

<b>POLICY TITLE:</b>	<b>Child Protection Policy</b>
DATE OF IMPLEMENTATION:	JULY 2019
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### Introduction

Under legislation, duty of care obligations, and the values and philosophy of *Montessori International College*, the College is committed to providing a safe environment to all Students and to upholding their best interests and wellbeing.

The processes detailed in this Policy are designed to facilitate these commitments and are compliant with Regulation 7, 15 and 16 of the Education (Accreditation of Non-State Schools) Act and Regulation 2017.

### 1. Definitions

**Child** means a person up to the age of 18 years of age.

**Student** means any person regardless of age who is enrolled at the School.

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

- i. the information has the necessary quality of confidence/sensitivity' in that any unauthorised use would be detrimental to a party and that:
- ii. It was shared or confided under circumstances where there was a special need for trust between the harassment officer and the complainant, or between the Principal and the alleged offender.
- iii. Information will be shared only if it is necessary to comply with the requirements of this Policy (designated persons) or as required by law.

**Complainant** the person bringing the Complaint.

**Respondent** the person against whom a Complaint is made.

**Designated persons** are persons designated to perform the specific duties, often in the absence or unavailability of senior staff.

**Staff** includes all staff, without exception, whether paid or volunteers, eg those involved in teaching or administration, bus drivers, cleaners, groundsman, sporting coaches, sporting referees, teacher assistants, and volunteers working in any

capacity for the College.

**Harm** (section 9 of the *Child Protection Act 1999* as amended in 2014) caused to a Student under 18 years: is any detrimental effect of a significant nature on a Student's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. The harm can be caused by physical, psychological or emotional abuse or neglect or sexual abuse or exploitation.

**Teacher** is a person employed in the capacity of a registered teacher at the College, and includes full time, part time, casual and re-appointments

**Sexual Abuse** (*General Provisions Act, 2006*) in relation to a relevant person includes sexual behaviour involving the relevant person and another person in the following circumstances:

- (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
- (b) the relevant person has less power than the other person;
- (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

**Reportable Suspicion** must be reported to the Department of Communities under the *Child Protection Act, 1999*. It is one where a teacher (extended under the Policy to all staff):

- (a) has a reasonable suspicion that a Student has suffered, is suffering, or is at an 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 Student from harm.

***Inappropriate Behaviour by a Staff Member towards a Student:***

*Inappropriate Behaviour* is NOT defined by law.

It includes Behaviour or speech or actions (including by technology) by a Staff Member towards a Student that is unwelcome or familiar behaviour that causes a Student to feel uncomfortable or which breaches the trust implicit in an adult-student relationship. All behaviours must comply with 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 indicate it is unwelcome.

NB. Many of these behaviours fall under the criminal offence of "grooming" or "maintaining a relationship with a Child".

**Neglect** – The term *neglect* in this Policy may be defined as any act or omission whereby the Child is not cared for in the reasonable opinion of the School. According to the Department of Communities, neglect occurs when a Child's basic necessities of life are not met, and their health and development are affected. Basic needs include:

- Food
- Housing
- Health care
- Adequate clothing
- Personal hygiene
- Hygienic living conditions
- Timely provision of medical treatment
- Adequate supervision

**Family and Child Connect Services (FCCS)** are State established referral services to assist vulnerable families.

**Relevant person** under the General Provisions Act 2006 means a person mentioned in 365(1)(a) to (c), 365A(1)(a) to (c), 366(1)(a) to (c), or 366A(1)(a) to ©

**Relevant person** under the Child Protection Act 1999 (Section 13E) refers to a doctor, a registered nurse, a teacher, a police officer or child advocate.

**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 inappropriately

- has a right to prompt notification of the Complaint and particulars of what has been allegedly done;
- has the right to respond to the allegations;
- has a right to be heard in an unbiased forum.

**Notifier/Complainant** is a person who brings notice of a Student Protection matter to the attention of the College.

**Student Protection Contact Officers** – refers to (at least 2) named and published Staff Members (as required under the Accreditation Act 2017) to whom Students may refer complaints.

**Designated Board Director** is the Director appointed unanimously by the Board to receive and report sexual abuse matters regarding Students.

**Independent Protection Advisor** – may be appointed by the College, and is independent of the College, but available for assessment of complaints.

**Vexatious Complaint** – a vexatious complaint is a complaint which is ill conceived, has

no substance, and which may be brought with ill intent. Vexatious complaints may have serious consequences under the College Policy and legislation.

**Unacceptable Risk** – if the report of alleged Inappropriate Behaviour/harm is of such concern that in the reasonable view of the Principal (with consultation) the Respondent implicated would present a danger – that person can be stood down or suspended in the interim.

**Incident** – any activity or set of circumstances of Inappropriate Behaviour, sexual abuse, or suspected sexual abuse, or where harm has occurred or is reasonably suspected.

**Unprofessional Conduct** is any behaviour which, by its nature, is inappropriate, unwise and has potentially damaging consequences.

**Relevant State Authority** is defined as the Police or Department of Communities Child Safety and Disability Services (DCCS DS)

## 2. The Law

The College obligations in relation to this Policy are covered by the following:

*Education (General Provisions Act) 2006*

*Education (Accreditation of Non-State Schools) Regulation 2017*

*Anti-Discrimination Act 1991*

*Education (Queensland College of Teachers) Act 2005*

*Education & Training Amendment Act 2011*

*The Criminal Code Qld 1899*

*The law of Negligence*

*Contract Law*

*Work Health & Safety Act 2011*

*Child Protection Act, 1999 as amended in 2014*

## 3. Principles

This Policy is founded on the following principles:

- (a) Every Child has a right to protection from harm.
- (b) The welfare and best interests of the Child are paramount.
- (c) Families have the primary responsibility for the upbringing, protection and development of their Children.
- (d) Under the Contract of Enrolment the College and Parents will work together in the best interests of the Child.

- (e) All actions taken by the College will be in the best interests of the Child and will include the reporting of any suspected criminal behaviours regardless of family issues.
- (f) As part of its pastoral care commitments, the College will provide appropriate support to the Child and family where harm is alleged to have taken place.
- (g) The College will screen new staff / volunteers in relation to their suitability to work with Children. [Suitability card & teacher registration will ensure compliance.]
- (h) The College will not tolerate behaviours which breach the law and this Policy. Such behaviours will result in penalties being imposed by the College.
- (i) The College will provide pastoral care to alleged offenders if they are Students or employees of the College.
- (j) The confidentiality of all parties will be respected.

#### **4. Scope**

This Policy and procedures set out the requirements under Regulation 7 and 16 to provide processes which address the protection of Students. It applies to all complaints of sexual and physical abuse, to other types of harm and Inappropriate Behaviour. It applies to all Staff and Students at the College.

#### **5. Policy Statement**

- a) The College will comply with the mandatory reporting requirements under law.
- b) The College has Processes in place allowing it to respond to issues of Student Protection promptly and consistently.
- c) The College will work in partnership with the State authorities.
- d) The College will work as appropriate with Family and Child Connect Services.
- e) The College will work in partnership with parents as part of the Contractual Relationship established by the Enrolment Contract.
- f) The College will provide appropriate pastoral support for Students and families.
- g) Penalties for breach of this Policy will attract College-imposed penalties additional to any imposed at law.

#### **6. Legislative Responsibilities**

The relevant reporting obligations are outlined below:

(a) ***Education (General Provisions) Act 2006***

Section 366 (**Obligation to report sexual abuse of a person under 18 years at non-State school**) and s. 365A (**Obligation to report likely sexual abuse of a person under 18 years at non-State school**) requires that a school staff member (first person) **must** immediately make a written report when they become aware or reasonably suspect the sexual abuse or likely sexual abuse of a student (relevant person EGPA) under 18 years of age by another person.

**All staff members** as the **'first person' must immediately** report. A written report (FORM 1) is to be completed by the staff member with support by a Student Protection Officer and provided to the relevant school Principal.

If the allegation made relates to the Principal the report (FORM 1) must be made directly to the director of the school governing body or the nominated delegate.

**Principal:** Will include all other relevant known information into the FORM 1 and **immediately** give the report to a police officer (relevant CPIU (Child Police Investigative Unit), QPS (Qld police service)).

**Principal:** Will complete and provide the Report to;

- A Director of the school's governing body or the nominated delegate

**Principal** as the **'first person' must immediately** give a written report (FORM 1) to a police officer (relevant CPIU, QPS) **and** provide a copy of the report (FORM 1) to a director of the school's governing body or the nominated delegate.

**School's governing body:** If a written report (FORM 1) has been provided to the director of the school's governing body or the nominated delegate in the first instance, the FORM 1 **must immediately** be given to a police officer (relevant CPIU, QPS).

A maximum penalty of 20 penalty units may apply to persons who do not comply with the provisions of s.366 EGPA. No penalty exists for breaches of s.366A EGPA.

**NOTE: Director's delegation of legislative 'function' (EGPA)**

Section 366B, EGPA, provides that if a non-State school's governing body has more than one director then all of the directors **may** by unanimous resolution, delegate the director's function to an appropriately qualified individual. This 'function' **must not** be delegated to the Principal or any other staff member of the non-State school.

**'Function'** means the director's function of receiving a report and giving a copy of the report to a police officer under ss 366 or 366A EGPA.

(b) ***Child Protection Act 1999***

Section 13E requires that 'relevant persons' **must** make a report when they reasonably and honestly suspect a child has suffered, is suffering, or is at risk of suffering significant harm caused by **physical** or **sexual abuse** and may not have a parent able **and** willing

to protect the child from harm.

**Teachers:** as a 'relevant person' **must** report to Child Safety when they have formed a reasonable suspicion under s13E CPA. A 'relevant person' may confer with other colleagues at the same entity to assist in the forming of a reasonable suspicion.

A Report FORM 2 is to be completed by the relevant person. The relevant person may consult with colleagues. The Report FORM 2 may be completed with guidance from a SPO.

**Note: the legislative responsibility is on the 'relevant person' to directly report to Child Safety.**

**Principal:** Will complete and provide a Report Form 2 to the Chair of the school's governing body.

If the allegation made relates to the Principal a copy of the Report FORM is to be provided to the Chair of the school's governing body.

No legislative penalties apply to persons who do not comply with the provision of s.13E CPA. If a 'relevant person' as an employee of Nambour Christian College, is found to be in breach of this reporting provision of the CPA, internal disciplinary processes will apply.

Section 13B provides the sharing of information to a relevant service provider if there are concerns that the child is likely to become a child in need of protection if no preventative support is given.

**Principal:** will, if appropriate, arrange for the child and/or family to be referred (with consent or without consent) to a relevant community based support service e.g. Family and Child Connect (FaCC) service. A SPO may refer a child and/or family **with consent** to a relevant community based support service. A family can self refer to a FaCC.

**Note: ONLY the Principal as the 'prescribed entity' can refer without consent.**

(c) **Education (Queensland College of Teachers) Act 2005**

Section 76 requires that if the employing authority for a prescribed school investigates an allegation of harm caused or likely to be caused to a child because of the conduct of a relevant teacher of the prescribed school, the employing authority must as soon as practicable after the investigation starts give notice to the Queensland College of Teacher in accordance with s.76 (3).

A maximum penalty of 40 penalty units apply for breaches of s.76 *E(QCoT) Act 2005*.

Section 77 requires that if the employing authority starts an investigation (s.76) the employing authority must as soon as practicable after the investigation ends for any reason, give notice to the Queensland College of Teachers of the outcome of the investigation. The notice must include the information required in s.77 (3).

A maximum penalty of 40 penalty units apply for breaches of s.77 *E(QCoT) Act 2005*.

If a written report for sexual abuse or likely (ss.366 or 366A *EGPA*) involving a teacher has been



given to a police officer, and the teacher resigns from the school, the employing authority is to inform the Queensland College of Teachers by way of an interim notice under the requirements of s76.

If the employing authority dismisses a teacher of the school in circumstances that, in the opinion of the school, call into question the teacher's competency to be employed as a teacher **and** a notice is not required in accordance with ss.76 and 77 of the *EQCoT* as outlined above, the school must give notice (completed in accordance with s.77 of *EQCoT*) to the Queensland College of Teachers within 14 days after the dismissal was given to the teacher.

A maximum penalty of 40 penalty units apply for breaches of s.78 *E(QCoT) Act 2005*.

(d) **Blue Card Services** can be contacted for advice where concern involves a non teaching employee.

(e) **Regulation 16 of the Education (Accreditation of Non-State Schools) Regulation 2017** requires a school to have in place procedures and process for responding to allegations of inappropriate behaviour by a staff member (**FORM 3**)

(f) **Education (Accreditation of Non-State Schools) Regulation 2017**

Section 16 requires schools to have a written process in place for the reporting and responding of inappropriate behaviour of a staff member towards a student.

### **Employees**

All employees **will as soon as practicable** report (FORM 3) all allegations of inappropriate behaviour of an employee or volunteer towards a student to a SPO, the Principal or if warranted, to the nominated delegate of the relevant College Board.

If a SPO receives the allegation, they are to ensure that a FORM 3 is completed and the form immediately provided to the Principal.

A copy is to be provided by either the Principal or the Chair (as applicable), to DPS.

### **Volunteers**

All volunteers **will** report **as soon as practicable** all allegations of inappropriate behaviour of an employee or volunteer towards a student to a SPO. The SPO is to complete FORM 3 based on the information provided by the volunteer.

The SPO will immediately provide the completed FORM 3 to the Principal. If the allegation relates to the Principal the SPO will provide the FORM 3 to the Chair or nominated delegate of the relevant College Board.

A copy of the FORM 3 is to be provided by either the Principal or the Chair (as applicable).

## **7. Responsibilities**

### **a) College Board**

The College Board:

- will discharge their duties in accordance with Regulation 7, 15 and 16;
- will receive regular reports from the Principal at Board Meetings;

- will ensure the College Formal Complaints Policy covers Child Protection complaints;
- will appoint a Designated Director to receive and report (to external authorities) any allegations relating to sexual abuse, including likely sexual abuse.

**b) Principal**

The Principal:

- (a) will promote and arrange for in-service training for Staff in legal compliance with Child Protection legislation and matters contained in this Policy;

- (b) will appoint Student Protection Officers for the Primary, Middle and Senior Schools;
- (c) will implement procedures for screening of all persons involved in the College;
- (d) in cases of sexual abuse, or a Reportable Suspicion, will mandatorily report such alleged offences to the relevant State authorities in accordance with mandatory requirements;
- (e) Will provide a copy of any mandatory report made to the relevant State authorities to the Notifier (teacher who reported the 'reportable suspicion');
- (f) will consult with the College Leadership (comprising the Heads of Schools and Student Protection Contact Officers) as appropriate;
- (g) In all matters of sexual abuse allegations, advise the Designated Board Director, under S.366 A (*Amendment Act*) 2011;
- (h) will investigate reports of Inappropriate Behaviour internally and according to the principles of Natural Justice;
- (i) will respond to concerns raised about psychological or emotional harm, neglect and exploitation including as appropriate by investigation and referral to Family and Child Connect Services;
- (j) will take all necessary action in the standing down of any Staff/Student in relation to matters covered by this Policy and carrying out any disciplinary measures noted in the Policy;
- (k) will report any investigation carried out regarding the conduct of a teacher to the Queensland College of Teachers.

**c) Designated Board Director**

Will be available to receive and to report any allegations of sexual abuse, include likely sexual abuse. Will provide a copy of any mandatory report made to the relevant State authorities to the Notifier (teacher who reported the 'reportable suspicion').

**d) Student Protection Officers**

- (a) will be appointed by the Principal;
- (b) will undertake training in the requirements of the role;
- (c) will be known to Staff and Students, and should be a person that will be accessible;
- (d) will follow the procedures set out in this Policy;
- (e) must inform the Principal or Chair of the Board of Directors of all incidents of harm, or where harm is reasonably suspected, or of sexual abuse, or suspected sexual abuse, or Inappropriate Behaviour which are brought to their attention, in accordance with Annexure A.

**e) Teachers/Staff**

Teachers (and under this Policy, all Staff):

- (a) must comply with mandatory reporting obligations under the *Child Protection Act 1999*, the *General Provision Act 2006* and Regulation 10 of the *Education (Accreditation of Non-State Schools) Regulation 2001* (all as amended)
- (b) must comply with this Policy regarding protective procedures;
- (c) on receipt of a complaint of Inappropriate Behaviour, or harm, or a reasonable suspicion of harm, must report to a Student Protection Officer, the Principal or the Designated Director;
- (d) will protect confidentiality, (under a Confidentiality Agreement) of the person disclosing the allegations and the details of the allegations.

**f) Students**

All Students are expected to contribute to the care and wellbeing of other Students by complying with all School Policies, rules and directions.

**8. Formal Complaints Process**

- (a) The College Staff do not in any way investigate mandatory reporting matters. They will, after notification, simply cooperate with the State authority.
- (b) For an action falling short of mandatory reporting, the Principal may decide on a number of responses including investigating the matter internally or with the assistance of an external investigator.
- (c) Other actions may include:
  - Working in partnership with parents,
  - Referrals to Family and Child Support Services,
  - Notifying Child Safety and Police as a matter of discretion (even if not mandatory).

## 9. Consequences of Breach of Policy

- (a) (i) conduct which breaches this Policy may result in criminal penalties as decided by legal process;
- (a) (ii) in all such cases the Principal will stand down a Staff Member pending the result of investigation by the Police.
- (b) other breaches of this policy, which may not result in external penalties, will result in consequences imposed by the Principal and may include:
  - apology
  - counselling
  - warning
  - demotion
  - suspension
  - standing aside
  - termination
  - expulsion (in the case of a Student)
- (c) Where a complaint / allegation is found to have no substance, every effort will be made to reinstate the alleged offender's status and reputation.

## 10. Protection for Notifier

- (a) The *Child Protection Act 1999* provides for the confidentiality of information supplied by the person making a notification.
- (b) Also Section 22 of the Act provides for the protection from civil liability for persons, who, acting honestly, notify or give information about suspected harm to a Child. 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 – unless required otherwise by Law.

## 11. Anonymous Complaints

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

## 12. Record Keeping

Any Staff Member who has concerns about the safety or wellbeing of a Child, either suspicious or disclosed, MUST:

- a) keep anecdotal records of observations, focusing on the persistence of indicators over time and the severity of effects;
- b) if speaking to a Child, keep questions to what/where/when;
- c) take only short notes – must not investigate;

- d) present such documentation to a Student Protection Officer. (Appendix A)

Should the Principal need to interview the Child further, the same procedures must be followed. Records must be kept in a locked file by the Principal.

### **13. Review of Policy**

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

**APPENDIX A**  
**Reporting Summaries and Reporting Trees**

Reporting Summary 1

**MANDATORY REPORTING OF SEXUAL ABUSE, PHYSICAL ABUSE**

<b>Legislation</b>	<b>If</b>	<b>Then</b>
Reporting Sexual abuse or likely sexual abuse under sections 366 and 366B of the <i>Education (General Provisions) Act 2006</i> .	<p><b>MANDATORY</b></p> <ul style="list-style-type: none"> <li>● You are a School Staff Member; and</li> <li>● You are aware or reasonably suspect that a Student has been, or is likely to be, sexually abused by another person.</li> </ul>	<ol style="list-style-type: none"> <li>1. Complete the School's reporting form.</li> <li>2. Discuss your concerns with your Principal.</li> <li>3. The Principal will make a report to the Police and inform you.</li> <li>4. If you suspect the Principal is involved in the abuse, directly inform the designated Director of the Board who will report it to the Police.</li> <li>5. Keep appropriate records of your decisions and actions.</li> </ol>
	<p><b>MANDATORY</b></p> <ul style="list-style-type: none"> <li>● You are a Principal or a Director of the Board; and</li> <li>● A Staff Member, including a teacher, reports a concern that a Student has been, or is likely to be, sexually abused by another person.</li> </ul>	<ol style="list-style-type: none"> <li>1. Ensure that the School's reporting form is completed.</li> <li>2. Make a report to the Police immediately.</li> <li>3. Inform the Governing Body of the report.</li> <li>4. Provide a copy of the report made (to the relevant State authorities) to the Notifier.</li> <li>5. Keep appropriate records of your decisions and actions.</li> </ol>
Reporting Sexual and Physical abuse under Sections 13E and 13G of the <i>Child Protection Act 1999</i> .	<p><b>MANDATORY</b></p> <ul style="list-style-type: none"> <li>● You are a Teacher, or Staff Member (as included by College Policy), and</li> <li>● You have a "reportable suspicion", ie a reasonable suspicion that a Student— <ul style="list-style-type: none"> <li>a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and</li> <li>b) may not have a parent able and willing to protect the Child from the harm</li> </ul> </li> </ul>	<ol style="list-style-type: none"> <li>1. Complete the School's reporting form.</li> <li>2. Discuss your concerns with your Principal.</li> <li>3. The Principal will make a report to Child Safety.</li> <li>4. The Principal will inform you of their report.</li> <li>5. If you suspect the Principal is involved in the abuse, directly inform the Designated Director of the Board.</li> <li>6. Keep appropriate records of your decisions and actions.</li> </ol>



	<ul style="list-style-type: none"><li>• You are a Principal or a Director of the Board; and</li></ul>	<ol style="list-style-type: none"><li>1. Ensure that the School's reporting form is completed.</li><li>2. Make a report to Child Safety.</li></ol>
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	<ul style="list-style-type: none"><li>• A teacher (or Staff Member under College Policy) reports a reportable suspicion to you.</li></ul>	<ol style="list-style-type: none"><li>3. Inform the teacher/notifier of your report so that their own duty to report is fulfilled.</li><li>4. Inform the Governing Body of the Staff Member's report.</li><li>5. Keep appropriate records of your decisions and actions.</li></ol>
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Reporting Summary 2

**PSYCHOLOGICAL OR EMOTIONAL HARM, NEGLECT OR EXPLOITATION**

<b>Legislation</b>	<b>If</b>	<b>Then</b>
Reporting Psychological, Emotional Harm, Neglect or Exploitation Behaviour under Regulation 10	<ul style="list-style-type: none"> <li>You are a Staff Member/Student Protection Officer; and receive or have a concern of this nature.</li> </ul>	<ol style="list-style-type: none"> <li>Complete the School's reporting form.</li> <li>Discuss the Student's report with the Student Protection Officer or Principal.</li> <li>The Principal will take appropriate action in the circumstances.</li> <li>Keep appropriate records of your decisions and actions.</li> </ol>
	<ul style="list-style-type: none"> <li>You are a Principal; and</li> <li>You receive a report or concern of this nature.</li> </ul>	<ol style="list-style-type: none"> <li>Interview the Staff Member.</li> <li>Interview the Student reporting the behaviour.</li> <li>Interview other persons who may be able to provide useful information.</li> <li>Take appropriate action on the basis of your investigation               <ul style="list-style-type: none"> <li>Utilise internal supports</li> <li>Work in contractual partnership with parents.</li> </ul> </li> <li>Notify at your discretion to Police, Child Safety.</li> <li>Refer to Family and Child Connect Services.</li> <li>Report to the Governing Body as appropriate.</li> <li>Keep appropriate records of your decisions and actions.</li> </ol>

<p>Queensland College of Teachers Act 2005, Section 76</p>	<ul style="list-style-type: none"> <li>• You are a Principal and</li> <li>• The School is investigating an allegation of harm caused, or likely to be caused, to a Child because of the conduct of a teacher.</li> </ul>	<ol style="list-style-type: none"> <li>1. As soon as practicable after the investigation starts, give notice to the Queensland College of Teachers</li> <li>2. The notice must include the following—               <ol style="list-style-type: none"> <li>a) the name of the Principal;</li> <li>b) the name of the School;</li> <li>c) the name of the relevant teacher;</li> <li>d) the day the investigation started; and</li> </ol> </li> </ol>
		<ol style="list-style-type: none"> <li>e) the allegation, particulars of the allegation and any other relevant information.</li> </ol>

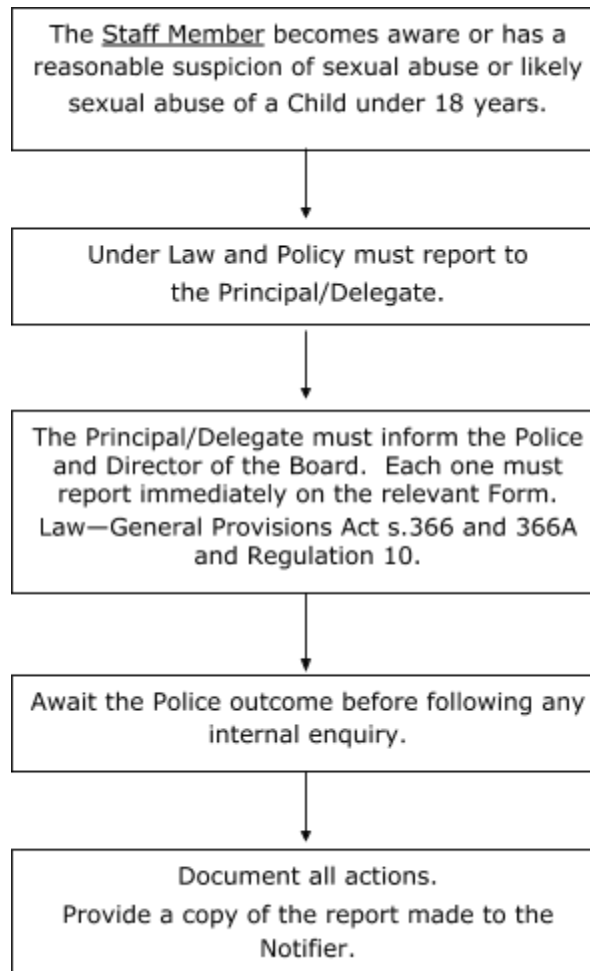
Reporting Summary 3

**INAPPROPRIATE BEHAVIOUR**

<b>Legislation</b>	<b>If</b>	<b>Then</b>
Reporting Inappropriate Behaviour under Reg. 10 (Accreditation Regulations 2001)	<ul style="list-style-type: none"> <li>You are a Student; and</li> <li>A Staff Member at the School has behaved in a way you consider is inappropriate.</li> </ul>	<ol style="list-style-type: none"> <li>Report the behaviour to a Student Protection Officer or Senior Staff Member/Principal.</li> </ol>
	<ul style="list-style-type: none"> <li>You are a Staff Member/Student Protection Officer; and receive or have a concern of this nature.</li> </ul>	<ol style="list-style-type: none"> <li>Complete the School's reporting form.</li> <li>Discuss the Student's report with the Student Protection Officer or Principal.</li> <li>The Principal will take appropriate action in the circumstances.</li> <li>Keep appropriate records of your decisions and actions.</li> </ol>
	<ul style="list-style-type: none"> <li>You are a Principal/Delegate and receive a report of this nature.</li> </ul>	<ol style="list-style-type: none"> <li>Interview the Student reporting the behaviour.</li> <li>Interview the Staff Member named in the report as engaging in Inappropriate Behaviour.</li> <li>Interview any other person who may be able to provide useful information.</li> <li>Investigate.</li> <li>Take appropriate action on the basis of your investigation.</li> <li>Report to the Governing Body as appropriate.</li> <li>Keep appropriate records of your decisions and actions.</li> </ol>

**MANDATORY REPORTING**

**(1) Harm in the Nature of Sexual Abuse – To Police**

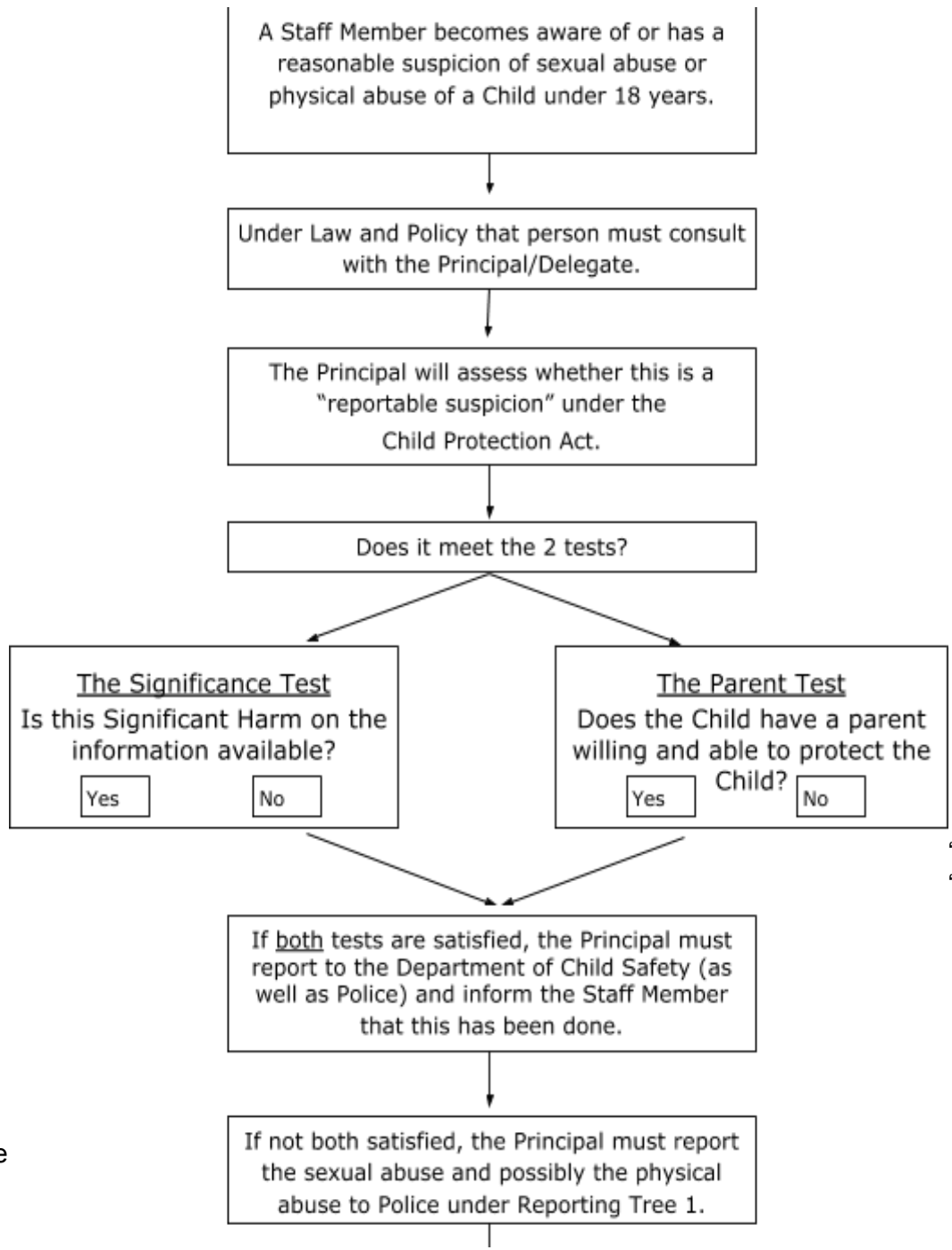


**NB. Suspected Criminal Offences need to be reported to Police by discretion and in line with the best interests of the Child and the Common Law duty of care.**

**MANDATORY REPORTING**

**(2) Harm in the Nature of Sexual or Physical Abuse – To Child Safety**

(This Policy expands the obligations placed on a teacher to all staff.)



IF

'YES' IF  
'NO'

Page

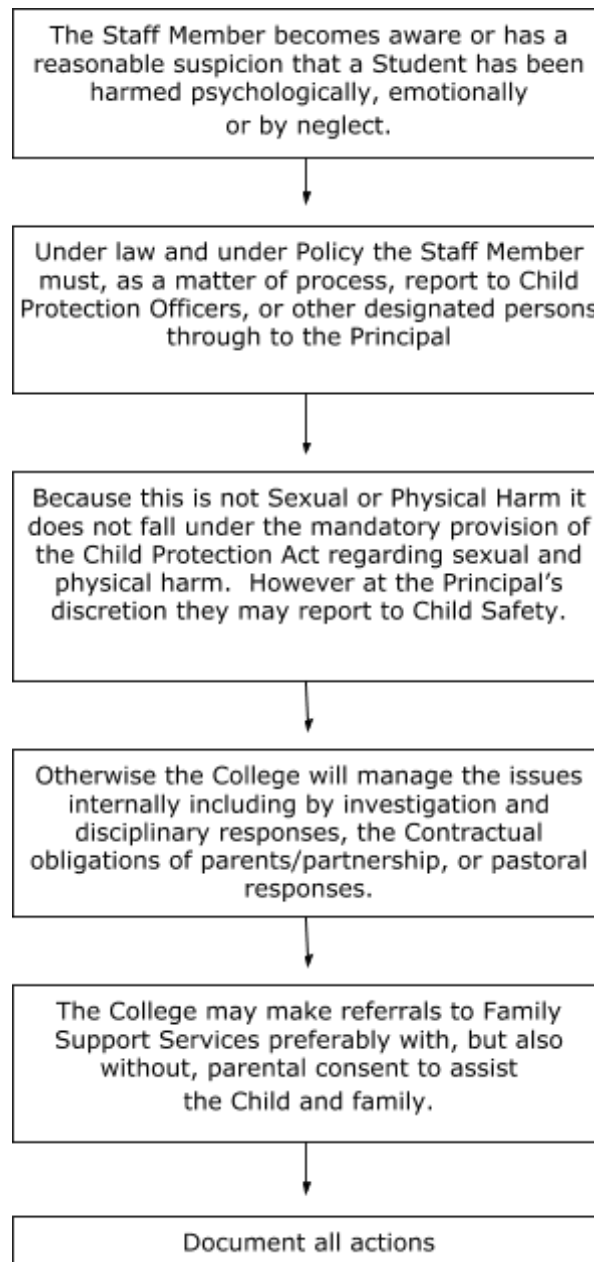
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**MANDATORY REPORTING**

**(3) Discretionary Reporting of “Other” Harms – psychological, emotional neglect, exploitation**



**APPENDIX B**  
**Forms**

Form A

**REPORTING – ALL CONCERNS EXCEPT SEXUAL ABUSE AND PHYSICAL ABUSE**

**CONFIDENTIAL**

Staff are required under Policy to report any concerns regarding psychological or emotional harm, self harm, neglect, exploitation or Inappropriate Behaviour to the Student Protection Officers or other management or the Principal.

This form is to be initiated by the Staff Member who has become aware of a concern and provide or forward it to Student Protection Officer or Principal. Both the Student Protection Officer and the Principal will review the form and sign the form as evidence of their review.

Name of Student: Gender:M/ F

Year Level:           DOB: /       /

I first became aware of the situation (approx date)

Has the concern arisen internally to the School?  Internally       Externally

I became aware of this situation because the Student involved:

- |  |                                   |
|--|-----------------------------------|
| <input type="checkbox"/> Spoke to me                   | <input type="checkbox"/> Observed |
| <input type="checkbox"/> Spoke to another Student      | <input type="checkbox"/> Other    |
| <input type="checkbox"/> Spoke to another Staff Member |                                   |

Following is a brief description of what the Student said:

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Identity of anyone else who may have supporting information:

Do you consider this matter to fall into one or more of the following categories:

- Emotional
- Psychological
- Self Injury
- Neglect
- Exploitation
- Inappropriate Behaviour of: Student to
  - Student
  - Student to Staff
  - Staff Member to Student

*I confirm the details above (to the best of my knowledge) to be 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.*

\_\_\_\_\_  
Signed by Staff Member initiating process

\_\_\_\_\_  
Date

-----  
Provided to:

Child Protection Officer  on

Date

Principal  on

Date

Signature of Person Receiving this Report Form:

Name: \_Date:

Role:

### **CONFIDENTIALITY AGREEMENT**

I, \_\_\_\_\_ agree that the information

provided by me and/or obtained by me in the process in relation to the issue of

“harm” to \_\_\_\_\_ (name), a Student at

\_\_\_\_\_ College will not be disclosed to any other person at any time now or in the future, except in the circumstances where the information is required by law or by a Court of Law.

(Name) \_\_\_\_\_

\_\_\_\_\_  
(Signed)

\_\_\_\_\_  
(Date)



\*Following is a brief description of what the Student said (details of abuse or suspected abuse).

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Student Age

Identity of person suspected/likely to have caused abuse

Identity of anyone else who may have information about abuse

*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.*

\***Signed** by Staff Member initiating process (and full name) \_\_\_\_\_ Date

Referred to Student Protection Officer (SPO) **Signed:** by SPO Date Received

Referred to Principal **Signed:** by Principal Date Received

Referred to Designated Board Director **Signed:** Director Date Received

Principal reported to Police **Signed:** Principal Date Referred

*\* IT IS A MANDATORY REQUIREMENT TO PROVIDE THESE DETAILS*



Form C

**MANDATORY REPORTING FORM  
FOR REPORTABLE SUSPICION – TO CHILD SAFETY**

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 Student and forwarded to Head of College or the Board of Directors immediately. Both the Student Protection Officer and the Principal will review the form and sign the form as evidence of their review.

Does this report concern:	Sexual Harm? <input type="checkbox"/>
Does it pass the significant harm test?	Physical Harm? <input type="checkbox"/>
Does it pass the parent test?	

*Name of Student:
*Gender 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 <input type="checkbox"/> Other

<input type="checkbox"/> Spoke to another Student <input type="checkbox"/> Spoke to another Staff Member <input type="checkbox"/> Staff Member/other observation comment <input type="checkbox"/>
<p>*Following is a brief description of what the Student said (details of abuse or suspected abuse).</p> <p>_____</p> <p>_____</p> <p>_____</p>

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

*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.*

*Signed by Staff Member initiating process (and full name)	_____	Date
Referred to Student Protection Officer (SPO)	<b>Signed:</b> by SPO	Date Received
Referred to Principal	<b>Signed:</b> by Principal	Date Received

Referred to Designated Board Director

**Signed:** Director

Date Received

The Principal informed me on

that he mandatorily reported to the

(Date)

Department of Communities on

(Date)

*\* IT IS A MANDATORY REQUIREMENT TO PROVIDE THESE DETAILS*

**APPENDIX C**  
**Student Protection Officers**

## Student Protection Officers

As at 13<sup>th</sup> January 2018

The Child Protection Policy provides the written processes for how Montessori International College will respond to allegations of sexual abuse, likely sexual abuse, harm or risk of harm of a student by another person or inappropriate behaviour of a staff member or volunteer to a student.

Allegations and/or concerns of this nature should be reported to any one of the following Student Protection Officers or to the Principal.

AS APPOINTED BY Chiray Fitton, Principal

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Marlene de Beer	School Counsellor (07) 5442 3807
Nick Harrison	Assistant Principal (Senior Phase) (07) 5442 3807
Larissa Rook	Assistant Principal (Primary College) (07) 5442 3807
Karen Nosworthy	Assistant Principal (Early Years) (07) 5442 3807

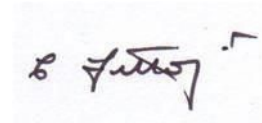
**WHILE STAFF MEMBERS ARE REQUIRED TO FOLLOW THE PROCEDURES AS SET OUT IN THIS MANUAL, THIS DOES NOT LIMIT THE FREEDOM OF ANY PERSON TO ADDRESS COMPLAINTS OR CONCERNS ABOUT THE SAFETY OF STUDENTS DIRECTLY TO:**

Queensland Police Service or Department of Communities (Child Safety) Services.

Please note: this form must be kept up to date and kept with SPR.

Signed:

Chiray Fitton

A handwritten signature in black ink, appearing to read 'Chiray Fitton', with a small mark above the 'y'.

**APPENDIX D**  
**Contact Details for Designated Board Director**

**Contact Details for  
Designated Board Director**

Mr Kyle Kimball

Ph: +61 (0)2 9986 2282

E: [kyle.kimball@sajenlegal.com.au](mailto:kyle.kimball@sajenlegal.com.au)