of harm or suspected harm to a student of the College; and he/she becomes aware of the harm/sexual abuse having been caused or reasonably suspects the harm to have been caused then it will be reported to the relevant State Authorities handling child protection issues. Or it may be dealt with internally if the matter does not require mandatory reporting to an outside body.

## What about confidentiality?

Your report will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Head of College and those directly involved. The Chairman of the College Committee of Management may also need to be informed. It is the College's policy that confidentiality between the College and notifiers will be respected as much as possible and any concerns raised will not rebound adversely on their children.

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. However, the College is unable to promise absolute confidentiality since the steps of the Policy will require disclosing, internally and externally, certain details involved in responding to the report. State Authorities can compel people to give evidence about actions under the Policy and to produce documents. You would be fully informed if information you provided were to be passed on to a third party.

Any action which needed to be taken under staff disciplinary procedures as a result of an allegation not requiring police intervention would be handled confidentially within the College.

## How will the College help my child?

The Head of College will ensure that the following things are done to reduce the chance of harm occurring:

- Ensure that each staff member understands and fulfils their obligations under this Policy and the Policy for reporting abuse;
- Ensure that there are acceptable references for each staff member engaged since the commencement of this protocol, from his or her previous employers;
- Ensure that each staff member and volunteer who has contact with children has a current "Positive Notice Blue Card" or an "Exemption Card" issued by the Commissioner for Children and Young People;
- Ensure the students of the College understand the policy is in place and are encouraged to report any inappropriate behaviours;

If the Head of College receives a report of harm to your child, he/she will support the child by:

- Responding rapidly and diligently to the report;
- Reassuring the student;
- Protecting the child's confidentiality as much as possible;
- Offering continuous support; and
- Arranging counselling if requested/required
- May refer the matter to Family and Child Support Services (FCC), Community Based Intake and Referral Services (CBIR) or the Intensive Family Support Services (IFSS)

## What should I do if I require more information?

The College's complete Student Protection Policy is available at the College administration. Parents and students may have access to this policy at any time.

## What do I do if I wish to make an allegation of non-compliance with the College's stated reporting processes?

If you have an allegation of non-compliance, please refer to the College 3.20 Complaints Policy Grievance which is located on the college website.





## CONTACT DETAILS FOR REPORTING WITHIN THIS POLICY

**Head of College:** Mr Alwyn Prinsloo, Victory College, 173 Old Maryborough Road, Gympie Qld 4570. Phone 07 5482 8206.

**Delegated Appropriately Qualified Individual:** Mr Dennis Tennant. Phone 0478 368 049

**Independent Protection Advisor:** Mr Dennis Tennant. Phone 0478 368 049

Student Protection Contact Officers for the College are:

- Primary – Racheal Belford
- Secondary – Bruce McAllister
- Secondary – Maurita Dayes

Victory College, 173 Old Maryborough Road, Gympie Qld 4570. Phone 07 5482 8206.

**Governing Body:** Mrs Suellen Holmes, Secretary of International Network of Churches ("INC") (Christian Outreach Centre), 56 Caloola Drive, Tweed Heads NSW 2485. Phone 07 5506 5100.

Queensland Police Services Child Protection and Investigation Unit, Morningside Phone 07 3823 8619 or 07 3364 6430 - <https://www.police.qld.gov.au/units/victims-of-crime/child-protection>

Department of Children, Youth Justice and Multicultural Affairs (Child Safety Services)  
Phone: 1800 811 810 (from 9am to 5pm Monday to Friday) or  
1800 177 135 (outside office hours) or  
1300 682 254 (Regional Office)  
<https://www.cyjma.qld.gov.au/protecting-children/reporting-child-abuse>



Every student at Victory College has the right to feel safe and free from harm. You need to tell somebody if you, or another student, are being harmed or are afraid of being harmed from somebody at home, at school, or in the community. If you or others are feeling unsafe, it is very important that you tell somebody immediately.

The staff members pictured below are specifically delegated Student Protection Contact Officers available to help you whenever you need to discuss a concern. You may also talk with the Head of College, your Head of Primary/Middle/Senior College, your Head of Year or any teacher.

**Primary**



**Mrs Racheal Belford**

**Secondary**



**Mr Bruce McAllister**

**Secondary**



**Mrs Maurita Dayes**



## **GENERAL INFORMATION**

### **PROTECTION FOR NOTIFIERS**

- a) The Child Protection Act 1999 provides for the confidentiality of information supplied by the person making a notification.
- b) Also the Child Protection Act 1999 (Qld) Chapter 6, Part 7, Section 197A states a person, who, in good faith, acting honestly and reasonably, discloses information about suspected harm to a child, to a police officer or the Department of Child Safety, Youth and Women is not liable civilly, criminally or under an administrative process for making the disclosure. It states that merely because the person gives the notification or information, the person cannot be held to have breached any code of professional etiquette or ethics, or departed from accepted standards of professional conduct.

In accordance with this Act the College will protect the identity of the notifier of information, in accordance with this Policy, unless required otherwise by Law.

### **ROLE OF CHILD PROTECTION AGENCIES AND FAMILY AND CHILD SUPPORT SERVICES**

As part of the coordinated interdepartmental approach to child abuse, officers of the Queensland Police Service and the Department of Children, Youth Justice and Multicultural Affairs (Child Safety Services) are responsible for investigating and assessing any report of suspected harm or neglect from any source and to ensure the well-being and safety of the child.

It may arise that the person making the complaint or harmed by the behaviours (or parents) do not want to take the matter further. In circumstances of criminality or where the College assesses it appropriate, the matter will be taken further, irrespective of wishes to the contrary.

Referrals may be made by the College to Family and Child Support Services.

### **ANONYMOUS COMPLAINTS**

Such complaints by their very nature provide difficulties, however the College will investigate the validity of each one to the extent possible.

### **EVIDENCE**

The investigation of situations of harm is a complex and sensitive process. In the course of an investigation, officers from the child protection agencies may request permission to interview the student concerned. In most cases, in order to ensure the interests of the child are protected, the student may be interviewed before the matter is discussed with the parent/caregiver.

The responsibility for informing parents/caregivers of notifications and any interviews rests with the investigating child protection agency officers, not with the Head of College. For this reason, any person making an inquiry or complaint concerning an investigation or an interview must be promptly referred to the Head of College who will refer the enquirer to the appropriate department, with the explanation that it is the responsibility of that department to answer such enquiries or complaints.

### **POLICE INVESTIGATION**

After the police have commenced investigations, and contacted the person against whom the allegations are made, the Head of College may provide/arrange support and/or counselling for the person concerned, and the student/s and other employees affected by the situation.

Victory College personnel should cooperate with the police in conducting their investigations. The aim of the College and the police is to respond quickly, efficiently and sensitively to establish the facts of the matter and affect its resolution.

Following an investigation, the Head of College should also transmit the outcomes of any police actions to the Chief Executive Officer of the Victory College Committee of Management and the Senior Pastor of Victory Church.

## **SUGGESTED COLLEGE MANAGEMENT APPROACHES AND STRATEGIES TO ENSURE CHILD PROTECTION**

Reporting of a criminal offence has no statute of limitations. It is advisable that the College:

- a) Monitors the teaching and learning environment to ensure that the behaviour of students, employees and others who work at the College supports its aims and employment policies.
- b) Provide ongoing opportunities for employees to develop skills and understanding in how to protect students in their care.
- c) Ensure that staff have access to, and are informed of, resources available to assist them such as training, advice and relevant literature.
- d) Support the implementation at the classroom level of all protection programs and harm prevention curriculum which may be developed and ensure that students, while at Victory College, are provided with an environment in which they can feel and be safe.
- e) Organise and conduct professional development on personal safety for Victory College personnel in order to avoid potentially compromising situations.
- f) Arrange counselling and reallocate duties, if required.
- g) Disseminate information to the total educational community and workplace that these behaviours will not be tolerated under any circumstances.
- h) Monitor Victory College to ensure that high standards of behaviour are maintained and the desired behaviours modelled by adults.
- i) Publicise procedures for resolving complaints to all employees, students and voluntary workers.
- j) Develop an awareness and professional expertise in the area.
- k) Take immediate action on complaints of this nature, in accordance with the procedures set out in this document.
- l) Make it clear that victimisation of students making a complaint will not be tolerated.
- m) Respond supportively to any student who makes a complaint of harassment.
- n) Arrange appropriate in-servicing of employees, students and others.