



# Child Safety Program

## The College's Procedure for Responding to Child Safety Incidents or Concerns Involving College Staff, Volunteers and Contractors

## Notifying Department of Child Safety and the Police

Depending on the nature of the incident or allegation, after receiving an internal report or a complaint containing information about a child safety incident or concern occurring at or involving the College, the Executive Principal or Child Protection Contact Officer may be legally obliged to report the matter externally. The Executive Principal and our Child Protection Contact Officers will follow the external reporting policies and procedures outlined in our Child Protection Program.

## Notifying Other External Bodies

Other relevant external bodies may also be notified of or provided with information about the allegation as follows:

- Queensland College of Teachers if the staff member is a registered teacher. For more information, refer to [Teacher Misconduct that is Reportable to the Queensland College of Teachers](#)
- other relevant bodies upon consultation with Department of Child Safety and/or the Police, such as:
  - other schools or organisations where the staff member may be engaged
  - Prescribed Entities or Service Providers that may require information to assess or provide services to the student.

- the relevant church authority for allegations against clerics or persons of a religious capacity, upon consultation with Department of Child Safety and/or the Police

For more information, refer to [Sharing Information Relating to a Student's Safety or Wellbeing](#).

## Initial Risk Assessment

An initial risk assessment will immediately be conducted by the Executive Principal or their delegate, in consultation - if an external report has been made - with the Police or Department of Child Safety, to determine whether the staff member subject to the allegations should continue to be allowed to work in the College whilst the allegations are being investigated.

There are three possible outcomes of a risk assessment:

- the staff member may continue to work in their current role during the investigation, either as per normal or with increased supervision
- the staff member's duties are restricted
- the staff member is stood down from their duties

## Informing the Staff Member of the Allegations

The Executive Principal will inform the staff member of allegations made against them after seeking advice from, if an external report has been made, Department of Child Safety or the Police as to when it is appropriate to inform the staff member.

A meeting will be held between the staff member, their support person (voluntary) and the Executive Principal to give the staff member the following information:

- that an allegation of conduct that has caused or has the potential to cause harm to a student has been reported about them
- whether the matter has been reported externally to the Police or Department of Child Safety
- contact details of the person/s managing their matter who can provide information in relation to the investigation process
- support services available.

All information provided to the staff member at the meeting must also be given to them in writing.

# Informing Parents/Carers of Reportable Conduct Allegations

The parent/carer of a student who is an alleged victim of reportable conduct has a direct interest in being told that their child is an alleged victim and of the nature of the reportable conduct allegation. The parent/carer will also expect to be kept informed of the progress and findings of any investigation, and of any action that might be taken after the investigation is completed.

However, special issues may arise with respect to reportable conduct allegations and investigations that could require an adjustment to normal information sharing practices.

Whilst the College's position is to share information about reportable conduct allegations with the parents/carers of an alleged victim, it is ultimately a matter of discretion for the Executive Principal whether it is appropriate in the circumstances to share information about the reportable conduct allegation and if so, what information should be shared and with whom.

The range of matters to be considered when making a decision about sharing information about a reportable conduct allegation with parents/carers of the alleged victim will depend on the circumstances. Relevant factors include:

- whether there are other proceedings or investigations underway, such as Police, Department of Child Safety or coronial investigations (in which case consultation must occur with Police or Department of Child Safety prior to sharing information)
- the nature of the allegations
- the individual circumstances of the alleged victim and his or her parents/carer
- how much information should be provided
- whether the same information should be provided to all parties
- how the information is to be given to a party
- whether the subject of an allegation has or should be informed that information will be shared
- what support and consultation options are available to all parties following the sharing of the information.

For more information, refer to [Communicating with Parents/Carers About Internal and External Reports and Sharing Information Relating to a Student's Safety, Welfare and Wellbeing](#).

# Investigating the Allegations

The Executive Principal must ensure that an appropriate internal investigation of the reportable conduct occurs.

Ideally, the investigator should be someone other than the Executive Principal and the investigation may be conducted by the Executive Principal's delegate, such as a Child Protection Contact Officer (the investigator).

If the Police and/or Department of Child Safety have been advised of the matter, the Executive Principal should ensure that they have clearance from the relevant agency before starting an internal investigation. A Police investigation takes precedence over any investigation conducted by the College under this policy.

The College must still conduct its own investigation even if Department of Child Safety or the Police decline to investigate or cease their investigation.

The College's investigation must be conducted in accordance with the rules of procedural fairness and natural justice. For example, the investigation should be conducted without bias and the staff member against whom the allegation is made should be given the right to respond.

Internal investigations have the potential to create conflicts of interest. Conflicts may arise between an investigator's official duties and their private interests, which could influence the performance of the official duties. Investigators should be objective and impartial and be seen as such. The College manages actual or reasonably perceived conflicts of interest through our Arethusa College Conflicts of Interest Policy – available here [Conflicts of Interest Policy Link](#).

The investigator should remind all parties to the investigation of the sensitive and confidential nature of the matter and advise them that it is not appropriate to discuss the situation. For more information, refer to [Confidentiality and Privacy](#).

## Planning and Coordinating the Investigation: Key Considerations

Once the investigator has permission to conduct an investigation into an allegation of reportable conduct, they must:

- plan investigative actions and document any decisions that are made before the commencement of the investigation
- maintain effective records of the planning process
- consider any actual, or potential, conflict of interests by the investigator and other stakeholders
- review the initial risk assessment and if required take further action to address concerns
- identify and address any cultural issues, and special needs of relevant parties
- identify people or agencies to consult for advice about the investigation process if required
- consider whether aspects of the investigation have been, or can be, conducted by another agency, such as the Police.

To ensure that the investigation is properly conducted:

- systems must be implemented to uphold confidentiality and deal with any breaches of confidentiality
- everyone involved in the investigation should be reminded of the importance of confidentiality
- parents/carers of any involved child should be advised and asked for permission to interview their child, if appropriate (refer to [Communicating with Parents/Carers about Internal and External Reports](#))
- all interviews must be adequately recorded as verbatim as possible, and records are verified as a true record by being signed and dated by all involved
- any other allegations that emerge during the investigation process should be documented together with details of any action taken by the College
- all decisions, advice and discussions made in relation to the investigation must be documented
- all relevant parties should be advised of the outcome of the investigation.

## Information Gathering

The first step in an investigation is to gather all relevant information. This can be obtained from a range of sources:

- direct evidence can be obtained by speaking with those involved in the alleged incident (e.g. the child, witnesses or the staff member)
- physical evidence can be obtained by collecting documents (e.g. rosters, emails), securing and inspecting objects (e.g. mobile phones, computers) and inspecting locations to check the relevant positions of parties and witnesses to the alleged incident (e.g. playgrounds,

classrooms). This process may include taking photographs and making drawings or diagrams of the location.

- expert evidence can be obtained from people who have specialised knowledge in a specific field that the general public does not have (e.g. a medical practitioner may be relevant if they had examined a child)

Where the Police or Department of Child Safety have been involved, requests for information from, and the provision of information to, these agencies may be possible. For more information, refer to [Information Sharing under the Child Protection Act 1999 \(Qld\)](#).

All information collected in relation to the investigation must be kept in a safe and secure location. Records relating to a reportable conduct investigation are maintained in accordance with our College's records management procedures.

## **Making Findings and Taking Action after the Investigation**

At the conclusion of the investigation, the investigator will assess the information gathered during the investigation and analyse and weigh the evidence to support any conclusions.

The investigator must identify the findings that are best supported by the available evidence and propose any recommendations arising from the investigation.

This material should be provided to the Executive Principal or their delegate to make a decision about the findings on the matter.

The Executive Principal or their delegate must consider what findings to make with respect to the allegations of reportable conduct, as well as what action, if any, should be taken by the College.

## **Internal Reviews of Investigation Procedures and Outcomes**

Staff, students and parents/carers of students who are involved in the matter and who are not satisfied with an internal investigation or its outcome may request an internal review of:

- the investigation procedures undertaken
- findings made
- disciplinary actions proposed or taken
- other outcomes (including a decision not to make a finding or to take disciplinary or other action).

Requests for internal reviews should be made to the Executive Principal.

## **Impact on Blue Cards and Exemption Cards**

Where an investigation leads to findings against the staff member, and depending upon the seriousness of the findings, the Executive Principal will notify Blue Card Services in relation to working with children checks, blue cards and exemption cards.

For more information, refer to [Blue Cards and Exemption Cards](#).