



# Child Protection Policy

<b>Status</b>	Current	<b>Supersedes:</b> All previous Rockhampton Girls Grammar School Child Protection policies
<b>Authorised by:</b>	Board of Trustees	<b>Date of Authorisation:</b> October 2023
<b>References:</b>	<ul style="list-style-type: none"> <li>• <u><i>Child Protection Act 1999 (Qld)</i></u></li> <li>• <u><i>Education (General Provisions) Act 2006 (Qld)</i></u></li> <li>• <u><i>Education (General Provisions) Regulation 2017 (Qld)</i></u></li> <li>• <u><i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i></u></li> <li>• <u><i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i></u></li> <li>• <u><i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i></u></li> <li>• <u><i>Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</i></u></li> <li>• <i>Criminal Code Act 1899</i></li> <li>• RGGGS-037-POL-STAFF CODE OF CONDUCT</li> <li>• RGGGS-009-POL-COMPLAINTS HANDLING POLICY</li> <li>• RGGGS-010-PRO-COMPLAINTS HANDLING PROCEDURE</li> <li>• RGGGS-060-POL-CHILD RISK MANAGEMENT STRATEGY (for the <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>)</li> <li>• RGGGS-073-POL-WORK HEALTH AND SAFETY POLICY (for the <i>Work Health and Safety Act 2011 (Qld)</i>)</li> <li>• RGGGS-080-FRM-CHILD PROTECTION REPORTING FORM</li> </ul>	
<b>Review Date:</b>	This policy will be reviewed annually, in conjunction with review of the <i>Child Protection Guidelines</i> , or as appropriate, to take account of new legislation or changes to school's operations and practices and to make sure it remains appropriate to the changing environment.	<b>Next Review Date:</b> October 2024
<b>Policy Owner:</b>	Board of Trustees of the Rockhampton Girls Grammar School <i>trading as</i> Rockhampton Girls Grammar School  CRICOS Provider No: 00508E	<b>Access:</b> Open access on School website <a href="http://rggs.qld.edu.au">rggs.qld.edu.au</a>



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## 1. PURPOSE OF THE POLICY

The purpose of this policy is to provide written processes about:

- how the School will respond to harm, or allegations of harm, to students under 18 years; and
- the appropriate conduct of the School's staff and student to comply with accreditation requirements.

## 2. SCOPE

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 Rockhampton Girls Grammar School and covers information about the reporting of harm and abuse.

## 3. DEFINITIONS

- **Section 9 of the Child Protection Act 1999** - "Harm", to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
  1. It is immaterial how the harm is caused.
  2. Harm can be caused by—
    - a) physical, psychological or emotional abuse or neglect; 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.
- **Section 10 of the Child Protection Act 1999** - A "child in need of protection" is a child 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.
- **Section 364 of the Education (General Provisions) Act 2006** - "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.

## 4. HEALTH AND SAFETY

The School has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

## 5. RESPONDING TO REPORTS OF HARM

When the School receives any information alleging 'harm'<sup>1</sup> 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 School's *Child Risk*

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<sup>1</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(7)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*



*Management Strategy (RGGS-060-POL)*. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy<sup>2</sup>.

## 6. 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<sup>3</sup>.

## 7. REPORTING

### 7.1 Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to: -

- the Principal, Mrs Kara Krehlik; or
- the Deputy Principal – Students, Ms Sammy Cobon
- the Deputy Principal – Studies, Dr John Fry
- the Head of Boarding, Ms Stacey McCarthy<sup>4</sup>.

### 7.2 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 Board of Trustees of Rockhampton Girls Grammar School<sup>5</sup>.

Reports will be dealt with under the School's *Complaints Handling Policy (RGGS-009-POL)*.

### 7.3 Reporting Sexual Abuse<sup>6</sup>

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 kindergarten aged child registered in a kindergarten learning program at the School;
- c) a person with a disability who: -
  - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the School; and
  - ii. 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 the Board Chair of Rockhampton Girls Grammar School immediately.

The School's Principal or Board Chair must immediately give a copy of the report to a police officer.

Under s366B of the *Education (General Provisions) Act 2006* the directors of the Board of Trustees of Rockhampton Girls Grammar School delegate the directors' function under s366 to the Board Chair/Chairman of the Board of Trustees of Rockhampton Girls Grammar School.

If the first person who becomes aware or reasonably suspects sexual abuse is the School's Principal, 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 Board Chair or the Board of Trustees of Rockhampton Girls Grammar School immediately.

<sup>2</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

<sup>3</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

<sup>4</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)*

<sup>5</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

<sup>6</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*



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

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware: -
  - i. the student's age;
  - ii. the identity of the person who has abused, or is suspected to have abused, the student;
  - iii. the identity of anyone else who may have information about the abuse or suspected abuse<sup>7</sup>.

#### 7.4 Reporting Likely Sexual Abuse <sup>8</sup>

Section 366A of the *Education (General Provisions) Act 2006* states that if a staff member reasonably suspects in the course of their employment at the School, that any of the following is likely to have been sexually abused by another person: -

- a) a student under 18 years attending the School;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who: -
  - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
  - ii. is not enrolled in the preparatory year at the School

then the staff member must give a written report about the suspicion to the Principal or to the Board Chair of the Board of Trustees of Rockhampton Girls Grammar School immediately.

The School's Principal or the Board Chair must immediately give a copy of the report to a police officer.

Under s366B of the *Education (General Provisions) Act 2006* the directors of the Board of Trustees of Rockhampton Girls Grammar School delegate the directors' function under s366A to the Board Chair/Chairman of the Board of Trustees of Rockhampton Girls Grammar School.

If the first person who 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 Board Chair of the Board of Trustees of Rockhampton Girls Grammar School immediately.

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

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware: -
  - i. the student's age;
  - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
  - iii. the identity of anyone else who may have information about suspected likelihood of abuse<sup>9</sup>.

<sup>7</sup> *Education (General Provisions) Regulation 2017 (Qld) s.68*

<sup>8</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

<sup>9</sup> *Education (General Provisions) Regulation 2017 (Qld) s.69*



## 7.5 Reporting Physical and Sexual Abuse

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early 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: -

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

The doctor, nurse, teacher or early education and care professional must give a written report to the Chief Executive of the Department of Children, Youth Justice and Multicultural Affairs (or another department administering the Child Protection Act 1999). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the Principal.

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

- a) the basis on which the person has formed the reportable suspicion<sup>11</sup>;
- b) the child's name and sex;
- c) the child's age;
- d) details of how to contact the child;
- e) details of the harm to which the reportable suspicion relates;
- f) 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;
- g) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

**The Central Queensland Child Safety Regional Intake Service can be contacted during business hours (9am to 5pm Monday to Friday) on 1300 703 762.**

Outside of these hours, you can contact the Child Safety After Hours Service Centre on phone freecall 1800 177 135 (Queensland only).

### Failure to Report<sup>12</sup>

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

### Failure to Protect<sup>13</sup>

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

## 8. 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 it will publish these processes on its website.

<sup>11</sup> *Child Protection Act 1999 s.13G (2)(a)*

<sup>12</sup> *Criminal Code Act 1899 (Qld) s.229BC*

<sup>13</sup> *Criminal Code Act 1899 (Qld) s.229BB*  
RGG-058-POL-CHILD PROTECTION POLICY  
Version 7 – 25/10/2023





- The document is available to staff members, student and parents – online via the school website<sup>14</sup>, in hard copy at the School and displayed on a noticeboard in the Staffroom
- Staff members, students and parents are made aware of the student protection processes, through their Care Group, on staff induction and through a Parent Handbook
- The processes are being implemented within the School and are monitored and updates implemented as they become available.

This document should be read in conjunction with the School's *Child Protection Guidelines (RGGS-059-GDL)*.

## 9. 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<sup>15</sup>.

## 10. 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 annually<sup>16</sup>.

- Staff are trained in the processes, through annual compliance training.
- Staff beginning at the school after this date complete this training as part of their induction program.
- Attendance registers are kept and monitored to ensure all staff complete the training during the student free days at the start of each year or within two weeks of their commencement at Girls Grammar.

## 11. 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.

## 12. COMPLAINTS PROCEDURE

Suggestions of non-compliance with the school's processes may be submitted as complaints under Rockhampton Girls Grammar School *Complaints Handling Policy (RGGS-009-POL)*<sup>17</sup>.

<sup>14</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)

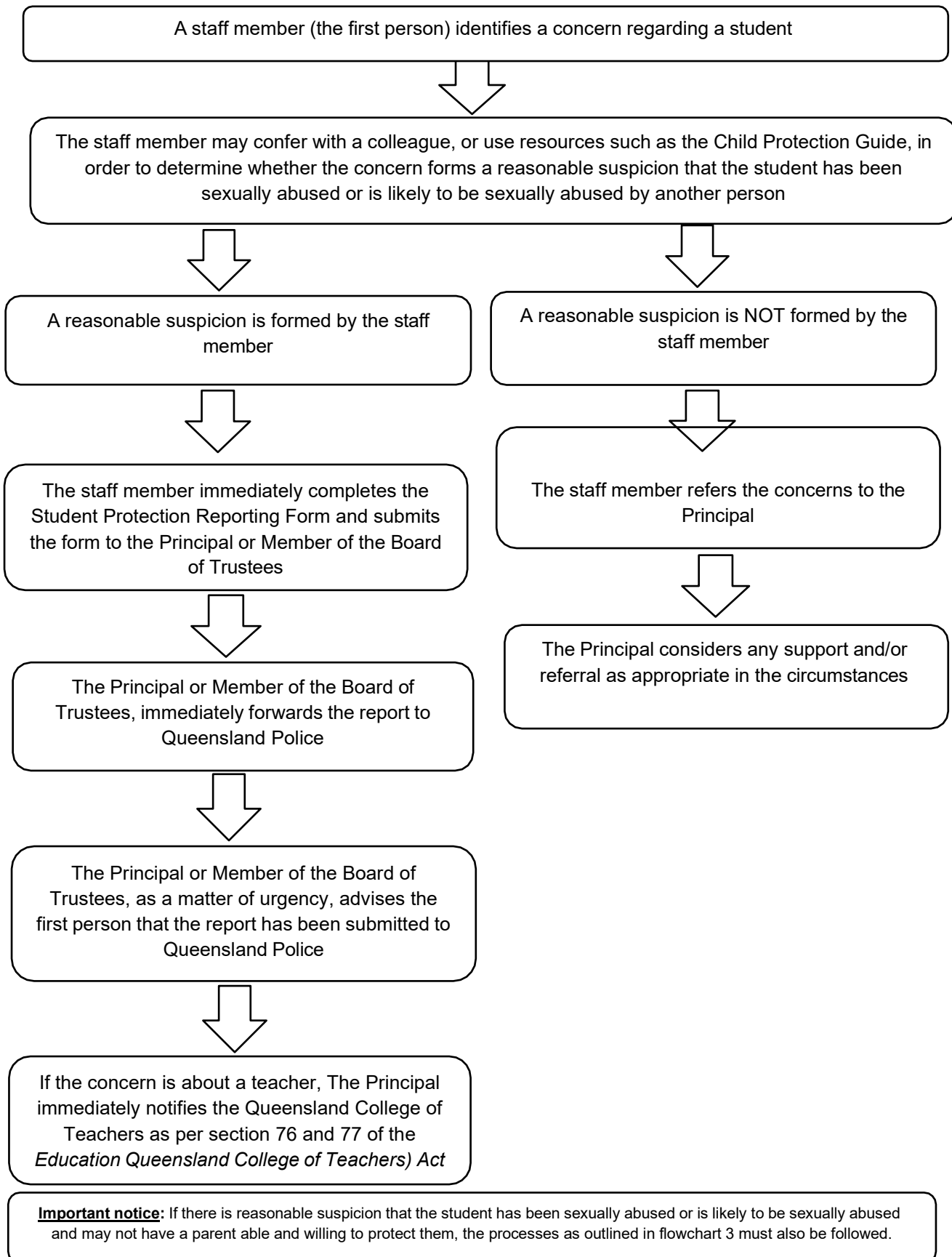
<sup>15</sup> See Child Protection Regulation 2011 (Qld) s.10 "Information to be included in report to chief executive"

<sup>16</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)

<sup>17</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)



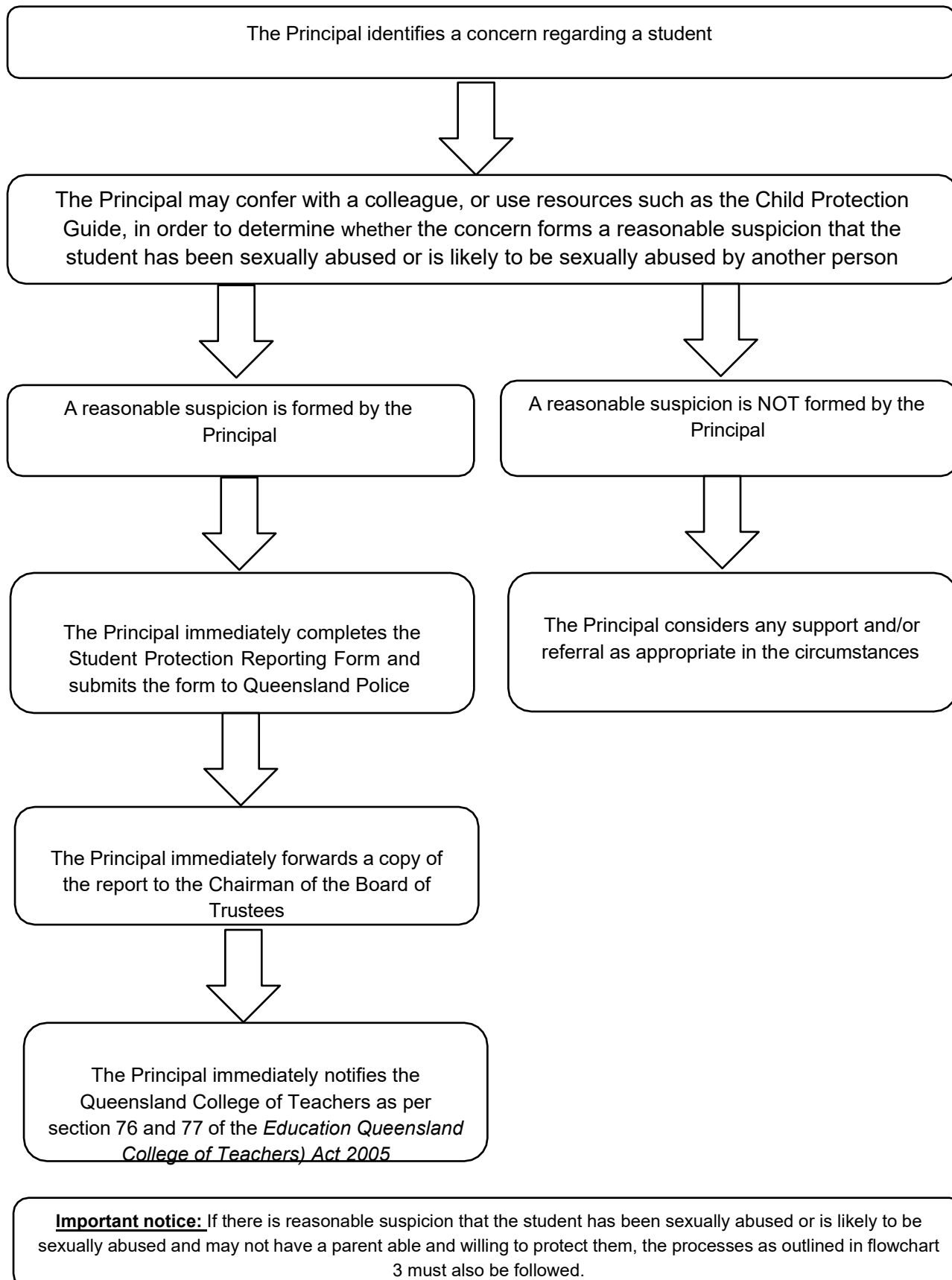
## Flowchart 1: Reporting Sexual Abuse & Likely Sexual Abuse





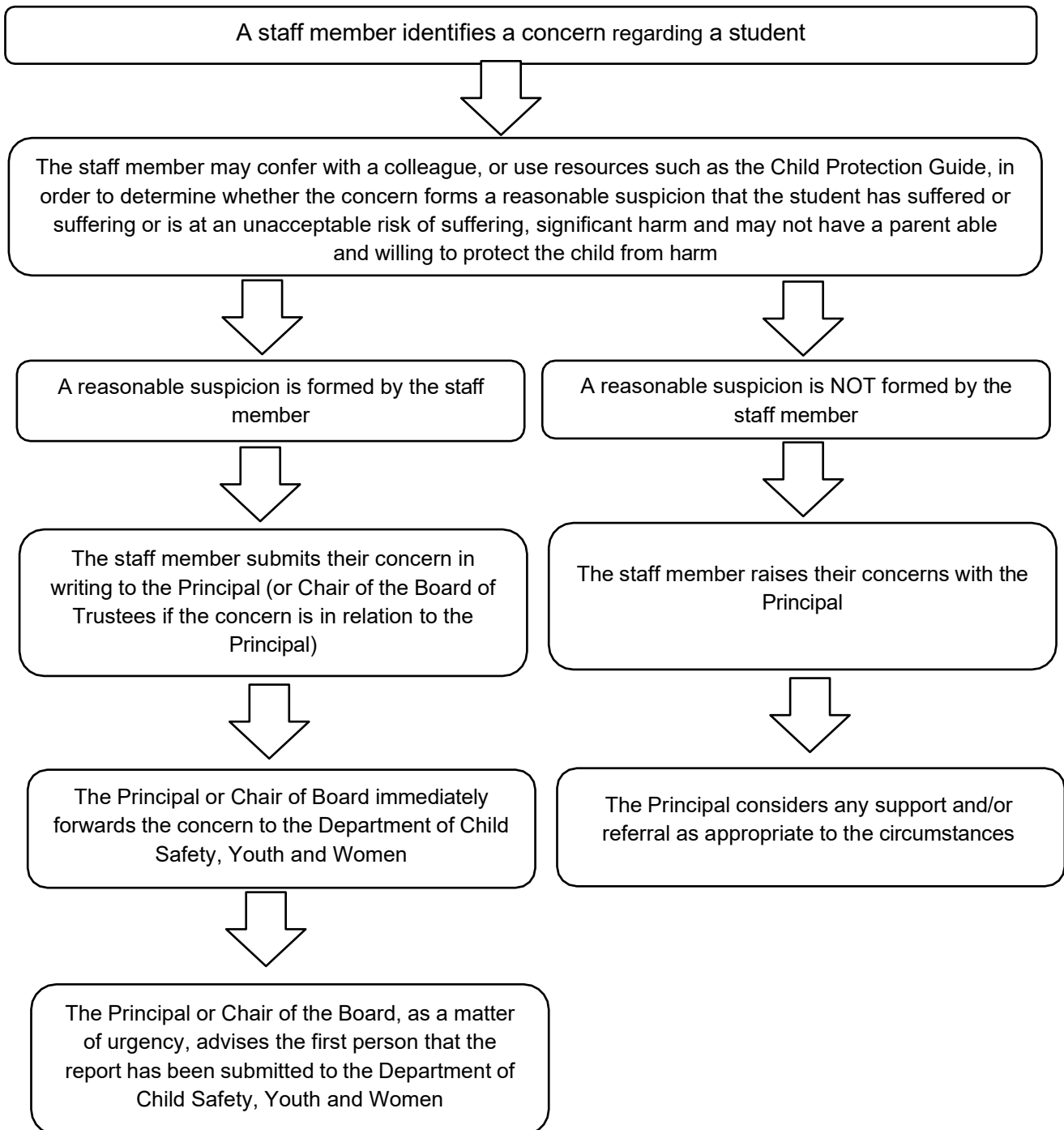


## Flowchart 2: Reporting Sexual Abuse & Likely Sexual Abuse where the first person is the Principal





### Flowchart 3: Reporting a suspicion of harm



**Important notice:** If there is reasonable suspicion that the student has been sexually abused or is likely to be sexually abused, the processes as outlined in flowchart 1 must also be followed, or flowchart 2 if the first person is the Principal.

**Mandatory responsibilities for teachers:** If the staff member is a teacher, and the reasonable suspicion is that the student has suffered, or is at an unacceptable risk of significant harm caused by physical or sexual abuse, and may not have a parent able and willing to protect the student from harm (a reportable suspicion under section 13E of the *Child Protection Act 1999*), the teacher is responsible, as a matter of urgency, to ensure that the report has been submitted to the Department of Child Safety, Youth and Women, unless they become aware of, or reasonably suppose, that the matter has already been brought to the attention of the authorities. If a teacher forms a reasonable suspicion and is not able to progress a report through the process detailed in the flowchart above, they are able to meet their mandatory reporting obligations through reporting directly to the Department of Child Safety, Youth and Women.



Private and Confidential

Report of Suspected Harm or Sexual Abuse

Date:
School: <b>Rockhampton Girls Grammar School</b>
School Phone: 4930 0900
School Email:
School Address: Cnr Agnes and Denham Streets, Rockhampton Qld 4700

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Sex:
Year Level:	Cultural Background:
Primary language spoken:	
Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander <input type="checkbox"/>	
Does the student have a disability verified under NCCD: <b>EAP</b> Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability Category: Disability Level:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS	
Parent/caregiver 1:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Parent/caregiver 2:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Is the student in out of home care? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE		
<input type="checkbox"/> Adult family member	<input type="checkbox"/> Child family member	<input type="checkbox"/> Other adult
<input type="checkbox"/> Student/other child	<input type="checkbox"/> Unknown	



<b>PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE</b> (Attach extra pages if necessary).		
<b>Details of any harm and/or sexual abuse to the student</b> – please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.		
<b>Please indicate the identity and particulars of anyone else who may have information about the harm or abuse</b>		
<b>Additional information provided as an attachment</b> YES <input type="checkbox"/> NO <input type="checkbox"/>		
<b>Name of staff member making report if not the Principal:</b>		
<b>Position:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Principal:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Principal's email address:</b>		
<b>Response requested by school:</b>		

ACTION TAKEN		
Form was emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Child Safety, Youth and Women
	<input type="checkbox"/>	Family and Child Connect

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

**Confirm receipt of emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.**