

# Procedures for Responding to and Reporting Harm, or Allegations of Harm

(to Student under 18 Years)



Ambrose Treacy College (the College) has zero tolerance for child abuse and harm and is committed to the protection of all children from all forms of child abuse and harm.

The College has a [Student Code of Conduct](#) and a within the [EREA Code of Conduct](#), a Child Safe Code of Conduct that outlines:

- the expected standards of behaviour for all members of the College community, including Staff, Volunteers, Contractors and students, when interacting with children and young people in our College's environment and
- the consequences of failing to meet the College expectations.

These documents are published on our website.

## What is Child Abuse and Other Harm?

For the purposes of this policy, the phrase "child abuse and other harm" refers to "child abuse", "harm", "grooming", exposure to "domestic abuse" and "conversion therapy".

"Child abuse" is not a defined term in Queensland legislation. However, various sources of legislation provide definitions of concepts and conduct which, together, provide guidance as to what constitutes child abuse in Queensland.

- The Child Protection Act 1999 (Qld) states that "harm" to a child is "any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing". It does not matter how the harm is caused – but the Child Protection Act says that harm can be caused by physical, psychological or emotional abuse, neglect, sexual abuse or exploitation. Harm can also be caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances.
- "Sexual abuse" is defined in the Education (General Provisions) Act 2006 (Qld).
- "Grooming" is defined in the Criminal Code Act 1899 (Qld).
- A child can be exposed to "domestic abuse" which is defined in the Domestic and Family Violence Protection Act 2012 (Qld).
- Chapter 5B of the Public Health Act 2005 (Qld) prohibits conversion therapy, which is a practice that attempts to change or suppress a person's sexual orientation or gender identity.

In practice, child abuse and other harm do not occur in isolation.

Unfortunately, the nature of child abuse and other harm is complex. Abuse or harm may occur over time and potential indicators of abuse or harm are often difficult to detect. The perpetrator may be a parent, carer, other family member, staff member, Volunteer, Contractor, another adult or even another child.

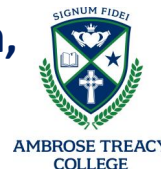
## Child Safety Incident or Concern

In addition to child abuse or harm, this policy applies to breaches of our Child Safe Codes of Conduct as well as other inappropriate behaviour towards or in the presence of a child, including inappropriate conduct by staff members, Volunteers, Contractors, visitors, parents/caregivers and other students.

For the purposes of this policy, we refer to incidents, complaints, disclosures, allegations or suspicions of child abuse, harm, breaches of our Child Safe Code of Conduct and other inappropriate behaviour towards or in the presence of a child as "child safety incidents or concerns".

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## How to Report Child Safety Incidents or Concerns to the College

The College will take appropriate, prompt action in response to all child safety incidents or concerns that are reported to the College, including by reporting the matter to Child Safety Services or the Police, depending on the allegation or disclosure made.

Communications will otherwise be treated confidentially on a 'need to know basis'.

### Students

Our [Child Safety Contacts](#) are appointed specifically as staff members to whom students can report child safety incidents or concerns, including concerns about the conduct of another staff member that the student considers is inappropriate.

However, there are no limits on how or to whom students at the College can disclose child safety incidents or concerns or make a complaint about a staff member. Students can report child safety incidents or concerns to any staff member.

### Parents/Caregivers, Family Members and Other Community Members

Anyone, including External Education Providers, parents/caregivers and other community members can report child safety incidents or concerns, including concerns about the conduct of staff members, to our Senior Child Safety Officer, the College [Principal](#). Should the concern be related to the College Principal it should be reported directly to the [Safeguarding and Professional Standards Manager – EREA Colleges](#).

### Staff, Volunteers and Contractors

For the purposes of this policy, all Staff, Volunteers and Contractors are together referred to as staff or staff members.

Staff members **must** report any and all child safety incidents or concerns involving our students to the College. They can do this by contacting a Child Safety Officer, or – if the matter involves the conduct of a staff member – the Principal.

Staff members must also follow our procedures for responding to child safety incidents or concerns, including by making any required reports to external agencies.

These policies and procedures make clear that reporting internally to or consulting with a Child Safety Officer does not change any obligation under legislation to report to an external authority.

## How the School will Respond to Harm, or Allegations of Harm, to Students Aged Under 18 years

The College will take appropriate, prompt action in response to all child safety incidents or concerns, including allegations or disclosures of child abuse or harm, that are reported internally to the College, including by:

- all matters that meet the required relevant thresholds being reported externally to Child Safety Services, the Police or the Queensland College of Teachers, depending on the issues raised
- the College fully cooperating with any resulting investigation by an external agency
- protecting any student connected to the child safety incident or concern until it is resolved and providing ongoing support to those affected
- securing and retaining records of the child safety incident or concern and the College's response to it.

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Child safety incidents or concerns that involve the conduct of a current or former staff member and that are raised by a student, parent/carer or family or community member will be addressed in accordance with this policy, together with any relevant guidelines set out in our [Complaints Handling Guide](#), regardless of how that concern was raised. These policies are available on our public website.

## Legal Obligations to Respond to and Report Child Abuse and Harm

There are a number of legal obligations that College and its staff must follow when responding to child safety incidents or concerns. These are summarised below.

The legal obligations for reporting child safety incidents or concerns to external agencies can vary depending on the circumstances of the incident or concern.

### Mandatory Reporting of Sexual Abuse to Police

Under sections 366 and 366A of the Education (General Provisions) Act 2006 (Qld), all College staff who, in the course of their employment, become aware or reasonably suspect that a:

- student under 18 years attending the College;
- kindergarten age child registered in a kindergarten learning program at the College;
- person with a disability who, under section 420(2), is being provided with special education at the College and is not enrolled in the preparatory year at the College,

has been or is likely to be sexually abused, must immediately give a written report about that abuse or suspected abuse to the Principal or Child Safety Officer who must then immediately give this written report to the Police.

If it is the Principal who themselves forms such a suspicion they must immediately give a written report about the suspicion to the Police.

### Mandatory Reporting of a Reportable Suspicion

Under section 13E of the Child Protection Act 1999 (Qld) people who are Mandatory Reporters are required by law to report a “reportable suspicion” about a child, that is formed in the course of their professional work, to Child Safety Services.

A “reportable suspicion” about a child has two parts. It is a reasonable suspicion that the child:

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

All teachers and registered nurses at the College are Mandatory Reporters and must report reportable suspicions formed in the course of their professional work at or for the College to Child Safety Services.

### Optional Reporting of Harm

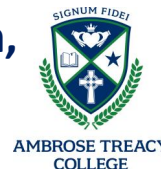
Any person, including a teacher or registered nurse whose concerns do not rise to the level of a reportable suspicion, may make a report under section 13A of the Child Protection Act 1999 (Qld) to Child Safety Services if they have a reasonable suspicion that a child may be, or if no preventative support is given is likely to become, “in need of protection”.

A child may be “in need of protection” if the child:

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

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## Child Safety Incidents or Concerns About or Involving Staff

The College has developed specific guidelines for responding to child safety incidents or concerns that involve staff members, including College Advisory Council Members, the Principal, permanent, temporary and casual Staff, Volunteers, and Contractors.

These are summarised in our [Procedures for Managing Child Safety Incidents or Concerns At or Involving ATC or its Staff Members Conduct](#), which is also available on our website.

Wherever a child safety incident or concern that involves the College or a staff member meets the threshold for reporting to an external agency, the College will report the matter to the relevant agency.

## Conduct that is Reportable to the Queensland College of Teachers

The Education (Queensland College of Teachers) Act 2005 (Qld) requires the College to notify the Queensland College of Teachers (QCT) as soon as practicable after:

- starting to deal with an allegation of harm or likely harm to a child due to a teacher's conduct
- stopping dealing with the allegation and the outcome of dealing with the allegation.

The College is also required to notify the QCT within 14 days of the dismissal of a teacher in circumstances that call into question the teacher's competence to be employed to teach.

## SUPPORTING DOCUMENTS

[College Child Safeguarding Policy](#)

[College Complaints Handling Guide](#)

[Procedures for Managing Child Safety Incidents or Concerns at or Involving College or its Staff Members Conduct](#)