



# REPORTING OBLIGATIONS

## Policy & Procedures

### (Student Protection Processes Policy and Procedures)

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## POLICY OUTLINE

Purpose:	Section 16 of the Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) (the Accreditation Regulation) requires the <b>Equipping for Life Board</b> (“the Board”) to have written processes about how Arethusa College will respond to harm, or allegations of harm, to students aged under 18, and sets out a number of issues that must be addressed in those processes.		
Scope:	Equipping for Life Board of Directors, Employees and students, including full-time, part-time, permanent, fixed-term and casual employees, contractors, volunteers, parents and people undertaking work experience or vocational placements, and service providers at Arethusa College.		
Status:	Approved		
Authorised By:	Board	Date of Authorisation	October 2023
Review Date:	Annually	Next Review Date:	October 2024
Policy Owner:	Equipping for Life Ltd		

## BACKGROUND

Arethusa College is an independent school, built on a Christian foundation, that was established to meet the needs of students who – for numerous reasons – are not fitting into the mainstream education system.

Our aim is to create school communities that facilitate Real Connections, Real Learning and Real Futures. We now operate a network of diverse campuses across South-East Queensland that reflect and respond to the needs of the students and families they serve.

## STATEMENT OF COMMITMENT TO CHILD SAFETY AND WELLBEING

Arethusa College is committed to providing education and care to children and young people to assist them to develop into high achieving, supported students, positively connected to each other and to the communities in which they live and which they will serve.

All children and young people who come to Arethusa College have a right to feel and be safe. We are committed to the safety and wellbeing of all children and young people.

We have a zero tolerance for child abuse and other harm and are committed to acting in students' best interests and keeping them safe from harm.

The Board regards its child protection responsibilities with the utmost importance and is committed to providing the necessary resources to ensure compliance with all relevant child protection laws and regulations and maintaining a child safe culture.

Each member of the College Community has a responsibility to understand the important and specific role they play individually, and collectively, to ensure that the wellbeing and safety of all students is at the forefront of all that they do, and every decision they make.

## PURPOSE

Child protection is of the highest priorities for our College, Board and staff. Effective education provision only occurs within a safe, community, school environment where young people can be confident that their care givers will act resolutely to protect them.

Section 16 of the Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) (the Accreditation Regulation) requires the **Board** to have written processes about how Arethusa College will respond to harm, or allegations of harm, to students aged under 18, and sets out a number of issues that must be addressed in those processes.

The Working with Children (Risk Management and Screening) Regulation 2020 (Qld) (Child and Youth Risk Management Strategy Regulation) sets out what must be included in Arethusa College's Child Protection Program and requires the inclusion of policies and procedures for handling disclosures and suspicions of harm, including reporting guidelines.

Our Student Protection Processes Policy and Procedures meets these requirements and demonstrates the strong commitment of the College to child safety. This Policy and its Procedures provide an outline of the policies, procedures and practices that we have developed to recognise and respond to incidents, disclosures and suspicions of harm to children and young people. They are designed to help us keep our students safe, including from child abuse and other harm.

They provide the key elements on which the College's underlying policies and procedures for recognising, responding to and reporting child safety incidents or concerns (included in Arethusa College's Child Protection Program)<sup>1</sup> are based.

This Policy and its Procedures assist the College and its Staff (which includes all employed staff members, Volunteers, Contractors, other service providers) to:

- identify indicators of a child being (or at risk of being) “abused,” “harmed” or “in need of protection”
- understand how to tell the College about students in these situations, and what actions to take to protect and support the student and others who may be impacted
- comply with the College's organisational duty of care and their own duty to protect students (including obligations under the Failure to Protect offence)
- comply with their obligations (under the law and under College policy) to report child safety incidents or concerns to relevant external authorities, including:
  - mandatory reporting of physical and sexual abuse to the Department of Child Safety, Seniors and Disability Services (Child Safety Services)
  - mandatory reporting of child sexual abuse and sexual offences against children (including grooming) to Police
- comply with other laws, regulations, and relevant standards relating to recognising, reporting and responding to child safety incidents or concerns.

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<sup>1</sup> We call our Child and Youth Risk Management Strategy (required by the Working with Children (Risk Management and Screening) Act 2020 (Qld)) the “Child Protection Program”. The Child Protection Program contains a full collection of policies and procedures that assist the College to be a child safe organisation, to meet the National Principles for Child Safe Organisations and to meet Queensland's Child and Youth Risk Management Strategy requirements. It includes not only policies and procedures for responding and reporting child safety incidents and concerns, but also policies and procedures about:

- child safe human resources management (including Blue Cards and Exemption Cards)
- participation and empowerment of students
- informing and involving families and relevant communities in Child Safe issues
- equity and diversity
- Child Safe risk management strategies
- strategies for embedding a culture of child safety at the College and
- regular reviews and continuous improvement of child protection policies, procedures and practices.

These other policies and procedures are summarised in our Child Protection Policy – Child and Youth Risk Management Strategy.

## PRINCIPLES

Arethusa College is committed to ensuring the safety, wellbeing, and participation of all children and young people under our care.

Arethusa College's values acknowledge that we are inspired and empowered by the love of Christ and His Kingdom. That we, as an organisation, are motivated to do what we do because of what Christ has done for us, and we do it for the outcomes and benefit of the students we serve. We do this so that they can become all that they were created to be.

Every person involved in the College has a responsibility to understand the important and specific role they have individually and collectively to ensure that the wellbeing and safety of all students are at the forefront of all they do and every decision they make.

All the College's policies and procedures for recognising, reporting and responding to child safety incidents or concerns are designed and implemented to be inclusive of the diverse characteristics of the College community.

Nothing in this Policy and its Procedures prevents a staff member or any other person from taking immediate action to protect a student and/or to notify the Police and/or Child Safety Services, particularly if they believe that it is essential to act to ensure a student's safety.

## SCOPE

This Policy and its Procedures apply to:

- all staff members (including teaching and non-teaching staff, administration staff and support staff, regardless of whether they are permanent, temporary or casual staff, full time or part time)
- Board directors
- People undertaking work experience or vocational placements including trainee teachers
- Direct Contact and Regular Volunteers
- Direct Contact and Regular Contractors (including external education providers)

For the purposes of this Policy and its Procedures, we refer to these together as "Staff" or "staff members".

This Policy and its Procedures apply in all College environments, both physical and online, and on-site and off-site College grounds (e.g. camps and excursions, interstate and overseas travel).

## DEFINITIONS

### **Key Definition: Child safety incident or concern**

This Policy and its Procedures (and Arethusa College's Child Safety Program) use the phrase "child safety incident or concern" rather than the more limited concept of "harm" to a child.

Child safety incidents or concerns can take many forms. These include not only “harm” to a child by their parents/ foster or kinship carers, but also conduct by other people that can cause harm to a child. The perpetrator may be a parent, carer, staff member, another adult or even another child.

At the College, we define “child safety incidents or concerns” as:

- incidents of, or concerns about a risk of, harm to a child, as defined in the Child Protection Act 1999 (Qld) (Child Protection Act)
- offences against children under the Criminal Code 1899 (Qld) (Criminal Code) and the Public Health Act 2005 (Qld) such as:
  - leaving a child aged under 12 unattended for an unreasonable time
  - criminal neglect
  - sexual offences
  - grooming offences
  - offences relating to child exploitation material
  - sexual and gender identity conversion practices
- a breach of our Child Safe Codes of Conduct, such as inappropriate behaviour by a staff member towards a student.

### **Additional Definitions**

The nature of child abuse and other harm is complex. The harm may occur over time and potential indicators are often difficult to detect.

For definitions of all of the different types of child abuse and harm, and a comprehensive list of the indicators of these types of harm, refer to **Appendix 1: Definitions and Key Indicators of Abuse and Other Harm**, the Queensland Government resource [What is Child Abuse?](#) or the [Queensland Child Protection Guide](#).

### ***Child Abuse***

There is no specific definition of “child abuse” in child protection legislation in Queensland. However, Child Safety Services defines “child abuse” as “action, behaviours or inaction by an adult towards a child that harms or endangers the child”.

### ***Harm***

The Child Protection Act 1999 (Qld) (Child Protection Act) focuses on the impact of actions or inactions on a child, rather than on actions or inactions that may be considered child abuse. In particular, it focuses on “harm” to a child.

Harm is defined as “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. The harm could be caused by a single act, omission or circumstance, or a series or combination of acts, omissions or circumstances.



The Child Protection Act does state, however, that harm can be caused by:

- physical abuse
- psychological or emotional abuse
- neglect
- sexual abuse or exploitation.

These terms are not defined in the Child Protection Act. Refer to **Appendix 1: Definitions and Key Indicators of Abuse and Other Harm** for information about each of these terms.

“Harm” to a child also includes:

- grooming\*
- being the victim of or exposed to domestic violence\*\*
- being subjected to sexual or gender identity conversion practices\*\*\*
- self-harm.\*\*\*\*

**\*Grooming** is defined as behaviours that manipulate and control a child with the intent of gaining access to the child, obtaining the child’s compliance, maintaining the child’s silence and avoiding discovery of sexual abuse.

Grooming of a child aged under 16, or of a parent or carer of the child, is a crime under sections 218A and 218B of the Criminal Code.

**\*\*Domestic violence** is defined under the Domestic and Family Violence Protection Act 2012 (Qld) (Domestic Violence Act) as behaviour, by a person towards another person that they are in a relevant relationship with, that:

- is physically or sexually abusive
- is emotionally or psychologically abusive
- is economically abusive
- is threatening
- is coercive
- in any other way controls or dominates the second person and causes the second person to fear for the second person’s safety or wellbeing or that of someone else.

The Domestic Violence Act also defines “exposure to domestic violence” as when a child sees or hears domestic violence, or otherwise experiences the effects of domestic violence.

Exposure to domestic violence can harm a child’s emotional or psychological wellbeing.

**\*\*\* Sexual and gender identity conversion practices** are defined in the Public Health Act 1958 (Qld) as a “practice that attempts to change or suppress a person’s sexual orientation or gender identity.”

They include attempting to change or suppress a person’s sexual orientation or gender identity by:

- inducing nausea, vomiting or paralysis while showing the person same-sex images
- using shame or coercion to give the person an aversion to same-sex attraction or to encourage gender-conforming behaviour

- using other techniques on the person encouraging the person to believe that being lesbian, gay, bisexual, transgender or intersex (LGBTQI+) is a defect or disorder.

\*\*\*\***Self-harm** refers to people deliberately hurting their bodies. It is often done in secret without anyone else knowing.

### ***In Need of Protection***

Children who have been or are being harmed, or who are at risk of harm, as a result of child abuse may or may not be “in need of protection” (i.e. in need of intervention by the state).

Section 10 of the Child Protection Act defines a child “in need of protection” as a child who **both**:

- has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; **and**
- does not have a parent or carer able and willing to protect them from harm.

### ***“Child Abuse and Other Harm”***

We refer to all above definitions and concepts relevant to “child abuse” and “harm” as “child abuse and other harm”.

## **ROLES AND RESPONSIBILITIES**

Roles and responsibilities relevant to child safety at the College in general are set out in Arethusa College’s Child Protection Policy, available on our public website.

The following roles have additional responsibilities under this Policy and its Procedures:

- all Staff members are responsible for understanding and complying with their general duty of care towards all students
- all Staff members are responsible for understanding their internal and external reporting obligations and for complying with this Policy and its Procedures
- the College’s Child Protection Officers, listed below, and the Executive Principal are responsible for:
  - receiving internal reports
  - providing assistance and advice to staff members about their obligations under this Policy and its Procedures
  - ensuring that the College takes seriously, escalates, reports and responds to all child safety incidents or concerns, including those that occur at or involve the College or that involve staff members
  - managing the College’s response
  - monitoring the College’s compliance with this Policy and its Procedures.
- where a particular child safety incident or concern involves the Executive Principal, the Board Chair undertakes these responsibilities.
- The Board is the College’s governing body and is responsible for approving this Policy and its Procedures.

Our Child Protection Officers are:

NAME	TITLE	CONTACT NUMBER	EMAIL ADDRESS
Lisa Coles	Executive Principal	1300 720 371	executiveprincipal@arethusa.qld.edu.au
Kerry McFarlane	Spring Hill - Principal	0401 136 309	kerry.mcfarlane@arethusa.qld.edu.au
Dave Chipperfield	Spring Hill – Social Worker	07 2000 0420	david.chipperfield@arethusa.qld.edu.au
Tash Vazey	Spring Hill - Deputy Principal	0451 514 213	natasha.vazey@arethusa.qld.edu.au
Marian Revermann	Deception Bay - Principal	1300 720 371	marian.revermann@arethusa.qld.edu.au
Craig Higham	Deception Bay - Deputy Principal	0458 287 872	craig.higham@arethusa.qld.edu.au
Chelsea Van Der Poel	Deception Bay - Chaplain	0438 789 066	chelsea.vanderpoel@arethusa.qld.edu.au
Wendy Norman	Deception Bay - Student Counsellor	1300 720 371	wendy.norman@arethusa.qld.edu.au
Meaghan Hyam	Deception Bay - Student Counsellor	0417 595 952	meaghan.hyam@arethusa.qld.edu.au
Karl Harding	Deception Bay - Chaplain	0433 948 960	Karl.Harding@arethusa.qld.edu.au
Carly Helander	Deception Bay - Chaplain	0405 827 906	carly.helander@arethusa.qld.edu.au
Bee Peever-Morgan	Deception Bay - Chaplain	1300 720 371	bee.peever-morgan@arethusa.qld.edu.au
Peter McNamara	Montague Rd - Principal	0417 229 140	peter.mcnamara@arethusa.qld.edu.au
Angelica Bussa	Montague Road – Social Worker	1300 720 371	Angelica.bussa@arethusa.qld.edu.au
Eryn Grady	Forest Lake - Principal	0409 003 611	eryn.grady@arethusa.qld.edu.au
David Lemalu	Forest Lake - Deputy Principal	0428 958 851	david.lemalu@arethusa.qld.edu.au

NAME	TITLE	CONTACT NUMBER	EMAIL ADDRESS
Marcelle Calitz	Maroochydore - Principal	0472 716 592	marcelle.calitz@arethusa.qld.edu.au
John Humbly	Maroochydore - Chaplain	0420 971 073	john.humbley@arethusa.qld.edu.au
Brooke Leonard	Maroochydore - CSO	0493 083 662	brooke.leonard@arethusa.qld.edu.au
Stacey Power	Windsor - Head of Inclusive Education & ALT	0404 313 540	stacey.power@arethusa.qld.edu.au
Jan Morey	Windsor - Deputy Head of Inclusive Education & ALT	0404 203 145	jan.morey@arethusa.qld.edu.au
Malgosia Smith	Springwood - Principal	0408 759 719	malgosia.smith@arethusa.qld.edu.au

Additional responsibilities relevant to specific responding and reporting obligations are set out in the relevant sections of this Policy and its Procedures.

## POLICY

### 1. Duty of Care

All Staff members must understand their role to keep children and young people safe. In particular, Staff and Volunteers have an obligation to avoid acts or omissions (failures) that could be reasonably foreseen to injure or harm students.

As part of this duty of care, all Staff members must report situations that may result in reasonably foreseeable risks of any kind of harm to students (including risks of child abuse and other harm) internally to the Executive Principal or a Child Protection Officer and externally to relevant authorities.

### 2. Staff Members' Response to Child Safety Incidents or Concerns

All Staff members must:

- meet their legal obligations to protect students from harm, and take action in response to any emergency situations involving child safety incidents or concerns (including those that occur at the College or College events)
- report any and all child safety incidents or concerns involving our students to the College (including incidents or concerns that involve students aged 18 or over)

- make any and all reports to external authorities that are required by law or by College policy (these are explained further in the Procedures section, below)
- provide ongoing support to affected students and staff members.

Reporting internally to or consulting with a Child Protection Officer or the Executive Principal does not change any obligation under legislation to report to an external authority.

All Staff members must make reports to the relevant external authority if they form the required belief about the matter, even if the person that they reported to internally at the College does not share that belief.

### **3. The College's Response to Internal Reports**

The College will take appropriate, prompt action in response to all child safety incidents or concerns, including all complaints, allegations or disclosures of abuse or other harm, when these are reported to the College, whether by staff members, students, parents/ foster or kinship carers or anyone else.

The College's response will include:

- reporting all matters that meet the required relevant thresholds externally to Child Safety Services, the Police, and/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
- taking particular measures in response to child safety incidents or concerns about an Aboriginal or Torres Strait Islander student, a student from a culturally and linguistically diverse background, a student with disability, and other vulnerable students (such as students who are unable to live at home or LGBTQI+ students)
- sharing information with, or requesting information from, external people or agencies as permitted or required under the law
- securing and retaining records of the child safety incident or concern and the College's response to it
- taking broader actions to improve child safety at the College (including systemic reviews and resulting improvements).

## **PROCEDURES**

There are a number of legal obligations that the College and staff members must follow when responding to child safety incidents or concerns. In addition to these legal obligations, the College also requires staff members to respond to, and to report, certain child safety incidents and concerns to external authorities in situations where this is not required by law.

These legal and policy-based obligations, and their procedures, are summarised below.

## **1 Respond Immediately**

### *1.1 Becoming Aware of a Child Safety Incident or Concern*

Staff members may become aware of a child safety incident or concern through:

- witnessing a child safety incident (refer to Appendix 1)
- observing:
  - key indicators of child abuse or other harm in a child
  - conduct towards a child by an adult that breaches the Child Safe Codes of Conduct (if the adult is associated with the College) or is otherwise inappropriate or indicative of child abuse or other harm
  - (refer to **Appendix 1**)
- being told about a child safety incident by the child themselves (a disclosure), directly or indirectly through assignments, artwork or other means
- being told about a child safety incident or concern by a third party, such as a friend, parent/ foster or kinship carer, other family member or other person (including as part of a complaint)
- being told, by a former student, about a historical child safety incident that occurred at or involved the College or its Staff (including as part of a complaint).

### *1.2 Responding to an Emergency*

If a student has just been or is at immediate risk of being harmed, all staff members must ensure the student's safety by:

- separating alleged victims and others involved
- administering first aid
- calling 000 for urgent medical assistance or Police assistance to address immediate health and safety concerns
- briefing the Senior Child Protection Officer to be the future liaison with the Police on the matter.

When a child safety incident occurs at the College or at a College event, all Staff members must preserve evidence of the incident, if it is safe to do so, and take the following steps:

- **Environment:** do not clean up the area and preserve the sites where the alleged incident occurred.
- **Clothing:** take steps to ensure that the person who has allegedly committed the abuse and the child who has allegedly been abused remain in their clothing. If this is not possible, ensure that the clothes are not washed, handled as little as possible and stored in a sealed bag.
- **Other Physical Items:** ensure that items such as weapons, bedding and condoms are untouched.
- **Potential Witnesses:** reasonable precautions must be taken to prevent discussion of the incident between those involved in, or witnesses to, the alleged incident.

### 1.3 Duty to Protect/Failure to Protect

In Queensland, it is a crime if an adult who is associated with the College (whether as a staff member, Board member or otherwise):

- knows that there is a significant risk that another adult associated with the College
  - will commit a child sexual offence in relation to a child (under 16 years of age, or 16 or 17 years of age but with impairment of the mind) under the care, supervision or control of the College; and
- has the power or responsibility to reduce or remove the risk; and
- wilfully or negligently fails to reduce or remove the risk.

This criminal offence is known as “Failure to Protect” and, in the College context, it covers failures to protect a student aged under 16 from sexual abuse by adult staff members.

The College also has a common law duty to protect all students from reasonably foreseeable risks of harm, including risks of all types of child abuse or other harm that may arise from all people associated with the College (including staff members, students aged 18 or over, parents/ foster or kinship carers and other family members of students).

To help staff members meet both their Failure to Protect and Duty to Protect obligations, the College requires that:

- (a) if a staff member knows that:
- any adult associated with the College (including Staff, students aged 18 or over, parents/ foster or kinship carers and other family members of students)
  - poses a significant risk of sexually abusing a student or a reasonably foreseeable risk of any form of child abuse or other harm to a student
- (b) they must:
- take any actions to reduce or remove that risk that are within their power or responsibilities to take;
  - report the matter to the **Executive Principal** (or, if the adult who poses the risk is the **Executive Principal**), to the **Board Chair** by email to: [chair@arethusa.qld.edu.au](mailto:chair@arethusa.qld.edu.au); and
  - follow their obligations to make appropriate external reports as listed below.

Actions that could be taken to protect students include, but are not limited to:

- immediately removing the adult who poses the significant risk from contact with students
- ensuring that the adult who poses the significant risk is not left alone with a student
- if the adult who poses the significant risk is a parent, not allowing them to act as a parent volunteer or to attend College events.

## **2 Report (Internally and to Authorities)**

### *2.1 Internal Reporting of Child Safety Incident or Concerns*

The College requires that all staff members must report any and all child safety incidents or concerns involving our students (including those involving students aged 18 or over) to a Child Protection Officer or the Executive Principal.

Contact details for our Child Protection Officers are listed in the **Responsibilities** section, above.

If a matter involves the Executive Principal, the internal report must instead be made to the to the **Board Chair** by email to: [chair@arethusa.qld.edu.au](mailto:chair@arethusa.qld.edu.au)

### *2.2 Mandatory Reporting (of a Reportable Suspicion) to Child Safety Services*

Although everyone has a moral and social responsibility to report concerns about child abuse or other harm, some professionals are legally required to make a report to the Department of Child Safety, Seniors and Disability Services (Child Safety Services) in certain circumstances.

Child Safety Services:

- investigates concerns that a child or young person has been harmed or is at risk of significant harm.
- provides ongoing services to children and young people who are experiencing or are at risk of experiencing significant harm.

### Who Are Mandatory Reporters at the College?

In Queensland, the following people are Mandatory Reporters:

- doctors
- registered nurses
- teachers
- certain police officers
- people engaged as a child advocate under the Public Guardian Act 2014 (Qld)
- early childhood education and care professionals.

This means that at College, all teachers and registered nurses are Mandatory Reporters.

### What Must be Reported?

Mandatory Reporters must report “reportable suspicions” that are formed “in the course of their engagement” at the College.

A “reportable suspicion” is a “reasonable suspicion” that a child may be “in need of protection” as a result of, or due to an unacceptable risk of, physical or sexual abuse.



Under the Child Protection Act, for a child to be “in need of protection” both of the following must be present:

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

*What is a reasonable suspicion?*

A reasonable suspicion involves information in your mind that indicates to you that what you suspect may be true. It is a suspicion on grounds that are reasonable in the circumstances.

When determining whether you have a reasonable suspicion, you may consider:

- whether there are detrimental effects on the child's body or the child's psychological or emotional state that:
  - are evident to you
  - that you consider are likely to become evident in the future
- in relation to any detrimental effects mentioned above:
  - their nature and severity
  - the likelihood that they will continue
- the child's age.

Your consideration may be informed by:

- your observation of the child
- other knowledge about the child
- any other relevant knowledge, training or experience that you may have.

*When is a reportable suspicion formed “in the course of a teacher’s/registered nurses’ engagement” at the College?*

“In the course of their engagement” means that the reportable suspicion must arise as a result of the teacher or registered nurse’s duties for or at the College. This includes duties that occur at College events that take place outside College grounds, such as sporting competitions, excursions and camps.

### Conferring with a Colleague

The Child Protection Act permits Mandatory Reporters to give information to and receive information from “colleagues” to assist them to determine whether they have a reasonable suspicion that a child is in need of protection.

“Colleagues” includes any person working in or for the College, such as other staff members.

At the College, our Child Protection Officers receive extra training about child safety and may be best placed to assist you in clarifying your concerns and managing the next steps, including advising you about taking appropriate action under mandatory reporting obligations.

### When Must a Mandatory Report be Made?

A Mandatory Report must be made without delay, as soon as a reportable suspicion has been formed. This must be done regardless of any other action that you take in relation to the child.

A Mandatory Report is not required if:

- giving the report might incriminate you; or
- you know, or reasonably suspect, that Child Safety Services is already aware of the matter (for example if you have conferred with the Executive Principal or a Child Protection Officer and they advise you that someone else has already made a Mandatory Report or that they will make the Mandatory Report).

### How to Make a Mandatory Report

Concerns for a child in immediate danger or in a life-threatening situation should be reported to the Police by immediately contacting 000.

Once this report is made, Staff should make their Mandatory Report to Child Safety Services.

Mandatory Reports must be made by:

- giving a written report directly to Child Safety Services
- using the online reporting form [here](#).

Written reports must:

- state the basis on which you have formed the reportable suspicion; and
- include the following (if you are aware or have knowledge of it):
  - the child's name, gender, ATSI status, cultural background, disability
  - the child's age
  - details of how to contact the child (e.g. home address and contact number)
  - details of the harm to which the reportable suspicion relates
  - 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
  - particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

If you are unsure who to contact, how to report or what information to include, contact the Child Safety Services' Enquiries Unit on 07 3224 8045 or 1800 811 810.

### *2.3 Non-Mandatory Reporting to Child Safety Services*

Under the law, anyone can make a report to Child Safety Services if they have a reasonable suspicion that a child may be in need of protection. We call this a Non-Mandatory Report to Child Safety Services.

Under the Child Protection Act, for a child to be “in need of protection” both of the following must be present:

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

#### How to Make a Non-Mandatory Report to Child Safety Services

A Non-Mandatory Report can be made:

- online, via the online reporting form [here](#)
- during business hours, by contacting one of the numbers listed on the Regional Intake Service website [here](#)
- outside of business hours, by contacting the Child Safety After Hours Service Centre on 07 3235 9999 or 1800 177 135.

If you are unsure who to contact, contact the Child Safety Services’ Enquiries Unit on 07 3224 8045 or 1800 811 810.

### *2.4 Mandatory Reporting to Police (and Mandatory Internal Reporting) of Sexual Abuse or Likely Sexual Abuse*

Under Queensland education law, staff members of non-state schools who, in the course of their employment:

- become aware or reasonably suspect
- that a student aged under 18 (including a kindergarten age child registered in a kindergarten learning program at the College), or a person with disability (of any age) who 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 report this, in writing, to the Executive Principal or to a director of the College’s governing body (or, if the staff member is the Executive Principal, they must immediately report this, in writing, directly to a director of the College’s governing body).

We call this a Mandatory Internal Report of Sexual Abuse.

The Executive Principal or the governing body member (or their delegate) must then immediately give a copy of the staff member’s written report to the Police (or, if the staff member is the Executive Principal, they must themselves immediately give a copy of their report to the Police).

We call this a Mandatory Report to Police of Sexual Abuse.

### Who Must Make a Mandatory Internal Report of Sexual Abuse or Likely Sexual Abuse?

Under the law, the staff members who must make these reports include all paid Staff (including the Executive Principal) and Contractors at the College.

### What Must be Reported?

*What is a “reasonable suspicion” and “in the course of their employment”?*

These terms have the same meaning as in **Mandatory Reporting (of a Reportable Suspicion) to Child Safety Services**, above.

*What is “sexual abuse” for the purposes of this reporting obligation?*

Sexual abuse is defined in **Appendix 1: [Definitions and Key Indicators of Abuse and Other Harm](#)**.

For the purposes of this reporting obligation, “sexual abuse” includes sexual behaviour involving the child or person with disability and another person in the following circumstances:

- the other person bribes, coerces, exploits, threatens or is violent towards the child or person with disability
- the child or person with disability has less power than the other person
- there is a significant disparity between the child or person with disability and the other person in intellectual capacity or maturity.

Sexual abuse therefore includes sexually abusive behaviour by one child towards another child, as well as conduct that could be considered consensual sexual behaviour between children if the conduct involves the above circumstances (for more information, refer to **Recognising and Responding to Sexual Behaviour in Children and Young People**, below).

Sexual abuse also includes conduct that does not rise to the level of a “child sexual offence” which must be reported to Police under different laws (refer to **Mandatory Reporting of Sexual Offences Against Children**, below).

### When and How to Make a Mandatory Internal Report of Sexual Abuse or Likely Sexual Abuse

Mandatory Internal Reports of Sexual Abuse or likely Sexual Abuse must be made to the Executive Principal or to a member of the College’s governing body (or the governing body’s delegate), immediately (i.e. as soon as you become aware of or reasonably suspect the sexual abuse of the student) and in writing.

The Board Chair is the Board’s delegate. They can be given a written report by email to: [chair@arethusa.qld.edu.au](mailto:chair@arethusa.qld.edu.au)

If the staff member making the Internal Report of Sexual Abuse is the Executive Principal, they must make this report directly to the Board Chair, immediately and in writing.

The written report must include the following information:

- the name of the person giving the report

- the student (or person with disability)'s name, gender, ATSI status, cultural background and other personal details.
- details of how the person making the report became aware, or their grounds for reasonably suspecting, that the student (or person with disability) has been sexually abused or is likely to be sexually abused by another person
- details of the abuse or suspected abuse (unnecessary for reports of likely sexual abuse).

### The Executive Principal's or the Governing Body's Delegate's Obligations

When the Executive Principal, a member of the College's governing body or their delegate receives a Mandatory Internal Report of Sexual Abuse under this Policy and its Procedures, they must immediately:

- report the incident to the nearest Queensland Police Service District Child Protection & Investigation Unit (CPIU); and
- after contacting the Police, forward the staff member's written report to the Police.

### *2.5 Mandatory Reporting to Police of Sexual Offences Against Children (Failure to Report)*

Under Queensland criminal law, any adult (a person aged 18 or over) who gains information that:

- causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a "child sexual offence" is being or has been committed against a child by another adult; and
- at the relevant time, the child is or was:
  - under 16 years; or
  - a person with an impairment of the mind

must disclose the information to a police officer as soon as reasonably practicable after the belief is, or ought to reasonably to have been, formed.

We call this Mandatory Reporting of Sexual Offences Against Children to Police.

Failure to do this is a criminal offence known as "Failure to Report."

### Who Must Make a Mandatory Report to Police?

All adults in Queensland, including all staff members, students 18 years and over, parents/foster or kinship carers and volunteers of the college must make Mandatory Reports of Sexual Offences Against Children to Police.

### What Must Be Reported to Police?

*What is a "child sexual offence" for the purposes of this reporting obligation?*

The list of child sexual offences that are captured by the Failure to Report offence is extensive. It includes sexual offences such as rape, indecent treatment, production of child abuse material, voyeurism and grooming offences or attempts to commit those offences.

However, for the purpose of this reporting obligation, sexual behaviour towards a child is only a child sexual offence if the perpetrator is an adult and the child is aged under 16.

#### *What information must be reported?*

All adults in Queensland, including all staff members, must give the Police any and all information they have that led to their belief on reasonable grounds and that might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender.

It does not matter if the information was gained during, or in connection with, a religious confession – information gained in this context still must be reported to Police.

It does not matter whether the offender is associated with the College.

#### *What Is a Belief on Reasonable Grounds?*

The concept of a “belief on reasonable grounds”, or a “reasonable belief”, requires you to consider whether another person, when faced with similar information, would also draw the same conclusion. It is a low threshold.

You may have a “belief on reasonable grounds” that an adult is committing or has committed a child sexual offence against a child if:

- a child tells you that they are being or have been sexually abused
- a person aged over 16 tells you that they were sexually abused when they were aged under 16
- a child tells you that they know someone who is being or has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child tells you that the child is being or has been sexually abused
- signs of sexual abuse lead you to believe that a child is being or has been sexually abused.

#### When Must a Mandatory Report to Police be Made?

Mandatory Reports to Police must be made as soon as practicable after the reasonable belief was, or should have been, formed.

A Mandatory Report to Police is not required if you have a reasonable excuse. This includes if you:

- believe, on reasonable grounds, that the information has already been disclosed to a police officer
- have made a report to Police or Child Safety Services under other mandatory reporting laws or you believe on reasonable grounds that another person has done so
- gained the information after the alleged victim became an adult, and you reasonably believe that the alleged victim does not want the information to be disclosed to a police officer
- reasonably believe that disclosing the information to a police officer would endanger your safety or the safety of another person (other than the alleged offender).

### How to Report to Police

- In emergencies, or if the crime is happening now or has just happened and the suspected offender may still be in the area: call 000
- All other matters:
  - Queensland Police Service has a number of Child Protection and Investigation Units (CPIU) across Queensland who are responsible for investigating criminal offences involving children. Contact a CPIU through your nearest Police District Communication Centre.
  - Contact Policelink on 131 444 or [policelink.qld.gov.au](http://policelink.qld.gov.au).

#### *2.6 Non-Mandatory Reporting to Police*

The College requires that all staff members must report the following to Police, even though this is not required by law:

- concerns for a student's immediate safety (refer to **Responding Immediately**, above)
- child safety incidents or concerns that may involve a criminal offence against a child (such as physical assaults) but where a Mandatory or Non-Mandatory Report to Child Safety Services cannot be made (for example, reports to Child Safety Services cannot be made where the child is not "in need of protection" due to having a parent willing and able to protect the child). Reporting to Police of child safety incidents involving criminal offences could include possible criminal offences committed by students against other students
- knowledge or suspicions that a student aged 18 or over is being abused or harmed, but only if the student consents to the report or, if they do not consent, to lessen or prevent a serious or imminent threat to an individual's life, health, safety or welfare
- concerns that a student aged 18 or over is partaking in illegal activity that is extreme in nature or poses a high risk to the student.

#### *2.7 Child Safety Incidents or Concerns Involving Staff Members (Reportable Conduct)*

The College requires that, as part of our internal reporting requirements, all staff members must report internally to the College all child safety incidents or concerns that involve conduct by staff members that has caused, or has the potential to cause, harm to a child or a student aged 18 or over.

For the purposes of this Policy and its Procedures, we refer to this type of conduct by staff members as "reportable conduct".

All staff members must report any reportable conduct of which they are or become aware to a Child Protection Officer or the Executive Principal.

Contact details for our Child Protection Officers are listed in the **Responsibilities** section, above.

If the reportable conduct involves the Executive Principal, the internal report must instead be made to the Board Chair via email to [chair@arethusa.qld.edu.au](mailto:chair@arethusa.qld.edu.au).

### What is Reportable Conduct?

“Reportable conduct” includes:

- conduct by a staff member that amounts to abuse or other harm of any child (whether or not a student) or of a student aged 18 or over
- breaches of the College’s Child Safe Code of Conduct or Staff and Student Professional Boundaries Policy
- incidents, allegations or complaints (including allegations or complaints made by students) of other inappropriate behaviour by staff members towards a student, such as:
  - physical boundary violations: where a staff member fails to respect and respond appropriately to the physical needs of students, for example, using force to ensure a student cooperates or holding or restraining a student
  - emotional boundary violations: where a staff member fails to respect the emotional needs and wellbeing of students.

Not all physical contact, verbal communication and other behaviour of Staff towards students is reportable conduct. Examples of conduct that is not reportable under these procedures include:

- a teacher raising their voice to attract attention or restore order in a classroom
- a staff member comforting a student after an injury and/or assisting a student to the first aid room
- physical contact between a staff member and a student that is established to be accidental.

### The College’s Response to Reportable Conduct

When they become aware of an incident, complaint or allegation of reportable conduct (whether through receiving an internal report of reportable conduct, through receiving a complaint from a student, parent/foster or kinship carer or anyone else, or through any other means), the Executive Principal (or the Board Chair if the allegation involves the Executive Principal) must:

- make any required external reports, such as reporting to Child Safety Services, the Police and/or the Queensland College of Teachers
- take any necessary interim action to ensure the safety and wellbeing of the child/ren involved and students at the College
- ensure that an appropriate internal investigation is conducted into the incident, allegation or complaint of reportable conduct (subject to Child Safety Services and/or Police advice, if the matter has been reported externally)
- if, as a result of the internal investigation, a finding is made that the reportable allegation is “substantiated”, report this to relevant external authorities such as the Queensland College of Teachers, Blue Card Services and, if the finding involves a criminal offence, Police (if a report has not already been made)
- decide what, if any, measures should be put in place to minimise any further risk of harm to students at the College.



### *2.8 Reporting Teacher Misconduct to the Queensland College of Teachers (QCT)*

The Queensland College of Teachers (QCT) is an independent statutory authority whose primary function is to regulate members of the teaching profession.

Queensland education law requires that the “employer” of a teacher must notify QCT after:

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

The employer must also notify QCT of the dismissal of a teacher in circumstances that call into question the teacher’s competence to be employed to teach.

At the College, our teachers’ “employer” is the Executive Principal. If the allegations or dismissal relates to the Executive Principal, the Chair of the Board must make the required notifications to QCT.

The College’s procedures for the internal reporting of and dealing with allegations of misconduct by staff members, including by teachers, alert the College to allegations of teacher misconduct that may be reportable to QCT.

### *2.9 Recognising and Responding to Sexual Behaviour in Children and Young People*

Knowing how to identify and respond to all sexual behaviour in students, whether it be age-appropriate, concerning, harmful or student sexual offending, helps staff members to support the development of healthy sexuality and protect students from abuse and other harm.

The College references the True Traffic Lights® Framework to enable staff members to identify, recognise and respond to all forms of sexual behaviour. The Traffic Lights® Framework categorises sexual behaviour in children as green, orange or red light.

As a general guide:

- **Red light sexual behaviours** are those that are problematic or harmful, including forceful, secretive, compulsive, coercive or degrading sexual behaviours. These behaviours signal the need to provide immediate protection and follow up support.
- **Orange light sexual behaviours** are those that are outside normal behaviour in terms of persistence, frequency or inequality in age, power or ability. These concerning behaviours signal the need to monitor and provide extra support.
- **Green light sexual behaviours** are those that are normal, age-appropriate, spontaneous, curious, mutual, light-hearted and easily diverted experimentation. These behaviours provide opportunities to talk, explain and support.

All green, orange and red-light behaviours require some form of action and support.

### Green Light Sexual Behaviour

Staff members should take the opportunity to communicate with children about healthy sexuality.

### Orange Light Sexual Behaviour

Staff members must report all incidents of orange light behaviour internally to one of the College's Child Protection Officers.

Depending on the age of the student who is engaged in the behaviour and any previous incidents, the College will consider the appropriateness of immediate responses such as:

- if the behaviour amounts to the sexual abuse of another student for which a **Mandatory Report to Police (and Mandatory Internal Report) of Sexual Abuse** is required, making the required reports
- if the behaviour leads to a reasonable suspicion that the student is in need of protection as a result of sexual abuse, making a **Mandatory Report (of a Reportable Suspicion) to Child Safety Services**
- establishing prohibited areas/activities
- monitoring arrangements
- suspension/arranging for parents to pick the student up.

Where another student is affected by the behaviour, the College will:

- assess and respond to the other student's needs
- respect their preferences wherever possible about whether they would like to go home for the day, or stay at College
- advise the other student about how to respond to questions from other children and which staff member will be supporting the student
- positively reinforce the action in reporting the behaviour to adults (or through peers).

### Red Light Sexual Behaviour

Staff members must report all incidents of red-light behaviour internally to one of the College's Child Protection Officers.

Staff members must also report all incidents of red-light sexual behaviour externally to Child Safety Services or to Police depending on the circumstances.

- Where the harmful sexual behaviour is not directed at another child, or where the student exhibiting the behaviour is under the age of 10, and the staff member reasonably suspects that the student's behaviour is a result of sexual abuse, the student should be considered in need of protection, and a **Mandatory Report (of a Reportable Suspicion) to Child Safety Services**, above, must be made.
- Harmful sexual behaviour in a child could also be an indicator of other forms of abuse or harm, such that – even if a Mandatory Report is not required – a **Non-Mandatory Report to Child Safety Services**, above, should be made.

- Where the harmful sexual behaviour of a student aged 10 or over is directed at another student, this is considered sexual abuse of a student and a **Mandatory Report to Police (and Mandatory Internal Report) of Sexual Abuse**, above, must be made.

Contact details for our Child Protection Officers are set out in the **Responsibilities** section, above.

### *2.10 Responding to Other Concerns About the Wellbeing of a Student*

Any concerns about the wellbeing of a student, regardless of whether it has been caused by abuse or other harm, will be taken seriously and acted on.

The College and staff members who have students under their care owe a duty of care to all students at the College to ensure that they feel safe and are supported at the College.

Concerns about the wellbeing of a student, that do not appear to be the result of abuse or other harm, may still be reported by staff members to:

- internally, one of the Child Protection Officers
- the Queensland Police Service
- Child Safety Services
- Family and Child Connect, Intensive Family Services or Aboriginal and Torres Strait Islander Family Wellbeing Service

depending on the age of the student, the nature of the concern and whether or not there is informed consent to sharing information about the concern with an external agency.

The College will also consider whether a referral to a support service may assist.

### *2.11 Child Protection Record Keeping*

All internal and external reports of child safety incidents and concerns, as well as any other responses by the College must be recorded using the **Child Protection Report Form (Appendix 2)**.

This Form is the “written report” for the purposes of the above external reporting obligations. Staff members who are employees of the College must complete the relevant sections of these forms.

In the case of staff members who are Volunteers or Contractors, this may instead be done by or with the assistance of a **Child Protection Officer, Principal** or the **Executive Principal**.

Completed forms must then be provided to a **Child Protection Officer, Principal** or the **Executive Principal**.

### **3 Communicate**

#### *3.1 Communicating with Parents/Foster or Kinship Carers About Internal and External Reports*

It is usually critical that the parents/foster or kinship carers of a student who is the subject of a child safety incident or concern are notified as soon as practicable when an internal report has been received and/or that an external report has been or will be made. This enables the student's parents/foster or kinship carers to take steps to prevent or limit their child's exposure to further abuse or other harm and ensure that their child receives the support that is needed. However, this may not be appropriate in all circumstances.

- If a report has been or will be made to Child Safety Services or Police, then the Executive Principal seeks advice from Child Safety Services or Police (depending on who the report has been made to) before contacting parents/ foster or kinship carers. They will advise whether it is appropriate to contact parents/ foster or kinship carers at this stage and if so, what information can be shared with the parents/ foster or kinship carers.
- If the matter involves an internal investigation of Reportable Conduct, then the Executive Principal (or the Board Chair if the matter involves the Executive Principal) can share information about the progress of the investigation, its findings and recommendations, and actions taken, with the child and their parents/ foster or kinship carers.

Where information about an external report can be shared with parents/ foster or kinship carers, the Executive Principal must make sensitive and professional contact with the parents/ foster or kinship carers as soon as practicable after the child safety incident or concern occurred or arose.

### **4 Provide Support**

#### *4.1 Support for Students, Families and Staff Members Following Child Safety Incident or Disclosure*

##### Supporting Students

Ensuring that a student feels safe and supported following an incident is of critical importance to our College.

The College employs a range of measures to support students affected by a child safety incident or concern (including students making disclosures, complaints or allegations of inappropriate behaviour by a staff member), depending on the particular circumstances of the matter and of the student and their family:

- Child Protection Officers may work with the student and their family to develop a Student Support Plan.
- Support strategies that could be considered for students and/or their families might include offering or organising referrals to internal or external support, such as the College counsellor, family counsellors, bi-cultural workers and/or translators, and external support agencies and/or child advocacy organisations that specialise in supporting children and young people impacted by abuse or other harm.

Former students who disclose historical child safety incidents or concerns from their time at the College are also offered similar support by the College.

### Supporting Staff Members

Witnessing a child safety incident or receiving a disclosure of abuse or other harm can be a distressing experience for the staff member. The College assists impacted Staff to access necessary support.

### Support Principles

Key principles that we apply in the design of our child protection policies, procedures, interventions, support and reporting are to ensure that we:

- promote the cultural safety of Aboriginal or Torres Strait Islander children and young people
- promote the cultural safety of children from culturally and linguistically diverse backgrounds
- promote the safety of children and young people with any form of disability
- promote the safety of other vulnerable children and young people.

#### 4.2. Student Awareness

The College is committed to the protection of all children and young people from all forms of child abuse and other harm. It is important that all our students are educated on how to raise any concerns and we raise their awareness of child safety concerns and concerning behaviours to report.

We have designed and are implementing a comprehensive child protection curriculum with age-appropriate education and awareness programs. This curriculum is further supported by our processes to empower our students to have a voice and to take actions for their own care.

## **5 Organisational Duty of Care**

Section 33D of the Civil Liability Act 2003 (Qld) imposes a duty of care on the College to:

- take all reasonable steps
- to prevent a person associated with the College
- from perpetrating sexual or serious physical abuse of a child
- while the child is under the College's care, supervision, control or authority.

If a victim of sexual or serious physical abuse, alleged to have occurred at the College or to have involved College Staff, brings a negligence claim against the College under the Civil Liability Act, a court will presume that the College breached its duty of care unless the College can prove that it took all reasonable steps to prevent the abuse.

Reasonable steps to prevent the sexual or serious physical abuse of students at the College may include:

- conducting employment screening and reference checking
- providing supervision and training to Staff
- implementing systems to provide early warning of possible sexual or physical abuse by Staff
- performing random and unannounced inspections to deter misconduct
- encouraging children and adults to report to the College and/or external authorities any signs of inappropriate behaviour
- implementing improvements following a review of our policies and procedures, either as part of our regular review process or after a particular child safety incident.

#### *5.1 Documenting Reasonable Steps to Prevent Sexual Abuse and Serious Physical Abuse*

Records that document the actions taken by the College in response to child safety incidents and concerns, and that document our review and improvement processes, are kept by the College, to assist in demonstrating reasonable steps taken by the College to prevent the sexual or serious physical abuse of its students.

These records must be kept for at least 5 years.

## **6 Privacy And Confidentiality**

Anyone who has access to information regarding a case of suspected child abuse or other harm must keep this information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

Reports or referrals made to Child Safety Services are confidential and the reporter's identity is generally protected by law. Exceptions include if:

- the reporter chooses to inform the child or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides that the reporter is required to attend court to provide evidence.

A person who makes a Mandatory Report (of a Reportable Suspicion) to Child Safety Services, or a Mandatory Report to Police of Sexual Abuse will not be held liable for the eventual outcome of any investigation.

## IMPLEMENTATION

This Student Protection Processes Policy and its Procedures are published on the College's public website.

They are provided to new staff members, Direct Contact and Regular Volunteers, and Direct Contact Contractors at induction. Training about them is also included in induction and annual refresher training for staff members and relevant Volunteers and Contractors.

All Visitors to the College, including Casual Volunteers and Casual Contractors, are provided with information about this Student Protection Processes Policy and Procedures (including in particular how to report child safety incidents or concerns to Arethusa College and to relevant external authorities) through information posters displayed throughout the College including photos of the child protection officers and/or a copy of the Staff & Volunteer Handbook.

The Student Protection Processes Policy and its Procedures are also communicated to Staff and members of the College community through newsletters, staff meetings, parent meetings, the Staff & Volunteer Handbook and the Student & Parent Handbook.

## BREACH OF THIS POLICY AND PROCEDURE

The College enforces this Policy and its Procedures. In the event of any non-compliance, we will instigate a review that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- suspension
- in the case of serious breaches, termination of employment, contract or engagement.

## SOURCE OF OBLIGATION

- Education (Accreditation of Non-State Schools) Regulation 2017 (Qld), Section 16(1)
- Working with Children (Risk Management and Screening) Regulation 2020 (Qld), Schedule 1
- [National Principles for Child Safe Organisations](#), Principles 1, 3 and 6.

The Accreditation Regulation requires the Board to ensure that the College has written processes about how the College will respond to harm or allegations of harm to students under 18 years and about the appropriate conduct of Staff and students. These procedures must include:

- a process for the reporting by a student to a "stated staff member" of conduct by another staff member that the student considers inappropriate\*
- a process for how the information reported to the "stated staff member" must be dealt with by the "stated staff member"

- a process for reporting sexual abuse, suspected sexual abuse or likely sexual abuse in compliance with sections 366 and 366A of the Education (General Provisions) Act 2006 (Qld)
- a process for reporting a “reportable suspicion” under section 13E of the Child Protection Act 1999 (Qld)
- a written complaints procedure to address allegations of non-compliance with these procedures (which procedure can form part of another written procedure for dealing with complaints).

\*Our process for students to report inappropriate behaviour by staff members to a “stated staff member” is set out in our **Child Safe Complaints Processes**. That Policy and its Procedures are our written complaints procedures to address allegations of non-compliance with this Student Protection Processes Policy and Procedures, as required by section 16(4) and (5) of the Accreditation Regulation.

The Child and Youth Risk Management Strategy Regulation sets out what must be included in an organisation’s Child Protection Program. Clause 4 of Schedule 1 requires the inclusion of policies and procedures for handling disclosures and suspicions of harm, including reporting guidelines.

## RELATED POLICIES AND PROCEDURES

The Student Protection Processes Policy and its Procedures are to be read and understood in conjunction with:

- Arethusa College’s Child Protection Policy – Child and Youth Risk Management Strategy
- Arethusa College’s Written Processes for the Appropriate Conduct of Staff and Students
- Arethusa College’s Child Safe Complaints Processes

## RELATED FORMS AND DOCUMENTS

- Public-facing Complaints Handling Policy
- Public-facing Procedures for Managing Child Safety Incidents or Concerns at or Involving the Arethusa College or its Staff Members
- Child Protection Report Form (Appendix 2)

## APPENDIX 1: DEFINITIONS AND KEY INDICATORS OF ABUSE AND OTHER HARM

### Definitions of Child and Student

A child is defined in the Child Protection Act 1999 (Qld), as a person under 18 years of age. For most of the criminal offences in the Criminal Code 1899 (Qld), a child is defined as a person under the age of 16.

For the purposes of our Student Protection Processes Policy and its Procedures, “child” means an individual under 18 years of age.

The term “student” means all individuals enrolled at the College, including those aged 18 or over.



### **Physical Abuse or Harm**

Physical abuse or harm is a non-accidental physical injury, or pattern of physical injuries, to a child that is caused by a parent/ foster or kinship carer, or any other person. Child Safety Services says that “physical abuse” occurs when “a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury”.

Physical abuse or harm includes, but is not limited to, injuries which are caused by:

- hitting
- shaking
- throwing
- burning
- biting
- poisoning
- giving children alcohol, illegal drugs or inappropriate medication
- female genital mutilation.

Injuries can include bruising, lacerations or welts, burns, fractures or dislocation of joints. However, physical abuse does not always leave visible marks or injuries. It is not how bad the mark or injury is, but rather the act itself that constitutes injury or trauma to the child.

#### Possible Physical Indicators of Physical Abuse or Harm

- unexplained bruises
- bruises or welts on facial areas and other areas of the body, including the back, bottom, legs, arms or inner thighs
- any bruises or welts in unusual configurations, or those that look like the object used to make the injury, for example, fingerprints, handprints, buckles, iron or teeth
- burns that show the shape of the object used to make them, such as burns from an iron, grill, cigarette, boiling water, oil or flames
- fractures of the skull, jaw, nose or limbs, especially those inconsistent with the explanation offered or the type of injury
- cuts and grazes to the mouth, lips, gums, eye area, ears or external genitalia
- human bite marks
- bald patches where hair has been pulled out
- multiple injuries, old and new

#### Possible Behavioural Indicators of Physical Abuse or Harm

- inconsistent or unlikely explanation for an injury
- inability to remember the cause of an injury
- fear of specific people
- wearing clothes unsuitable for weather conditions (such as long-sleeved tops in hot weather) to hide injuries
- wariness or fear of a parent/ foster or kinship carer and reluctance to go home

- no reaction or little emotion when hurt
- little or no fear when threatened
- habitual absences from school without explanations (the parent/ foster or kinship carer may be keeping the child away until signs of injury have disappeared)
- overly compliant, shy, withdrawn, passive or uncommunicative
- fearfulness when other children cry or shout
- unusually nervous or hyperactive, aggressive, disruptive or destructive to self and/or others
- excessively friendly with strangers
- regressive behaviour, such as bed wetting or soiling
- poor sleeping patterns, fear of dark or nightmares
- sadness or frequent crying
- drug or alcohol misuse
- poor memory and concentration
- suicide attempts
- academic problems

### **Sexual Abuse or Exploitation**

Sexual abuse or exploitation is when someone involves a child in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically or psychologically to make them participate in the activity.

Sexual abuse includes sexual activity or behaviour that is imposed, or is likely to be imposed, on a child by another person. Sexual abuse or exploitation can be physical or verbal and can include the following:

#### Contact Behaviours

- kissing, touching or holding a child in a sexual manner
- penetration of the vagina or anus by digital, penile, or any other object
- oral sexual contact
- coercing the child to perform a sexual act on him/herself or anyone else

#### Non-Contact Behaviours

- talking in a sexually explicit manner to a child
- making obscene remarks to a child via any form of communication
- flashing/exposing to a child
- having a child pose or perform in a sexual manner
- voyeurism and invasion of privacy
- looking at child's genitals for sexual gratification
- exposure of the child to sexually explicit material or acts (including pornographic material)

- communication of graphic sexual matters (including by social media or any other electronic means)

Sexual abuse also includes prostitution or exposure to circumstances where there is a risk that the child may be sexually exploited.

#### Possible Physical Indicators of Sexual Abuse or Exploitation

- injury to the genital or rectal areas, such as bruising or bleeding
- vaginal or anal bleeding or discharge
- discomfort in urinating or defecating
- the presence of foreign bodies in the vagina and/or rectum
- inflammation or infection of the genital area
- sexually transmitted diseases
- pregnancy, especially in very young adolescents
- bruising or other injury to the breasts, buttocks or thighs
- anxiety-related illnesses such as anorexia or bulimia
- frequent urinary tract infections

#### Possible Behavioural Indicators of Sexual Abuse or Exploitation

- the student discloses sexual abuse
- the student exhibits sexually harmful behaviour towards others (refer to **Recognising and Responding to Sexual Behaviour in Children and Young People**)
- persistent and age-inappropriate sexual activity, including excessive masturbation, masturbation with objects, rubbing genitals against adults, playing games that act out a sexually abusive event (refer to **Recognising and Responding to Sexual Behaviour in Children and Young People**)
- drawings or descriptions in stories that are sexually explicit and not age appropriate
- a fear of home, a specific place or a particular adult, or excessive fear of men or of women
- poor or deteriorating relationships with adults and peers
- poor self-care/personal hygiene
- regularly arriving early at school and leaving late
- complaining of headaches, stomach pains or nausea without physiological basis
- frequent rocking, sucking or biting
- sleeping difficulties
- reluctance to participate in physical or recreational activities
- regressive behaviour, such as bed wetting or speech loss
- the sudden accumulation of money or gifts
- unplanned absences or running away from home
- delinquent or aggressive behaviour
- depression
- self-injurious behaviour, including drug/alcohol abuse, prostitution, self-mutilation, or attempted suicide

- the sudden decline in academic performance, poor memory and concentration
- wearing of provocative clothing, or layers of clothes to hide injuries
- promiscuity

### Grooming

Grooming refers to conduct undertaken to prepare a child for sexual abuse at a later time or to conceal sexual abuse that has already commenced. Grooming behaviour can also refer to grooming of an adult associated with a child, to make it easier to procure the child for sexual abuse or to ensure that, if the child does disclose, that the adult does not believe the child.

Grooming is defined as:

- the use of a variety of manipulative and controlling techniques
- with a vulnerable subject
- in a range of inter-personal and social settings
- in order to establish trust or normalise sexually harmful behaviour
- with the overall aim of facilitating exploitation and/or prohibiting disclosure of the harmful behaviour.

Grooming behaviour towards children often involves a graduation from attention giving and non-sexual touching to increasingly more intimate and intrusive behaviour. Grooming usually involves a perpetrator establishing a trusting relationship with a child and those associated with the child's care and wellbeing, to create an environment in which sexual abuse can occur.

Grooming behaviours are considered to be:

- sexual abuse or likely sexual abuse, which must be reported internally and to Police regardless of who is the alleged perpetrator (refer to **Mandatory Reporting to Police (and Mandatory Internal Reporting) of Sexual Abuse**)
- conduct which may place a child at risk of significant harm such that, if a parent is not able or willing to protect the child, they may be in need of protection and a report should be made under the Child Protection Act (refer to **Non-Mandatory Reporting to Child Safety Services**)
- if perpetrated by a staff member, Volunteer or Contractor, a child safety incident or concern that must be reported internally (refer to **Child Safety Incidents or Concerns Involving Staff Members**).

### The Criminal Offences of Grooming and Online Grooming

Grooming is, in certain circumstances, a criminal offence under sections 218A and 218B of the Criminal Code 1899 (Qld) and an offence under sections 474.26 and 474.27 of the Criminal Code Act 1995 (Cth).

In addition to most staff members, students aged 18 and over at the College are "adults" for the purposes of these criminal offences and therefore the College should ensure that those students are made aware of what constitutes grooming offences under Queensland and Commonwealth law.

For the purposes of the Queensland offences, grooming is defined as:

- using electronic communication (i.e. online grooming - section 218A); or
- engaging in conduct, in relation to a person who is a child (aged under 16) or a person the adult believes is a child aged under 16 (whether the person is a real or fictitious person who is represented to the adult as a real person under 16 years), or a person who has care of a child (section 218B),

with the intent to procure or to facilitate the procurement of the child to engage in a sexual act or to expose the child to any indecent matter.

Procure means knowingly entice or recruit for the purposes of sexual exploitation.

Indecent matter includes indecent film, videotape, audiotape, picture, photograph or printed or written material.

Grooming in these circumstances is a criminal offence if the person who engages in the conduct is an adult (aged 18 or above). It does not appear to matter whether the sexual act or exposure to the indecent matter actually occurred. It is a defence to both offences to prove that the adult believed on reasonable grounds that the child was at least 16 years.

Legal advice should be obtained if further information is required.

#### Grooming of Students Aged 16 or Over

The grooming of a child aged 16 or over, while not a crime under Queensland or Commonwealth law and while not subject to **Mandatory Reporting (of a Reportable Suspicion) to Child Safety Services**, must still be reported internally and might also still need to be reported to Police. For more information, refer to **Internal Reporting of Child Safety Incidents or Concerns, Mandatory Reporting to Police (and Mandatory Internal Reporting) of Sexual Abuse, Non-Mandatory Reporting to Police**, and **Responding to Other Concerns About the Wellbeing of a Student**.

#### Identifying Grooming

Grooming can be very difficult to identify. It includes a range of techniques, many of which are not explicitly sexual or directly abusive in themselves. Most techniques do not appear unusual or remarkable in isolation, but instead involve many discrete acts that, on their own, are not necessarily abusive.

Grooming behaviour can also occur online on social media sites, in chat rooms, and via instant messaging apps or email.

#### Possible Grooming Behaviour by Adults Associated with the Arethusa College

- persuading a student or group of students that they have a special relationship with an adult

- asking a student to keep their relationship with an adult to themselves
- inappropriately allowing a student to overstep the rules
- testing boundaries, for example by undressing in front of a child
- manoeuvring to get or insisting on uninterrupted time alone with a student
- buying a student gifts
- insisting on physical affection such as hugging, wrestling or tickling a student
- being overly interested in the sexual development of a student
- taking a lot of photos of a student
- engaging in inappropriate or excessive physical contact with a student
- sharing alcohol or drugs with a student
- making inappropriate comments about a student's appearance or engaging in excessive flattery
- using inappropriate pet names
- making jokes or innuendo of a sexual nature
- making obscene gestures or using obscene language
- sending correspondence of a personal nature via any medium
- inviting, allowing or encouraging a student to attend a staff member's home without parental/ foster or kinship carer permission.
- entering change rooms or toilets occupied by students when supervision is not required or appropriate.
- communicating with a child's parent/stepparent, legal guardian, teacher, religious official or spiritual leader with the intention of facilitating the child's involvement in sexual conduct
- inappropriately extending a relationship outside of work
- photographing, audio recording, or filming students via any medium without having parental/ foster or kinship carer consent to do so.

#### Indicators That a Child May Be Subject to Grooming

- developing an unusually close relationship with an adult
- displaying significant mood changes, including hyperactive, sensitive, hostile, aggressive, impatient, resentful, anxious, withdrawn or depressed behaviour
- using 'street' or different language they learned from a new or older 'friend.'
- having new jewellery, clothing, expensive items or large amounts of money that were gifts from a new or older 'friend.'
- using a new mobile phone excessively to make calls, send videos or text messages to a new or older 'friend.'
- being excessively secretive about their use of social media or online communications
- frequently staying out late or overnight with a new or older 'friend'
- being dishonest about where they have been or who they were with
- drug and alcohol use
- being picked up in a car by a new or older 'friend' from home or school or 'down the street'

### Indicators That a Child May Be Subject to Online Grooming

- having pornography on their computer or device
- receiving calls from, or making calls to, unrecognised numbers
- increasing or excessive amount of time spent online
- increased secrecy in what they are doing online and efforts to try and hide what they are doing online
- people on their 'friends' list who are unknown and who they have never met offline

### What is Not Grooming

Certain behaviours or acts will not, in isolation, constitute grooming behaviour. However, where there is a repeating pattern of indicative behaviour, or several incidents of indicative behaviour, it may constitute grooming behaviour.

Similarly, not all physical contact between a student and an Arethusa College staff member, Volunteer or Contractor, will be inappropriate and/or an indicator of possible grooming behaviour.

The following physical contact with students is not grooming behaviour:

- administration of first aid
- supporting students who have hurt themselves
- non-intrusive gestures to comfort a student who is experiencing grief, loss or distress, such as a hand on the upper arm or upper back
- non-intrusive touching, for example shaking a student's hand or a pat on the back to congratulate a student

### **Psychological or Emotional Abuse or Harm**

The infliction of emotional or psychological harm is one of the most common forms of child abuse and other harm. It can occur where the behaviour of an adult associated with the child damages the confidence and self-esteem of the child, resulting in serious emotional deprivation or trauma.

Child Safety Services says that 'emotional abuse' occurs when "a child's social, emotional, cognitive or intellectual development is impaired or threatened".

Although it is possible for 'one-off' incidents to cause emotional or psychological harm, in general it is the frequency, persistence and duration of the adult's behaviour that is instrumental in defining the consequences for the child.

Any adult associated with a child can subject the child to behaviours that may cause serious emotional or psychological harm. At the College, this can include teachers, sporting coaches, musical tutors and Direct Contact Volunteers or Direct Contact Contractors. This behaviour is a breach of the **Child Safe Codes of Conduct** and must be reported internally. For more information, refer to **Internal Reporting of Child Safety Incidents or Concerns**.

### Behaviours That May Cause Serious Emotional or Psychological Harm

A range of behaviours can cause emotional or psychological harm to a child, including:

- rejection and withholding affection
- hostility, such as a pattern of hostile or degrading comments towards the child
- teasing/bullying
- yelling, intimidating or threatening behaviour
- excessive criticism
- making excessive or degrading demands of a child
- exposure to domestic violence.

The behaviours may convey to a child that they are worthless, unloved, inadequate or rejected, or cause a child to frequently feel frightened or in danger.

### Possible Physical Indicators of Psychological or Emotional Abuse

- speech disorders
- delays in emotional, mental or physical development
- physical signs of self-harming

### Possible Behavioural Indicators of Psychological or Emotional Abuse

- constant feelings of worthlessness about life and themselves
- unable to value others
- lack of trust in people
- lack of people skills necessary for daily functioning
- extreme attention-seeking behaviour
- obsessively eager to please or obey adults
- takes extreme risks, is markedly disruptive, bullying or aggressive
- highly self-critical, depressed or anxious
- suicide threats or attempts, or self-harming
- persistent running away from home
- anti-social, destructive behaviour
- low tolerance or frustration
- unexplained mood swings
- behaviours that are not age-appropriate, for example, overly adult (parenting of other children), or overly infantile (thumb sucking, rocking, wetting or soiling)
- fear of failure, overly high standards and excessive neatness
- violent drawings or writing
- isolation from other students



## **Neglect**

Neglect is the continued failure to provide a child with the basic things needed for their growth and development. It includes a failure to meet a child's physical and/or psychological needs. Child Safety Services says that "neglect" occurs when "a child's basic necessities of life are not met, and their health and development are affected". It includes failure to provide:

- food
- housing
- health care
- personal hygiene
- hygienic living conditions
- medical treatment
- adequate supervision.

Under section 364 of the Criminal Code 1899 (Qld), it is an offence for a parent (or other person with the legal care or charge of the child) to cause harm to a child (aged under 16) by failing to provide (either through their own resources or by taking steps to obtain the necessities) the child with adequate food, clothing, medical treatment, accommodation or care.

Under section 364A of the Criminal Code, it is an offence for a parent (or other person with the legal care or charge of the child) to leave a child (aged under 12) unattended for an unreasonable time without making reasonable provision for the supervision of the child during that time, regardless of whether the child suffers any harm.

Adults associated with a child, other than their parents/ foster or kinship carers can also neglect the child. For example, a teacher, or a Direct Contact Volunteer or Contractor may fail to provide adequate supervision.

### Possible Physical Indicators of Neglect

- consistently dirty and unwashed
- consistently inappropriately dressed for weather conditions
- consistently without adequate supervision
- consistently hungry, tired and listless, falling asleep in class, or malnourished
- unattended health problems or lack of routine medical care
- inadequate shelter, including unsafe or unsanitary living conditions
- abandonment by parents
- poor hygiene

### Possible Behavioural Indicators of Neglect

- scavenging, begging or stealing food
- gorging when food is available
- inability to eat when extremely hungry
- alienated from peers, withdrawn, listless, pale or thin

- aggressive behaviour
- delinquent acts, for example, vandalism or drug or alcohol abuse
- lack of positive interaction with parent/ foster or kinship carer
- appearing miserable or irritable
- poor socialising habits
- poor evidence of bonding with others or anxiety towards strangers
- indiscriminate with affection
- poor, irregular or lack of attendance at school
- staying at school long hours
- self-destructive
- dropping out of school
- taking on an adult role of caring for a parent
- misusing alcohol or drugs
- academic issues

### **Domestic Violence**

In Queensland, domestic (or “family”) violence is defined in the Domestic and Family Violence Protection Act 2012 (Qld) as behaviour, by a person towards another person that they are in a relevant relationship with, that:

- is physically or sexually abusive
- is emotionally or psychologically abusive
- is economically abusive
- is threatening
- is coercive
- in any other way controls or dominates the second person and causes the second person to fear for the second person’s safety or wellbeing or that of someone else.

When dealing with children and young people it is important to remember that “domestic violence” extends to behaviour that causes a child to hear, witness, or be exposed to the effects of “domestic violence”. A child’s exposure to domestic violence can cause psychological or emotional harm to the child and could therefore be a reason for a child being in need of protection under the Child Protection Act.

Examples of situations that may constitute a child being exposed to domestic violence include the child:

- overhearing threats of physical abuse
- overhearing repeated derogatory taunts, including racial taunts
- experiencing financial stress arising from economic abuse
- seeing or hearing an assault
- comforting or providing assistance to a person who has been physically abused
- observing bruising or other injuries of a person who has been physically abused
- cleaning up a site after property has been damaged
- being present at a domestic violence incident that is attended by police officers.

As domestic violence can result in one or more forms of child abuse and other harm (for example, neglect, physical or sexual abuse, or emotional or psychological harm) physical and behavioural indicators of these other types of abuse and harm may also be indicative of a family violence situation.

#### Possible Behavioural Indicators for Older Children and Young People

- moving away or running away from the family home
- entering a relationship early to escape the family home
- experiencing violence in their own dating relationship
- involvement in criminal activity
- alcohol and substance abuse

#### **Sexuality and Gender Identity Conversion Practices**

Section 213F(1) of the Public Health Act 2005 (Qld) defines conversion therapy as a “practice that attempts to change or suppress a person’s sexual orientation or gender identity.”

Under section 213G, gender identity is defined as “the person’s internal and individual experience of gender, whether or not it corresponds with the sex assigned to the person at birth” including:

- the person’s personal sense of the body
- if freely chosen – modification of the person’s bodily appearance or functions by medical, surgical or other means
- other expressions of the person’s gender, including name, dress, speech and behaviour.

Examples of conversion therapy include practices attempting to change or suppress a person’s sexual orientation or gender identity by:

- inducing nausea, vomiting or paralysis while showing the person same-sex images
- using shame or coercion to give the person an aversion to same-sex attraction or to encourage gender-conforming behaviour
- using other techniques on the person encouraging the person to believe being lesbian, gay, bisexual, transgender or intersex (LGBTQI+) is a defect or disorder.

Under section 213F(2) conversion therapy does not include a practice by a health service provider that, in the provider’s reasonable professional judgement:

- is part of the clinically appropriate assessment, diagnosis or treatment of a person, or clinically appropriate support for a person; or
- enables or facilitates the provision of a health service for a person in a manner that is safe and appropriate; or
- is necessary to comply with the provider’s legal or professional obligations.

The following types of practices by a health service provider are **not** conversion therapies:

- assisting a person who is undergoing a gender transition;
- assisting a person who is considering undergoing a gender transition;
- assisting a person to express the person’s gender identity;

- providing acceptance, support or understanding of a person;
- facilitating a person's coping skills, development or identity exploration, or facilitating social support for the person.

Examples of the practices that are not conversion therapies include a health service provider:

- exploring psychosocial factors with a person or probing a person's experience of sexual orientation or gender identity
- providing a speech pathology or gender transition service for a trans-gender or gender-diverse person wishing to alter the person's voice and communication to better align with the person's gender identity
- advising a person about the potential side effects of sex-hormonal drugs or the risks of having, or not having, surgical procedures.

Research on the impacts of sexual orientation and gender identity conversion practices notes there is significant evidence that these are harmful to LGBTQI+ people and that they can lead to depression, anxiety, drug use, homelessness and suicide.

As sexual orientation and gender identity conversion practices can involve or result in one or more forms of child abuse (in particular, sexual abuse, physical abuse, emotional or psychological abuse or neglect) the physical and behavioural indicators of these types of abuse may also be indicative of a LGBTQI+ child being subjected to sexual orientation and gender identity conversion practices.

### **Additional Vulnerabilities**

All children and young people are vulnerable to abuse and other harm. They are vulnerable because of their dependence on adults, because they are physically weaker than adults and because they lack social and legal power.

Some children and young people are more vulnerable to abuse and other harm.

Aboriginal and Torres Strait Islander children and young people, children and young people with disability, and children and young people from culturally and linguistically diverse backgrounds face particular challenges, not because they are inherently more vulnerable, but because they more often encounter circumstances that:

- place them in institutions with higher risk
- make it less likely they will be able to disclose abuse or other harm
- make it more likely they will receive an inadequate response to abuse or other harm

than other children and young people.

A variety of related factors may influence the vulnerability of a child or young person to abuse and other harm, including:

- the gender of the child or young person
- the age and developmental stage of the child or young person
- whether the child or young person has experienced maltreatment previously

- whether the child or young person has a disability, and the nature of that disability
- the family characteristics and circumstances of the child or young person
- the nature of the child or young person's involvement with the institution
- other factors, including the child or young person's physical characteristics, social isolation, high achievement, lack of understanding of sexual behaviour (including sexual abuse) and personal safety, and sexual orientation.

Being vulnerable does not mean that a child or young person will be abused, although it does increase that risk. It is also important to remember that all children and young people can be vulnerable to all types of abuse and other harm.

### Gender

Gender influences the type of maltreatment children and young people are likely to experience. Girls may be more likely to be a victim of child sexual abuse than boys, and boys may be more likely to be physically abused than girls.

Gender also influences children and young people's vulnerability to intra-familial or extra-familial abuse. Boys may be more likely than girls to be sexually victimised by extra-familial abusers and to have multiple male abusers, while girls may be at greater risk than boys from intra-familial child sexual abuse.

While there are gender patterns in the types of abuse children and young people experience, this does not mean that boys are not vulnerable to sexual abuse or that girls do not experience physical abuse.

### Age and Developmental Stage

A child or young person's age and developmental stage and differing degrees of dependency on others for survival and wellbeing are factors that can influence their risk of abuse and other harm.

During primary school years, children come into contact with a wide range of adults because they are involved with less home-based activities such as school, sport, leisure interests and social activities and their related organisations, and are therefore more vulnerable to abuse perpetrated by a non-family member than younger children.

Around the transition to secondary school, peer relationships may become more influential and children and young people may exercise greater autonomy and independence. Children and young people become more entrusted with responsibility for some aspects of their own safety, free of direct parental supervision. Puberty can lead to emotional and physical changes, which may lead to an increased interest in romantic relationships. As children develop into teenagers, they may explore their sexuality and sexual identity. This may put them at increased risk of sexual abuse.

### Previous Maltreatment

Children and young people who have experienced maltreatment in the past (for example, children and young people already in the child protection system) have an increased vulnerability to further abuse. In addition, most children and young people who have been maltreated experience multiple types of abuse and neglect. Children and young people previously maltreated by a family member are vulnerable to further maltreatment by an extra-familial perpetrator, including in institutions.

There are a number of possible reasons why children and young people who have already experienced maltreatment have a higher risk of being maltreated again, including:

- the impact on the child or young person's psychological development from the previous maltreatment
- ongoing inadequate supervision and attention, leaving the child or young person vulnerable to predatory perpetrators of child sexual abuse

### Disability

Children and young people with disability are particularly vulnerable to abuse and other harm across all settings. Some studies suggest children and young people with disability have a heightened risk of sexual abuse by professionals compared to other children and young people.

The risk of abuse varies with the level and type of impairment. Children and young people with intellectual disability, communication disorders or behavioural disorders are at particularly higher risk of all forms of abuse and harm.

### Family Characteristics and Circumstances

Certain factors related to a child or young person's family characteristics and circumstances can increase the likelihood they will be subjected to abuse or other harm in all settings. These include:

- family conflict, violence or breakdown
- a poor relationship with a primary carer
- a lack of parental supervision or availability
- family devotion or loyalty to an institution.

### The Nature of the Child or Young Person's Involvement with Various Institutions

Children and young people who spend more time in institutional settings may be at greater risk of abuse than other children and young people. While children and young people's involvement in institutions tends to increase as they get older, there are specific groups of children and young people who are involved in institutions at higher rates throughout their childhood and who therefore may be more at risk of abuse or other harm at those institutions. For example:

- many children and young people with disability spend large amounts of time involved with institutions
- Aboriginal and Torres Strait Islander children and young people are over-represented in out-of-home care and youth detention

- other groups of children and young people who can spend significant periods of time in institutional contexts include children and young people with illness, children and young people who are high achievers (for example, in sport, music or dance), and children and young people in immigration detention facilities

### Other Factors

#### Physical Characteristics

In a study of children and young people's views of safety done by the Royal Commission into Institutional Responses to Child Sexual Abuse, some children and young people described how they felt vulnerable when they were physically powerless compared to adults or peers. Others said they felt they were vulnerable to bullying and intimidation by others, especially older children, because of their relative physical weakness or other physical characteristics.

#### Social Isolation

Several studies have identified social isolation as a risk factor for child sexual abuse across all settings. Social isolation may mean that a child or young person is vulnerable because they are less likely to disclose the abuse, or that others may be less likely to believe them if they do disclose.

#### High Achievement

High-achieving children and young people can have increased levels of involvement with institutions. This may make them be more visible and accessible to potential perpetrators. High-achieving children and young people may be more vulnerable because they may not disclose abuse or other harm, so as to avoid the consequences of being excluded or removed from the institution that is supporting their achievements or losing out on opportunities. This may especially be the case for children and young people who are elite athletes or performers who do not want to jeopardise their career. This may also apply to any situation where a child or young person excels and is dependent on a particular coach or tutor.

Parents of high-achieving children and young people can also be highly invested in an institution, and as a consequence may not be alert to the signs of abuse or other harm or may feel that they cannot raise concerns because their child may lose out on opportunities, or a promising career.

#### Lack of Understanding About Sexual Behaviour, Including Sexual Abuse, and Personal Safety

An inadequate understanding about sexual abuse may be more prevalent among some groups of children and young people, because of a lack of education on sexual behaviour and personal safety. Research also suggests that some perpetrators of child sexual abuse may target children and young people who have a lack of knowledge about sex and sexuality.

### Sexual Orientation

Research indicates that lesbian, gay and bisexual people are significantly more likely to be bullied, discriminated against, physically and sexually assaulted, verbally and emotionally abused, and threatened than those who are not.

Due to prevalent negative views of homosexuality in Australia over many decades, children and young people, and their families, may consider a child or young person's emerging sexual orientation a shameful secret to be kept from families and friends. Some same-sex attracted or gender-questioning children and young people have found the family home to be unsupportive. Perpetrators of child sexual abuse may exploit this disconnection from the family, particularly among those who conceal their sexuality due to fear or shame.

### Gender Identity

There is some evidence from international research that gender identity is an important indicator of children and young people at increased risk of physical, sexual and psychological abuse. One study found that gender-questioning young people were at greater risk of homelessness and physical abuse.



**APPENDIX 2: CHILD PROTECTION FORM**



**ARETHUSA COLLEGE**

# Child Protection

**Private and Confidential**

Give this completed form directly to the Principal or a Board Director. If they are not available, place the form in an envelope addressing it as: "Attention: Arethusa College Principal / Director – Confidential"

**REPORT OF SUSPECTED HARM OR SEXUAL ABUSE**

Date:	Time:
School Name & Location:	
School Phone:	
School Fax:	
School Email:	

**DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM / ABUSE:**

Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
Aboriginal <input type="radio"/>	Aboriginal and Torres Strait Islander <input type="radio"/>
Torres Strait Islander <input type="radio"/>	
Does the student have a disability verified under EAP: Yes <input type="radio"/> No <input type="radio"/>	Disability Category:
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="radio"/> No <input type="radio"/>	



**ARETHUSA COLLEGE**

# Child Protection

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE			
<input type="radio"/> Parent / carer	<input type="radio"/> Other adult family member	<input type="radio"/> Child family member	<input type="radio"/> Other adult
<input type="radio"/> Student / other child	<input type="radio"/> College employee / volunteer	<input type="radio"/> Unknown	

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).
---

**Details of any harm and/or sexual abuse to the student – please include:** Time and date 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.

**Please indicate the identity of anyone else who may have information about the harm or abuse**



ARETHUSA COLLEGE

# Child Protection

Additional information provided as an attachment YES  NO

<b>Name of employee making report to the Statutory Agency if not the Principal:</b> <input type="text"/> <b>Position:</b> <input type="text"/>	<b>Signature:</b> <input type="text"/>	<b>Date:</b> <input type="text"/>
<b>Principal:</b> <input type="text"/>	<b>Signature:</b> <input type="text"/>	<b>Date:</b> <input type="text"/>
<b>Principal's email address:</b> <input type="text"/>		
<b>Response requested by school:</b> <input type="text"/>	<input type="text"/>	<input type="text"/>

ACTION TAKEN BY ARETHUSA COLLEGE		
Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS) <b>Date:</b> <input type="text"/> <b>Sign:</b> <input type="text"/>
	<input type="checkbox"/>	Department of Communities (Child Safety Services) <b>Date:</b> <input type="text"/> <b>Sign:</b> <input type="text"/>
	<input type="checkbox"/>	Family and Child Connect <b>Date:</b> <input type="text"/> <b>Sign:</b> <input type="text"/>

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

**The Campus Principal must confirm receipt of faxed or emailed form and attach the confirmation to this form. The Campus Principal must ensure the original copy of this completed form is stored in a secure location along with any other documentation collected for the purpose of this report.**

**Original documentation regarding this report must be provided to ACCO for records retention (on completion of this incident).**

SAVE

PRINT

CLEAR