

# **Student Protection**

## **Processes and Guidelines**

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**Catholic  
Education**  
Diocese of Cairns  
*Learning with Faith and Vision*

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## Executive Director's Message

As an educational entity committed to the teachings of the Catholic faith, it is our foremost duty to ensure the safety and well-being of every student entrusted to our care. This document serves as a comprehensive guide for all staff members, providing clear processes to protect our students from harm and to foster a safe and nurturing environment.

Our community is built on a culture of safety, accountability and transparency where nothing is more important than the protection of all children.

Our commitment to student protection is deeply rooted in the Gospel values of love, respect, and dignity for every individual. As Jesus said, "Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these" (Matthew 19:14). This call to protect and cherish our children is at the heart of our mission and one which will allow our children to learn and reach their fullest potential.

In line with our Catholic ethos, we believe that every child has the right to feel safe and valued, and it is our collective responsibility to uphold these rights. Our processes are designed to promote a culture of vigilance.

This document outlines the roles and responsibilities of all staff members in safeguarding our students. It provides detailed procedures for reporting and responding to concerns, ensuring that every action taken is in



the best interest of the child, in alignment with all legislative obligations and ethical standards. We also emphasize the importance of collaboration with parents, guardians, and the wider community in creating a protective network around our students.

This resource has been developed by the Queensland Catholic Education Commission (QCEC) in collaboration with Catholic Education Diocese of Cairns. We encourage all staff to familiarize themselves with this document and to seek guidance whenever needed. By working together, we can create a safe and supportive environment where every student can thrive.

Thank you for your dedication to this vital aspect of our mission. Let us continue to be inspired by the teachings of Christ and the values of our Catholic faith as we strive to protect and nurture the young minds in our care.

**Catholic Education Diocese of Cairns is actively committed to fostering communities of safeguarding that recognise and uphold the dignity and rights of all children.**



# GOVERNANCE FRAMEWORK

These processes have been developed by the Queensland Catholic Education Commission (QCEC), in consultation with Catholic School Authorities (CSAs), to assist Catholic Education Diocese of Cairns (CEDC) to meet legislative and procedural processes for responding to, and reporting, abuse, harm and behaviour of a staff member that a student considers is inappropriate.

Nothing that is written in these processes below prevents a staff member or any other person from taking immediate action to notify Queensland Police Service and/or the Department responsible for Child Safety Services, particularly if he/she believes that it is essential to act to ensure a student's safety.

## Effective Date

These processes are effective from Monday, 2 June 2025.

## Review Schedule

These processes shall be reviewed every two years, or when necessary, as required by changes to legislation, policy or procedure.

## The Governing Body

The Governing Body is the Roman Catholic Trust Corporation for the Diocese of Cairns. The Director of the Governing Body for the Roman Catholic Trust Corporation for the Diocese of Cairns is the Bishop of Cairns, Bishop Joseph Caddy AM.

## Delegation

Pursuant to section 366B of the Education (General Provisions) Act 2006, the Director of the Governing Body, Bishop Joseph Caddy AM, has delegated to the person performing the duties of the Catholic Education Diocese of Cairns Executive Director (hereafter referred to as the Executive Director), obligations under section 366 and 366A of the Education (General Provisions) Act 2006 and more particularly the obligations of the Director/s of a non-State school's governing body of receiving a report and giving a copy of the report to a police officer.

## Student Protection Contacts

Under the Education (Accreditation of Non-State Schools) Regulation 2017 (section 16(3)), schools administered by Catholic Education Services have at least two nominated staff members to whom a student can report behaviour of another staff member that the student considers inappropriate. The names of these Student Protection Contacts are made known to staff, students and parents and are published on the CEDC website, in parent newsletters and in posters placed prominently around the school site. A central register is maintained by Catholic Education Services and updated regularly.

## Complaints Procedure

Under the Education (Accreditation of Non-State Schools) Regulation 2017 (section 16 (5)), CEDC has a written complaints procedure to address allegations of non-compliance with student protection processes.

In the event that a person, for example a parent, has a concern that the processes within the Student Protection Processes have not been complied with, then the person is able to make a complaint pursuant to the CEDC Grievance (Maintaining Right Relations) Policy & Procedure, publicly available via the CEDC website. The Grievance (Maintaining Right Relations) Procedure defines the process of making a complaint, which in the first instance should be to the Principal of the school, where appropriate.



Where the concern is not able to be resolved at the school level within a reasonable period, then the complaint should be referred to the Professional Standards and Safeguarding Office (PSSO).

## Awareness and Implementation

If staff members, parents or students require further information in relation to any of the processes described in this document and/or other student protection compliance requirements, advice should be obtained from the Principal, the school's Student Protection Contacts or a Student Protection Officer within the Professional Standards and Safeguarding Office.

CEDC is responsible for ensuring the implementation and dissemination of the Student Protection Processes (SPP) in line with section 16(4) Education (Accreditation of Non-State Schools) Regulation 2017. All staff, students, parents/carers, volunteers and contractors are made aware of the Student Protection Processes and Guidelines document and have access to this document.



**All staff, students, parents/carers** are made aware of, and have access to Student Protection Processes and Guidelines (SPPG)



**All staff** trained in implementing the Student Protection Processes (SPP) at commencement of tenure and annually



**Volunteers and other personnel** are aware of and have access to SPPG as part of induction and training



**The school** ensures the Student Protection Processes are implemented

### Catholic Education Services is responsible for ensuring that:

- this document is freely available to staff members, students, and parents
- staff members, students and parents are made aware of the student protection processes
- all staff are trained in implementing the processes on commencement of employment and then on at least an annual basis as part of their ongoing training requirements
- all volunteers and visiting service providers receive information regarding student protection processes as part of their induction and training and
- the processes are being implemented within the school.

#### *This is achieved by:*

- Catholic Education Services publishing an electronic copy of the Student Protection Reporting Processes and Guidelines on the CEDC public website and Veritas (CEDC Staff Portal) so that it is readily accessible by staff, students and parents
- as part of the induction, all new Principals receive student protection training that is appropriate to their role and responsibilities
- developing and distributing training materials in student protection for staff, volunteers and other personnel



- providing resources for use by schools including student protection posters, inserts for newsletters and developing and implementing Codes of Conduct for staff, volunteers and other personnel
- monitoring the completion of training by staff and keeping records of training in the CEDC Professional Learning System, iLearn
- employing specialist Student Protection Officers to support school staff
- monitoring compliance with implementation of processes through a school's cyclic review and the Student Protection Continuous Improvement Audit
- implementing and maintaining the Student Protection Record of Concern (SP- ROC) reporting pathway via the Engage – Student Support System for recording and reporting student protection concerns and monitoring its use;
- all new staff undertake mandatory student protection induction training within 4 weeks of commencing employment
- mandatory online student protection compliance training is available, and all staff are required to complete annually
- suitable student protection programs and training materials for staff are made available
- specialised student protection training is made available and delivered to, for example, Principals, other Student Protection Contacts and Guidance Counsellors
- specialised student protection expertise is available to school and Catholic Education Services staff through the work of the Professional Standards and Safeguarding Office.

*and also achieved by School Principals:*

- ensuring the Safeguarding Children icon is located on their school public website which directly links to the CEDC Safeguarding Children public webpage and includes access to an electronic version of the Student Protection Processes and Guidelines document
- making available a hard copy of the Student Protection Processes and Guidelines document at the school upon request by a student, parent or staff member
- advising staff members, students and parents of the student protection processes through, for example, notification in the school newsletter, information provided at school assemblies or parent information nights, publications in parent handbooks volunteer training and staff induction programs and mandatory training of staff
- the names of the school's Student Protection Contacts are made known to staff members, and volunteers and the information displayed in the staffroom, and provided in the staff handbook and/or on the school's intranet site
- all new staff members undertake the online Mandatory Student Protection Reporting Obligations Training within the first 4 weeks of employment
- other employees understand their student protection responsibilities as appropriate
- all volunteers and other personnel (i.e., contractors) complete student protection training and receive a copy of the relevant Code of Conduct
- the Principal appoints at least one other suitable staff member to fulfil the role of Student Protection Contact for the school
- utilising the CEDC Engage SP ROC reporting pathway via the Engage-Student Support System to document and report to relevant state authorities.





*Students and parents are aware of the Student Protection Processes by making sure that:*

- Student Protection Posters are displayed prominently in areas of the school frequented by students
- the names of the school's Student Protection Contacts are made known to students and parents in a variety of ways and publicised in the school community, for example by posters, at assemblies, in handbooks, in the school newsletter, on the school's website/intranet and provided at parent information sessions
- students and parents are made aware of the processes for reporting to a Student Protection Contact, the behaviour of any staff member that a student considers is inappropriate, for example by posters, at assemblies, in handbooks, in the school newsletter, on the school's website/intranet and at parent information sessions
- students and parents are made aware that electronic copies of the Student Protection Reporting Processes and Guidelines document are available through the Safeguarding Children icon on the school's public website or via the CEDC public website Safeguarding Children page
- students and parents are made aware that allegations of non-compliance with the Student Protection Processes is available via the CEDC Grievance (Maintaining Right Relations) Procedure, which is located on the CEDC public website.

*This document should be read in conjunction with the Student Protection Guidelines.*



# **Student Protection Processes**

# 1 OUR RESPONSIBILITIES

Catholic Education Diocese of Cairns (CEDC) as an agency of the Roman Catholic Trust Corporation for the Diocese of Cairns is committed to creating and maintaining safe environments for students. The safeguarding of students requires active participation in preventing harm and responding to indicators of potential harm. This document sets out these safeguarding responsibilities and processes for all staff members. This document also provides guidance and information for volunteers, other personnel and parents/carers where they have a concern for the protection of a student. This document specifies:

Processes for reporting sexual abuse or suspected sexual abuse of students in accordance with the *Education (General Provisions) Act 2006*.

Processes for reporting and responding to harm or risk of harm to students, including physical, psychological, emotional or sexual abuse and neglect in accordance with the *Child Protection Act 1999*.

Processes for reporting a child sexual offence in accordance with the *Criminal Code 1899*.

Processes for responding to allegations of harm to students caused by students themselves or others in accordance with section 16(1) of the *Education (Accreditation of Non-State Schools) Regulation 2017*.

Processes for a student to report inappropriate conduct of a staff member in accordance with section 16(2) of the *Education (Accreditation of Non-State Schools) Regulation 2017*.

Processes for responding to alleged staff inappropriate behaviour (SIB) towards a student in accordance with section 16(2) of the *Education (Accreditation of Non-State Schools) Regulation 2017*

All Catholic schools are bound by a range of legislation that sets out our responsibilities for the safety and wellbeing of children and young people. [Appendix 2 \(Legislation References\)](#) provides more detailed information about the relevant legislation.

Fundamentally, it is the responsibility of each member of staff and other personnel to prioritise the safety and wellbeing of every student. This includes responding to any reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering harm caused by abuse and/or neglect including sexual abuse, sexual offences and alleged inappropriate behaviour by a staff member towards a student. The following definitions are used to cover the breadth of harm that is captured in the different legislation as per Appendix 2 (Legislation References):

As per the Child Protection Act 1999 s.9 defines harm as:

- (1) Harm to a child is any detrimental effect of a significant nature on the child's physical, psychological, or emotional wellbeing
- (2) It is immaterial how the harm is caused
- (3) Harm can be caused by –
  - (a) physical, psychological, or emotional abuse or neglect; or
  - (b) sexual abuse or exploitation.
- (4) Harm can be caused by—
  - (a) a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.

The Education (General Provisions) Act 2006 s.364 defines sexual abuse as:

sexual abuse, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances –

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

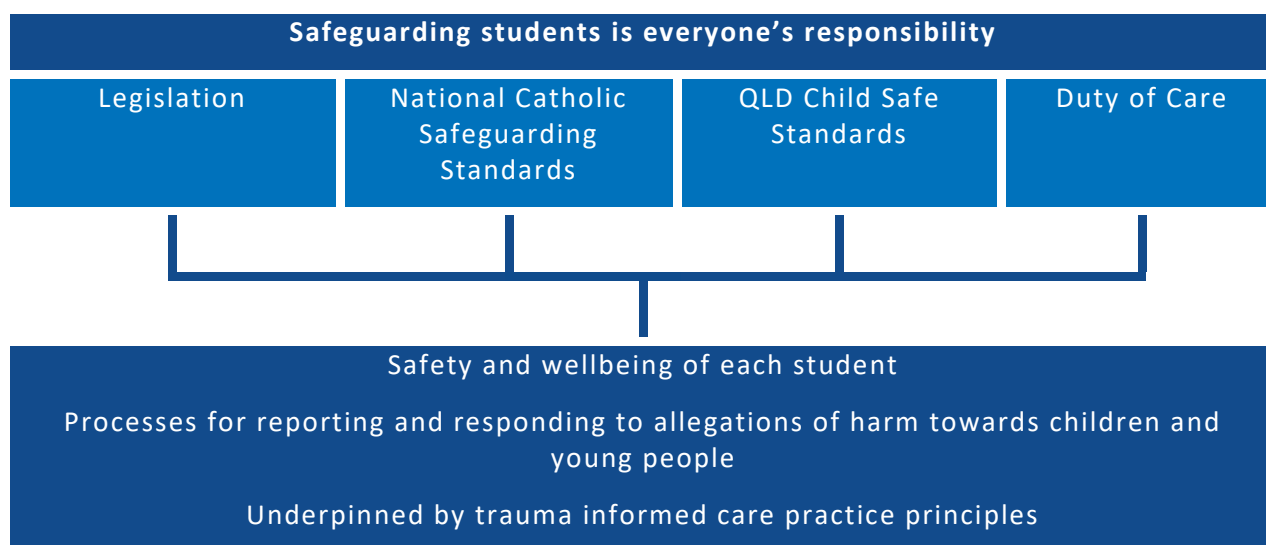
For further information see the [Student Protection Guidelines](#)

All schools should develop processes and systems to support staff and other personnel to ensure all reports are actioned in a timely manner. These processes need to be clearly communicated to all staff.

Failure to report and respond can be both an offence under the relevant legislation and may constitute a breach of the CEDC Staff Code of Conduct. Failure to report and act is not acceptable; it is everyone's responsibility to prioritise the safety and wellbeing of children and young people.

The reporting processes for any allegations of abuse, harm or alleged staff inappropriate behaviour towards a student are set out in this document.

The regulatory framework includes the relevant legislation, the National Catholic Safeguarding Standards which have been developed and adopted by the Catholic Church in Australia to support the creation of a child safe environment, and the associated duty of care of staff. This is visualised below and underpinned by trauma informed care practice principles:



## 1.1 Guiding Principles

The Student Protection Processes for CEDC are based on the following principles and commitments which are to be observed when responding to student protection issues:

- every child and young person has a right to protection from abuse and/or neglect and protection from inappropriate behaviour by CEDC staff members
- the welfare and best interests of the child/young person are paramount
- all adults have a responsibility to care for children and young people, to positively promote their welfare, and to protect them from any kind of harm
- the interactions of CEDC staff with students take place in the context of the staff member being in a position of trust arising from the nature of their role
- in every preventative and/or protective action related to a student the total wellbeing of the student is the primary concern, while respecting the rights and welfare of others
- appropriate confidentiality should be observed relating to student protection matters, and relevant information should be stored securely and confidentially
- the cultural diversity of students and families in our schools (particularly Aboriginal and Torres Strait Islander students and their families) is to be recognised, acknowledged, and respected. The management of student protection issues needs to be carried out with sensitivity to cultural issues
- the special needs and vulnerabilities of students with disabilities and their rights to an educational and family environment free from abuse, discrimination, harassment, or victimisation must also be recognised, acknowledged, and respected
- the value of the family unit is to be respected but not in such a manner as to be detrimental to the wellbeing of the student
- all persons who are the subject of an allegation of improper conduct, abuse and/or neglect should be treated fairly, respectfully and with dignity and provided with access to support services as appropriate
- all persons who honestly and reasonably report a matter in good faith in accordance with these procedures should not be disadvantaged for doing so.

CEDC seeks to fulfil its duty of care to all within its school communities and particularly its duty of care to students. To do this, CEDC is committed to:

- upholding the right of students to a safe and supportive environment based on the belief that this is critical to students fulfilling their personal potential and critical to their overall wellbeing
- responding promptly and appropriately to information concerning student protection matters
- co-operating and working in partnership with the relevant State authorities that are involved in child/student protection
- ensuring that school pastoral care and wellbeing structures address and make appropriate provision for the support of students, families, and staff.

## 1.2 Legislative Framework

All Catholic schools are bound by a range of legislation that sets out our responsibilities for the safety and wellbeing of children and young people.

Fundamentally, it is the responsibility of each member of staff to prioritise the safety and wellbeing of every student. This includes responding to:



- any reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering harm caused by abuse and/or neglect
- any reasonable suspicion of sexual abuse/likely sexual abuse of students
- conduct of staff that the student considers to be inappropriate.

Failure to report and respond can be both an offence under the relevant legislation and may constitute a breach of the CEDC Staff Code of Conduct. Failure to report and act is not acceptable; it is everyone's responsibility to prioritise the safety and wellbeing of children and young people.

## 1.3 Responsibility for Identifying and Reporting

The Student Protection Processes are relevant to any person who is part of the school community either in a paid or voluntary capacity. This includes but is not limited to the following personnel:

- Teachers
- Principals
- All staff, which includes all other personnel employed by Catholic Education CEDC
- Contractors who provide services on Catholic Education CEDC sites
- Volunteers
- Students on practicums
- Visitors to the school community

**Staff members** have a mandatory responsibility for reporting.

**Other stakeholders**, that is, volunteers, other personnel and parents/carers who identify concerns or suspicions of abuse, harm or alleged staff inappropriate behaviour towards a student, are responsible for conferring with the appropriate personnel, as outlined in this document.

This document uses the term **First Person** to refer to the staff member who first becomes aware of or reasonably suspects alleged abuse, harm, or alleged staff inappropriate behaviour towards a student, this includes seeing and/or hearing about alleged abuse, harm or alleged inappropriate behaviour towards a student.



## 1.4 Key Definitions

Key definitions are provided in the table below. For a full overview of definitions and details about legislative requirements, refer to [Appendix 1 \(Definitions\)](#) and [Appendix 2 \(Legislation References\)](#).

Table 1: Key Definitions

Staff Member	A staff member is any person who is employed by CEDC on a casual, fixed term, or continuing basis, either pursuant to a contract of employment or appointed to a role at the school pursuant to an agreement with a religious order.
Harm As defined by section 9 of the Child Protection Act 1999	<p>Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological, or emotional well-being.</p> <p>It is immaterial how the harm is caused.</p> <p>Harm can be caused by:</p> <ul style="list-style-type: none"> <li>• physical, psychological or emotional abuse or neglect; or</li> <li>• sexual abuse or exploitation</li> </ul>
Sexual abuse As defined by s364 of Education (General Provisions) Act 2006	<p>Sexual abuse, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances:</p> <ul style="list-style-type: none"> <li>• the other person bribes, coerces, exploits, threatens or is violent toward the relevant person</li> <li>• the relevant person has less power than the other person</li> <li>• there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.</li> </ul>
First Person s366-366A Education (General Provisions) Act 2006	<p>The First Person is a staff member:</p> <ul style="list-style-type: none"> <li>• who becomes aware of or reasonably suspects that a student attending the school has been sexually abused by another person or is likely to be sexually abused by another person</li> </ul> <p>In addition, for the purposes of this document,</p> <ul style="list-style-type: none"> <li>• the First Person is defined as any person who is part of the school community who becomes aware of or reasonably suspects that a student attending the school has experienced or is at significant risk of experiencing all harm because of abuse, including alleged staff inappropriate behaviour (SIB) towards a student.</li> <li>• The First Person has <b>responsibility</b> for commencing the reporting processes once they become aware of or reasonably suspect significant abuse, harm or the risk of significant abuse, harm to a student and/or another child in the community. Their responsibility <b>cannot</b> be delegated to someone else.</li> </ul>
Source of Concern	This means the person alleged responsible for the harm/abuse or Inappropriate behaviour towards a student.
Safeguarding	<p>Safeguarding means promoting the wellbeing of children and young people and creating safe environments that protect children and young people from abuse, exploitation and harm. It includes:</p> <ul style="list-style-type: none"> <li>• student protection and student wellbeing</li> <li>• expecting our people, operations and activities to promote the wellbeing of and do no harm to students</li> <li>• developing and maintaining systems and practices that prevent harm alongside procedures to respond to and report effectively any concerns about the safety and wellbeing of students</li> </ul>





## 1.5 Trauma Informed Care Principles

Trauma refers to the emotional, physical, and physiological impacts that result from heightened stress due to experiences of threat, violence, and life challenging events (Australian Childhood Foundation, 2010).

Trauma Informed Care (TIC) provides a framework for responding to students that understands, recognises, and acknowledges how trauma can impact on a person.

TIC involves showing sensitivity and awareness in considering how experiences of trauma can impact on a student in terms of their behaviour or responses.



## 2 REPORTING FRAMEWORK

### 2.1 Responding to Concerns

This section summarises the actions required if any staff member has concerns or suspicions of:

- abuse and harm to a student; and
- alleged staff inappropriate behaviour (SIB) towards a student/s.

### 2.2 Framework for responding

The Framework for responding to and reporting student protection concerns involves four steps: Identify, Confer, Report, Support (ICRS). This all occurs within a framework of trauma informed care.

IDENTIFY
<b>Identify</b> student protection concerns: What are you worried about? Have you noticed signs of abuse/harm? What information has been disclosed?
CONFER
Seek guidance and support by <b>conferring</b> with appropriate staff to discuss the information, and whether it constitutes a 'reasonable suspicion' of abuse/likely abuse, harm/risk of harm or alleged staff inappropriate behaviour (SIB) towards a student.  <b>Do not</b> confer with the source of concern (person allegedly responsible for abuse, harm, or inappropriate behaviour).
REPORT
<b>Report</b> the concerns of a reasonable suspicion of abuse/harm or alleged inappropriate behaviour by staff towards a student as per student protection processes set out in this document
SUPPORT
Remain focused on <b>supporting</b> the needs of the student, liaise with the Principal and/or a Student Protection Contact (SPC) at the school regarding ongoing actions and plans for supporting the student.

## 2.2.1 Identify



Any person who is part of the school community either in a paid or voluntary capacity is responsible for identifying student protection concerns.

Identifying concerns includes becoming aware of, recognising, seeing, or receiving information. This includes:

- Recognising the signs of abuse, harm, neglect, or alleged staff inappropriate behaviour towards a student.
- Seeing or hearing something concerning.
- Receiving information from students, staff, parents/carers, or other community members about allegations of abuse, harm, or alleged staff inappropriate behaviour towards a student.

When in doubt, always confer with the Principal and Student Protection Contacts

### Resources

[Student Protection Guidelines](#)

[Appendix 5: Frequently Asked Questions](#)

## 2.2.2 Confer



### What is conferring?

Conferring means formally consulting with appropriate colleagues, for example Principal or Student Protection Contact to discuss and establish whether the information received may constitute a 'reasonable suspicion' of abuse, harm or alleged staff inappropriate behaviour towards a student.

Conferral is an opportunity to discuss and seek guidance about the concerns and agree on actions.

Agreed actions and decisions must always be documented. This includes:

- whether a 'reasonable suspicion' is identified resulting in the need to report; or
- where the information does not constitute a 'reasonable suspicion', what, if any follow-up support is required.

## Why confer?

Engaging in appropriate consultation to seek more information or guidance can:

- inform responses and assist with the rigor of the decision making;
- identify contextual factors/information that may not otherwise be known. For example, the Principal may have relevant information about a family;
- aid in deciding whether a 'reasonable suspicion' of harm has occurred to support the decision to report;
- assist in identifying if there is a parent who may be 'willing and able' to protect the student in the case of harm;
- support staff in making a decision and help minimise psychosocial risks to staff; and
- facilitate the best possible safety and support response for a student.

Conferral is not reporting, nor is it investigating, it is a support to aid in deciding whether a 'reasonable suspicion' of harm has occurred under legislative requirements.

## Who do I confer with?

Conferral with the Principal is always recommended. Conferral with Student Protection Contacts is also always recommended. The exception is if the Principal or Student Protection Contact is identified as the source of concern (person allegedly responsible for abuse, harm or inappropriate behaviour).

Staff may also confer with:

- the Professional Standards and Safeguarding Office (Professional Standards or Student Protection team member)
- the Department responsible for Child Safety
- Queensland Police Service
- Family and Child Connect.

Conferral does not replace a staff member's responsibility to report and respond to the harm / abuse or risk of harm/abuse

Conferral may happen immediately upon becoming aware of, or reasonably suspecting harm to a student so that reporting is not delayed and there can be an appropriate response to the concerns.

## Important

*Conferral must not occur with anyone allegedly involved in the concerns to maintain safety of the student and avoid conflicts of interest and bias*

*The First Person must **never notify** the source of concern (person allegedly responsible for the abuse, harm, or inappropriate behaviour)*

## How to maintain confidentiality?

Confidentiality is a crucial element of conferral processes. Information sharing should consider:

- *The appropriateness of the person you wish to confer with and their role, i.e., Student Protection Contact and/or Principal. This person must not be involved as a subject of concern*
- *Limiting what information is shared to the extent necessary. Consider what information will help respond to the immediate safety and well-being of a student without having to disclose too much personal information*
- *Focusing on the purpose of the conferral, i.e., to support decision making about whether there is a reasonable suspicion of abuse, harm or alleged inappropriate staff behaviour that should be reported.*

### Reminder

*Maintaining confidentiality should never prevent staff from acting to protect a child from harm/abuse or reporting alleged inappropriate behaviour to a student by a staff member/other adult in the school community*

## If I confer, do I still need to report?

**Yes.** Conferring does not replace the legal obligations to report. Conferring is a process to support and assist in making a decision if there is a reasonable suspicion of harm or risk of harm or alleged staff inappropriate behaviour. If the answer is yes, you must follow the processes as detailed in these Student Protection Processes.

### Reminder

*The source of concern is the person allegedly responsible for the harm, abuse, or inappropriate behaviour towards a student. You must not confer or notify the source of concern.*

## Resources

[Student Protection Guidelines](#)  
[Frequently Asked Questions](#)



## 2.2.3 Report



All school staff have specific mandatory reporting obligations pursuant to different pieces of legislation. The different mandatory legislative reporting obligations and processes are detailed in full in [Section 3](#) of this document.

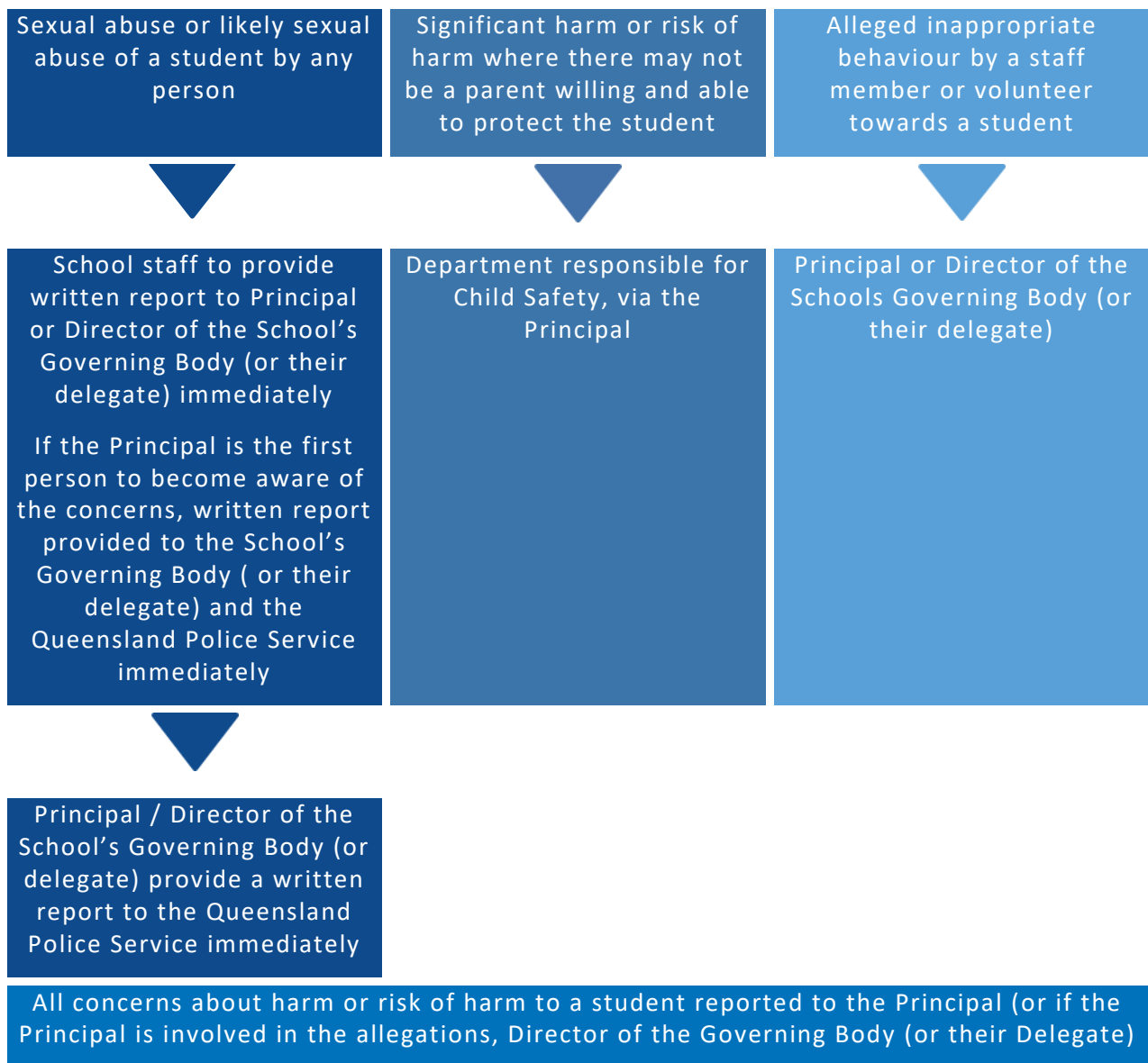
### Our obligations include adherence to:

- Section 13E *Child Protection Act 1999*
- Sections 16(1) and (2) of the *Education (Accreditation of Non-State Schools) Regulation 2017*
- Any concerns about sexual abuse or likely sexual abuse are reported to the Queensland Police Service in accordance with Sections 366 and 366A of the *Education (General Provisions) Act 2006*.
- Section 229BC of the *Criminal Code Act 1899* requires that any adult report concerns about sexual offending against a child by another adult to the Queensland Police Service and take action to protect a child from a sexual offence.
- A report under the *Criminal Code Act 1899* is only required if a matter has not already been reported under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) or the *Child Protection Act 1999* (reporting of significant harm/risk of significant harm where there may not be a parent able and willing to protect).

### Reminder

*A report of sexual abuse or likely sexual abuse under the Criminal Code Act 1899 is not required if an adult reasonably believes that the information has already been reported under the Education (General Provisions) Act 2006 or the Child Protection Act 1999*

Flowchart 1: Reporting processes for allegations of abuse, harm or alleged staff inappropriate behaviour towards a student/s.



Reasonable suspicion of abuse or harm are recorded and reported via a Student Protection – Record of Concern (SP-ROC) via the Engage -Student Support System.

Allegations or complaints of staff inappropriate behaviour towards a student/s are reported via a Staff Inappropriate Behaviour – Record of Concern (SIB – ROC) via the Staff Inappropriate Behaviour Case Management System (SIBCMS).



## Who is responsible for reporting?

All school staff have responsibilities to report. For specific information about when a report is required and by who, refer to [Section 3](#) of this document.

### Resources

[Appendix 5: Frequently Asked Questions](#)

[Appendix 3: Reporting Flowcharts](#)

## What does report mean?

Reporting is the act of providing a written report via a Record of Concern (ROC) in the Engage – Student Support System (SP - ROC) when a staff member becomes aware of or reasonably suspects that a student has experienced:

- significant harm or is at risk of significant harm and may not have a parent willing and able to protect them from harm
- sexual abuse or is likely to be sexually abused
- harm or alleged harm irrespective of the cause and source of the harm

Reporting is also the act of creating a written report via a Record of Concern (ROC) via the Staff Inappropriate Behaviour Case Management System (SIB - ROC) when a staff member becomes aware of or reasonably suspects that a student has:

- been the subject of alleged inappropriate behaviour by a staff member or other person associated with the school (e.g. volunteer or contractor)

The staff member who becomes aware of or reasonably suspects alleged abuse, harm or inappropriate behaviour is the First Person.

The First Person is responsible for immediately reporting concerns to the appropriate person or authority, as per the processes in [Section 3](#) of this document and may have support in completing the written report from the Principal, a Student Protection Contact at the school or a Professional Standards and Safeguarding Office team member.

However, the person who has the legislative responsibility to submit the report must ensure they are personally discharging their legislative obligation by reporting. This involves submitting a State Authority Report (SAR) to the relevant authorities via the Engage – Student Support System (SP – ROC).

Reporting abuse/harm needs to be prioritised and must not be delayed. To facilitate this, schools will support staff to ensure all reports are actioned in a timely manner which can include, for example, being released from their duties.

The Principal, Director of the Governing Body or delegate must confirm that written reports are being submitted as required by school staff.

The Governing Body must confirm that written reports are being submitted as required by the Principal

Where a school staff member is required to report to the Principal or CEDC Executive Director, the Principal or CEDC Executive Director must inform the staff member that they have reported the matter to the authorities as required.

School staff have specific mandatory reporting obligations pursuant to different pieces of legislation. The obligations differ with respect to the kind of harm the student may be at risk of or subject to. These obligations are set out at [Section 3](#) of this document.

An allegation of harm may result in more than one reporting obligation being triggered. Where this is the case, multiple reports may need to be made to satisfy mandatory reporting obligations.

## How do I report if the Principal is the alleged source of concern?

Confer with an appropriate colleague such as a SPC at the school or Professional Standards and Safeguarding Office (Professional Standards or Student Protection team member). Do not confer with or notify the alleged source of concern (person allegedly responsible for abuse, harm, or inappropriate behaviour).

The staff member who becomes aware of the alleged abuse, harm or inappropriate behaviour by the Principal towards the student is the First Person.

The First Person is responsible for immediately completing a ROC in the Engage – Student Support System (Student Protection reporting pathway) or the Staff Inappropriate Behaviour Case Management System (Staff Inappropriate Behaviour reporting pathway) with the assistance of a SPC at the school or a Professional Standards and Safeguarding team member.

For specific information about reporting obligations of staff, refer to [Section 3](#) of this document

## Reminder

*It is important to recognise that reporting student protection concerns:*

- *Can prevent a child from being harmed, or continuing to experience harm*
- *Can prevent immediate and long-term impacts on a child's health and wellbeing*
- *Enable a family to receive the support they require promptly*
- *Enable staff to fulfill their student protection reporting obligations*
- *Address the student's safety and wellbeing needs and help the student engage in their learning*

## Resources

[Section 3: Reporting Requirements](#)

[Appendix 2: Legislative references](#)

[Appendix 3: Reporting flowcharts](#)

[Appendix 5: Frequently asked questions](#)



## 2.2.4 Support



### Why support?

Students who have experienced abuse, harm or alleged staff inappropriate behaviour can be affected psychologically, emotionally, and physically. A focus on support is therefore essential. Support includes psychological and emotional care and safety planning.

At all times it is essential to remain focused on the support needs of the student. Support occurs in parallel with other steps taken; support must be trauma informed to best support the student's emotional, psychological, and physical wellbeing.

### How do I support a student?

In the first instance consult with an SPC and/or the Principal at the school. If required, you may also consult with a Professional Standards and Safeguarding team member to develop a plan for how to best support the student.

Key questions to ask include:

- have appropriate steps been taken to secure the student's safety and wellbeing?
- what support does the student need?
- who is best situated to provide this support?
- have we ensured a trauma informed approach to support the student?
- what support services would be appropriate?

Support options can include a referral to the school counsellor or organisations such as Kids Helpline and others, depending on the situation. This should be coordinated through the Principal and Student Protection Contact. Support also includes support provided to the family/carers of the students as appropriate.

***The needs of the student remain of paramount importance***

### How do I seek support for myself?

Responding to student protection concerns can elicit emotional responses, staff are encouraged to seek support from the school leadership team, an SPC at the school or CEDC's Employee Assistance Program (Assure)

## Resources

[Appendix 5: Frequently Asked Questions](#)  
[Queensland Child Protection Guide](#)  
[Queensland College of Teachers](#)

# 3 REPORTING REQUIREMENTS

This section outlines the legislative reporting requirements and provides guidance on the process for reporting.

## 3.1 Key guiding principles

The following key principles guide the reporting process:

- The safety and wellbeing of every child and young person is the paramount concern. Every child has the right to:
  - be protected from harm, abuse, neglect and inappropriate behaviour by staff or other personnel associated with the school towards a student;
  - to dignity, privacy, respect, and safety.
- All members of CEDC and other personnel:
  - have a duty to care for children and young people; and
  - must take necessary action to protect children and young people from harm.
- Mandatory reporting includes:
  - Reporting of sexual abuse or likely sexual abuse, or suspicion of sexual abuse by all school staff even if there is a parent willing and able to protect their child from harm, in line with the Education (General Provisions) Act 2006 obligations – see [section 3.2](#);
  - reporting if adults believe on reasonable grounds, or ought to reasonably believe that a child sexual offence is being or has been committed against a child by another adult – see [section 3.3](#); and
  - reporting of a reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse and the child may not have a parent able and willing to protect them from the harm, – see [section 3.4](#);
  - reporting all concerns about harm to a student or risk of harm to a student to the Principal and / or Student Protection Contacts – see [section 3.5](#) ;
  - All staff members employed by CEDC are obligated to report and follow the processes set out in this document.
  - Urgency in responding is key.



## 3.2 Requirement to report sexual abuse or likely sexual abuse to the Queensland Police Service under the Education (General Provisions) Act 2006

### What are the obligations?

In accordance with sections 366 and 366A of the Education (General Provisions) Act 2006:

- If the First Person becomes aware or reasonably suspects that a student has been sexually abused or is likely to be sexually abused by another person, the first person must immediately give a written report to the Principal or CEDC Executive Director (as the delegate of the Director of the Governing Body) who will then report the matter to the Queensland Police Service (QPS). This involves completing and submitting a written Record of Concern (ROC) via the Engage – Student Support System (Student Protection reporting pathway).
- On receipt of a written report from the First Person, the Principal or CEDC Executive Director (as the delegate of the Director of the Governing Body) must immediately provide a written report to the Queensland Police Service (QPS). This involves completing and submitting a State Authority Report (SAR) via the Engage -Student Support System (Student Protection reporting pathway)
- If the Principal is the First Person, a written report must immediately be provided to the Queensland Police Service (QPS) and the CEDC Executive Director (as the delegate of the Director of the Governing Body). This involves the Principal immediately completing and submitting a State Authority Report (SAR) via the Engage -Student Support System (Student Protection reporting pathway)
- The First Person has a responsibility to safeguard the child.
- The First Person must follow the reporting requirements set out in this process. This may include conferral with the Principal and /or Student Protection Contacts (only if doing so does not result in a report being delayed) and immediate completion of a report.

### Important

*The First Person cannot delegate or transfer the reporting requirements to another person. It is the responsibility of the First Person to make the report as per legal requirements. Remember the first person can first confer and seek guidance from appropriate personnel.*

In relation to awareness or reasonable suspicion of sexual abuse/reasonable suspicion of likely sexual abuse, the process for reporting involves:

**Tabel 2: Key steps for reporting awareness or reasonable suspicion of sexual abuse/reasonable suspicion of likely sexual abuse**

<p>First Person identifies sexual abuse or likely sexual abuse of a student</p> <p><i>This is actioned via the Engage-Student Support System (Student Protection Reporting pathway)</i></p>	<p>The First Person may confer with the Principal, SPC at the school or a CEDC Professional Standards and Safeguarding Office team member</p> <p>The First Person must not inform or confer with the source of concern (person allegedly responsible for abuse)</p> <p>The First Person immediately completes and submits a Record of Concern (ROC) to the Principal or the Director of the Governing Body (or Delegate)</p> <p>If the First Person is the Principal, the Principal must give a written report to QPS immediately and provide a copy of the report to the Director of the Governing Body (or Delegate).</p> <p>On receipt of the written report from the First Person, the Principal or the Director of the Governing Body (or delegate) MUST immediately submit a State Authority Report (SAR) to the QPS</p> <p>The Principal or the Director of the Governing Body (or Delegate) advises the First Person in writing that a SAR has been submitted to the QPS</p>
<p>Where the alleged source of concern is the Principal</p> <p><i>This is actioned via the Engage- Student Support System (Student Protection Reporting pathway)</i></p>	<p>The First Person may confer with the Principal, SPC at the school or a CEDC Professional Standards and Safeguarding Office team member.</p> <p>The First Person must not inform or confer with the source of concern (person allegedly responsible for abuse)</p> <p>The First Person immediately completes and submits a ROC to the Director of the Governing Body (or Delegate)</p> <p>The Director of the Governing Body (or Delegate) MUST immediately submit a SAR to the QPS and advise the First person in writing that a SAR has been submitted to the QPS</p>

## Reminder

*Staff are not excused from their legal obligation to make a First Person Report on the basis that they believe that QPS is already aware of the matter. Therefore, regardless of whether QPS are present with staff when disclosures are made (for example, staff are acting as a support person for a student in a Section 17 Interview), or the person making the disclosure advises staff that QPS is already aware of the matter, the First Person is still required to make a First Person Report. The First Person Report provides an opportunity for the First Person to provide all relevant information about the student to QPS, which may assist in QPS's assessment and investigation of the student's harm*

## Important

*CEDC requires all reasonable suspicion that a student has experienced sexual abuse or likely sexual abuse are reported by staff to the QPS in accordance with these processes. This is irrespective of the context, i.e. during the course of the staff member's employment at the school, or in their private capacity outside the school*

*For the purposes of CEDC mandatory reporting of sexual abuse and likely sexual abuse relates to all students irrespective of their age (i.e. aged 18yrs and over)*

*Please contact Professional Standards and Safeguarding Office (Professional Standards or Student Protection team member) if you need to discuss staff responsibilities where a reasonable suspicion of sexual abuse or likely sexual abuse of a student aged 18 years has been identified.*

*Failure of a staff member to report sexual abuse/likely sexual abuse may breach the Code of Conduct and CEDC may need to take appropriate disciplinary action against the staff member. In addition, a staff member who fails to make a report in accordance with this obligation may also breach the Act and may be charged with this failure. A conviction of such an offence could result in a financial penalty in addition to investigation by the staff members' professional body*

If the first person is unable to progress a report to the Principal or Executive Director through the process detailed above, they can seek the assistance of a Professional Standards and Safeguarding team member to progress their report.

## 3.3 Requirement to report under the Criminal Code Act 1899

In accordance with Section 229BC of the Criminal Code Act 1899:

- all adults (including students 18 years and over, parents/carers and volunteers) are required to immediately report to QPS if they:
  - gain 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 either under 16 years or a person with an impairment of the mind.

Examples can include but not limited to:

- A teacher coaching netball for a private non-school related team and a disclosure of a sexual offence is made to them.
- A staff member is made aware through their friendship network of a sexual offence against a child.

Non-abusive sexual relationships between students/peers may fall outside of the mandatory responsibilities under the Child Protection Act 1999 and the Education (General Provisions) Act 2006 but must be reported under the Criminal Code 1899.

It is a reasonable excuse not to report under s229BC of the Criminal Code Act 1899 if a report has already been made under

- the Education (General Provisions) Act 2006 (reporting sexual abuse or likely sexual abuse) or
- the Child Protection Act 1999 (reporting significant harm or risk of significant harm)

If a report is required under the Criminal Code Act 1899 assistance to complete a Report to Queensland Police Service under the Criminal Code Act 1899 form can be obtained from the Principal, SPC at the school or the Professional Standards and Safeguarding Office. The form is also located on the Veritas – CEDC Staff Portal.

Without a reasonable excuse (see [Appendix 2: Legislative References](#)), an adult who fails to report a child sexual offence to the QPS commits a misdemeanour with a maximum penalty of three years imprisonment.

## Failure to protect a student from a child sexual offence

*In addition to the requirement to report a child sexual offence, under section 229BB of the Criminal Code Act 1899 it is a criminal offence for an Accountable Person, to fail to protect a child from a child sexual offence.*

*A failure to protect offence will be committed if an Accountable Person:*

- knows there is a significant risk that another adult (the alleged offender) will commit a child sexual offence in relation to a child; and
- the alleged offender is associated with the institution (school)
- the child is under the care, supervision or control of an institution (the school)
- the child is under 16 years old or has an impairment of the mind;
- the Accountable Person has the power or responsibility to reduce or remove the risk; and
- the Accountable Person wilfully or negligently fails to reduce or remove the risk.

*Failing to report sexual abuse or likely sexual abuse also breaches the Education (General Provisions) Act 2006, and CEDC's student protection reporting requirements.*

An adult who, in good faith discloses information about a child sexual offence to the QPS is not liable civilly, criminally or under an administrative process for making the disclosure.

Failure to report to QPS as soon as reasonably practicable after the belief is formed or ought reasonably to have been formed, without reasonable excuse is an offence.

## Resources

[Appendix 1: Definitions](#)

[Appendix 2: Legislative References](#)

[Appendix 3: Reporting Flowcharts](#)

[Appendix 4: Tips for writing a comprehensive student protection report](#)

[Appendix 5: Frequently Asked Questions](#)

### 3.4 Requirement to report to the Department responsible for Child Safety under the Child Protection Act 1999

#### What are our obligations?

Section 13E (1) of the Child Protection Act 1999 identifies teachers, registered nurses, doctors, child advocates under the Public Guardian Act 2014 and early childhood education and care professionals as mandatory reporters.

These staff are mandated to submit a report to the Department responsible for Child Safety when they have a reasonable suspicion that a child:

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

This brings with it consequences for not fulfilling these obligations. These obligations cannot be delegated or transferred to another person.

Although the Child Protection Act 1999 only identifies certain staff as mandatory reporters, CEDC requires all school staff (including those who are not mandatory reporters under this legislation) to report reasonable suspicions of harm or risk of harm to a student, child or young person to the Principal, and or SPC at the school.

Further, all school staff have other mandatory reporting responsibilities, as outlined in this document.

The First Person has a responsibility to safeguard the child and must follow the reporting requirements set out in this document. This may include conferral with the Principal and or SPC and completion of a report.

It is recommended that a First Person/Mandatory Reporter confer with the Principal or SPC at the school, to assist the First Person/Mandatory Reporter to determine whether a child may have a parent able and willing to protect them from the harm or abuse

If the Principal is involved in the allegations, guidance can be sought from the Professional Standards and Safeguarding Office.

The process for reporting is outlined below:

**Table 3: Reporting process for significant harm or risk of significant harm**

<p>First person (this refers to a staff member who reasonably suspects significant harm or risk of significant harm to a student; and believes that there may not be a parent able and willing to protect the student from the harm)</p> <p><i>This is actioned via the Engage-Student Support System (Student Protection Reporting pathway)</i></p>	<p>Following conferral, the First Person immediately completes and submits a ROC to the Principal.</p>
	<p>The Principal must submit a SAR to the Department responsible for Child Safety without delay.</p> <p>If the First Person is the Principal the steps remain the same – the Principal completes a ROC and submits a SAR to the Department responsible for Child Safety.</p>
	<p>The Principal advises First Person in writing that a SAR has been submitted to Department responsible for Child Safety.</p>
<p>Where the alleged source of concern is the Principal</p> <p><i>This is actioned via the Engage-Student Support System (Student Protection Reporting pathway)</i></p>	<p>Following conferral, the First Person immediately completes and submits a ROC to the Executive Manager Professional Standards and Safeguarding Office (PSSO)</p>
	<p>The Executive Manager PSSO (or delegate) submits a SAR to the Department responsible for Child Safety as soon as possible</p>
	<p>The Executive Manager PSSO (or delegate) advised the First Person in writing that a SAR has been submitted to the Department responsible for Child Safety</p>

This process is actioned via a Student Protection – Record of Concern (SP-ROC) via the Engage -Student Support System

If a person is a mandatory reporter under the Child Protection Act 1999 (as outlined in section 3.4) the legislative mandatory reporting obligation remains with them.

The Principal or Director of the Governing Body (or Delegate) must advise the First Person/Mandatory Reporter that a report has been submitted to the Department responsible for Child Safety. This is actioned via the Engage – Student Support System when a State Authority Report (SAR) has been submitted to the Department responsible for Child Safety.

A mandatory reporter who is unable to confirm that a report has been made, or who is unable to progress a report to the Department responsible for Child Safety through the process detailed above must meet their mandatory reporting obligation by reporting directly to Child Safety. This can be achieved by using the [online reporting form](#) or phoning the Department responsible for Child Safety Regional Intake Service (Toll free 1300 706 147) and documenting that this action has been taken in a case note in the Engage - Student Support System.

The Professional Standards and Safeguarding Office is also available to provide assistance if required.

The process of submitting reports through the Principal or Executive Director (or delegate), must at all times ensure that the integrity of the information in the report by the First Person is maintained.

## Important

*Although the Child Protection Act 1999 only identifies certain staff as mandatory reporters and limits the mandatory reporting to reasonable suspicions formed in the course of their engagement in their role, CEDC requires all staff to report reasonable suspicions of harm/risk of harm to a student where there may not be a parent able and willing to protect the student from the harm, regardless of when they are formed. All staff are required to follow the processes set out in this document.*

## Resources

[Appendix 3: Reporting Flowcharts](#)

[Appendix 5: Frequently Asked Questions](#)

[Student Protection Guidelines](#)

## 3.5 Requirement to respond to all harm allegation

In accordance with section 16 (1) of the *Education (Accreditation of Non-State Schools) Regulation 2017*, a school must have written processes to respond to harm or allegations of harm to a student. Therefore, in addition to the requirements already outlined in Section 3, staff have a responsibility to respond to all harm or allegations of harm to a student irrespective of the cause and source of the harm. This section outlines staff responsibilities.

### 3.5.1 Allegations of harm / risk of harm by an adult associated with the school (staff member, volunteer or other personnel)

Staff who form a reasonable suspicion that a student has suffered or is at risk of harm by the Principal, a staff member or adult associated with the school (including volunteers) must follow the processes outlined in section 3 of this document.

Consideration must also be taken with regard to CEDC processes for risk management and support to address the safety and wellbeing of students.

In accordance with section 16(2) of the *Education (Accreditation of Non-State Schools) Regulation 2017*, a school must have a process for the reporting of staff behaviour that considers to be inappropriate.

Additionally, a school must have a process to respond to the reported staff inappropriate behaviour. These processes are found in [Section 4](#) of this document. Inappropriate behaviour may occur where there is a

violation of professional boundaries. A description of professional boundaries and professional boundary violations can be found in Section 10 the [Student Protection Guidelines](#).

## Reminder

*Conferral with appropriate colleagues is an opportunity to discuss and establish whether the information you have received may constitute harm to a student.*

### 3.5.2 Harm or risk of harm to a student caused by non-suicidal self-injury (self-harm)

All CEDC staff must respond to students who deliberately cause pain or damage to their own body which can be suicidal or non-suicidal in intent. The priority is the immediate safety of the student. This includes determining if medical attention such as first aid is required and/or an immediate response from emergency services or mental health services is required.

Self-harm can take on different forms and its frequency, persistence and lethality can vary from student to student. Self-harm is normally a sign that a student is feeling intense emotional pain and distress. Therefore, self-harming behaviour by a student must be reported immediately to the Principal and/or a SPC at the school.

Staff have a responsibility to report the harm/risk of harm to the Department responsible for Child Safety as per [section 3.4](#) if they form a reasonable suspicion that a student:

- has suffered, is suffering or is at unacceptable risk of significant harm, because of their self-harming behaviour, and
- may not have a parent able and willing to protect the student from harm, (for example refusing to support the student in accessing medical or psychological care or unable to take protective action).

**Table 4: Key steps for responding to non-suicidal self-injury (self-harm) and/or suicide ideation by a student**

Staff identifies student has engaged in self-harm or at risk of self-harming behaviour
Immediately respond to the medical and psychological needs of the student. This may include but not limited to administering first aid, contacting emergency services, contacting mental health services School Counsellor must also be consulted
Report concerns to the Principal or SPC at the school
Has significant harm or risk of significant harm occurred? If YES - Refer to section 3.4 for reporting to the Department responsible for Child Safety. If NO - focus on supporting student
Contact the student's parent/carer if appropriate
Confer with the Principal or SPC at the school to determine if this is appropriate and who is best placed to do this. NOTE: this should not occur if contacting the parent/carer places the student at further risk of harm. Refer to Section 3.4

## Reminder

*The first priority is always to ensure the immediate safety and wellbeing of the student.*

## Resources

[Student Protection Guidelines](#)

### 3.5.3 Harm or risk of harm to a student caused by another student

Where a First Person suspects that a student has been harmed or is at risk of being harmed by another student, the concerns must be reported to the Principal or SPC at the school. With the guidance of the Principal and/or SPC, appropriate responses to the concern include:

- prioritising the safety of the student, this includes attention to any medical treatment
- making a written report to the QPS if a staff member forms a reasonable suspicion that a student has been sexually abused or is likely to be sexually abused by another student as outlined in [section 3.2](#) of this document
- making a written report to the Department responsible for Child Safety if a staff member forms a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of significant harm by another student AND may not have a parent able and willing to protect the student from harm as outlined in [section 3.4](#) of this document.
- responding to the student's behaviour in accordance with CEDC's Student Behaviour Support policy and procedure
- developing a risk assessment to identify and mitigate risks to both students and inform decision making
- responding to alleged bullying behaviour, (including online bullying) in accordance with CEDC's policy and procedures for preventing and responding to student bullying and harassment
- where criminal offences have been alleged, for example the serious assault of a student by another student over the age of 10 years, advising parents/carers of the option to pursue action through the QPS and reassuring the parents/carers that CEDC will cooperate with any resulting investigation.

Table 5: Process for responding to harm caused by another student

Staff identifies student has experienced or is at risk of harm by another student
Immediately respond to the medical and psychological needs of the student. This may include but not limited to administering first aid, contacting emergency services, contacting mental health services, and/or contacting a parent/carer.
Report concerns to the Principal or SPC
Responding to the student's behaviour in accordance with CEDC's Student Behaviour Support policy and procedure.
Contact the student's parent/carer
Confer with the Principal or SPC at the school. to determine if this is appropriate and who is best placed to do this. Note this should not occur if this would place the student at further risk of harm.
Discharge reporting obligations
Consider if written reports need to be made in accordance with this document, including to the Department responsible for Child Safety and/or QLD Police Service

### 3.5.4 Responding to student sexual behaviour

Sexual behaviours of various kinds may be evident in children, particularly in the early years. Some forms of sexual behaviour may be considered typical and appropriate for the child's age and stage of development.

Other behaviours may indicate that the child could have been exposed to inappropriate material or experiences (for example, reports of very young children knowing about and experimenting with oral sex).

Suspicion that a student has been sexually abused may also be formed in some circumstances where a student exhibits concerning sexual behaviour. In these circumstances, the First Person must follow:

- the Framework for responding to and reporting student protection concerns of Identify, Confer, Report, Support, and
- reporting as per this document, which may include a report to the Queensland Police Service, and/or the Department responsible for Child Safety.

## Resources

[\*Sexual Behaviour in children and young people guideline\*](#) (Department of Education, Government of South Australia, 2022 )

[\*Developmental and Harmful Sexual Behaviour Continuum at a Glance\*](#) (Evolve Therapeutic Services & Office of the Child Practitioner, Queensland Government, 2023)



### 3.5.5 Unlawful Peer sexual activity

When considering this matter, it is important for staff members to understand that there is a difference between the **sexual abuse of a student** and **unlawful peer sexual activity**. Young people **under the age of 16yrs cannot legally consent to sexual acts with others** and to engage in such activity is unlawful even if the young person has, or appears to have, consented.

If there is no imbalance of power or coercion involved, the activity may not be sexually abusive. On the other hand, young people over 16 years of age can be subjected to sexual abuse using power and improper use of authority even if the young person appears to have consented in some way.

### 3.5.6 Harm or risk of harm to a student caused by a person not associated with the school or family

There may be some circumstances where a staff member becomes aware of a concern that a student has been harmed, or is at risk of harm, by a person not associated with the school or family. For example, a partner or ex-partner of a student; another person in the student's social network such as a medical or allied health professional, support worker, tutor or extracurricular service provider or a stranger.

In these circumstances, the First Person must follow the Framework for responding to and reporting student protection concerns of Identify, Confer, Report, Support. This includes:

- identifying if a reasonable suspicion or significant harm has occurred; and
- reporting as per this document, which may include a report to the Queensland Police Service, and/or the Department responsible for Child Safety.

## Reminder

*The first priority is the safety of the student*



**Table 6: Key steps for responding to harm or risk of harm caused by a person not associated with the school or family.**

Ensure Safety
The first step is to ensure the safety and wellbeing of the student.
Identify
Consider if the harm or risk of harm is significant and if there is a parent able and willing to protect the student from the harm. If YES - Notify parent/carer as soon as possible. If NO - Confer and report as outlined in Student Protection Processes section 3: Reporting Requirements.
Confer
Conferral with the Principal, SPC at the school or a PSSO team member is recommended. As part of conferral determine if it is appropriate to inform the parent/carer.
Report
Follow the reporting process detailed in section 3: Reporting Requirements In the case of immediate risk of harm, e.g. abduction of a student immediately contact the QPS on 000.
Support
Ensure all appropriate support is offered to the student. Staff member seeks own support as required.

## 3.6 Responding to concerns that do not meet the threshold for reporting harm

A First Person may identify concerns regarding a student that does not form a reasonable suspicion of sexual abuse, likely sexual abuse, or significant harm. However, the assessment or professional judgement of the First Person may indicate that without support or intervention, a student and/or their family are at risk of entering the child protection system.

These concerns should be raised with the Principal and SPC, who may refer the student/and or their family to the appropriate service. This may include support options through the school, such as the Guidance Counsellor, or community-based options such as Family and Child Connect.

A First Person may also identify concerns regarding a student that may not meet reporting thresholds because of the age of the student. A First Person must always report the concerns to the Principal irrespective of the age of the student (or a director of the Governing Body if the allegations involve the Principal), so appropriate next steps can be determined

## Resources

[Student Protection Guidelines](#)

## 4 ALLEGATIONS OF STAFF INAPPROPRIATE BEHAVIOUR (SIB) TOWARDS AS A STUDENT

Inappropriate behaviour by a staff member is defined as violations of professional boundaries. A description of professional boundaries can be found at section 10 [Student Protection Guidelines](#) and section 17 of the CEDC Staff Code of Conduct.

Our obligations include adherence to section 16 (2) of the *Education (Accreditation of Non-State Schools) Regulation 2017* a school must have:

- a process for the reporting of staff behaviour that a student considers to be inappropriate
- a process to respond to the reported staff inappropriate behaviour.

If a CEDC student considers the conduct of a staff member to be inappropriate, they may report their concerns to the Principal, SPC at their school, the Professional Standards and Safeguarding Office or any staff member they feel comfortable speaking with. Any staff who receives a report of alleged staff inappropriate behaviour from a student must follow the processes set out in this document without delay.

**Table 2: Allegations of Staff Inappropriate Behaviour Actions**

Staff Responsible	Actions
All Staff	<p>Identify staff-student interactions that may be contrary to the CEDC Staff Code of Conduct.</p> <p>Confer with the Principal, Student Protection Contact (SPC) at the school or a CEDC Professional Standards and Safeguarding Office team member.</p> <p>Complete, and submit a Staff Inappropriate Behaviour - Record of Concern (SIB - ROC) via the Staff Inappropriate Behaviour Case Management System (SIBCMS)</p> <p>Support the student and family as advised by Principal or a Professional Standards and Safeguarding Office team member.</p>
Principal	<p>Confer with relevant personnel in CEDC, e.g. Director of School Effectiveness, a CEDC Professional Standards and Safeguarding Office team member.</p> <p>Complete and submit a ROC in the SIBCMS if not already created by the staff member. Assess the ROC in the SIBCMS.</p> <p>Facilitate support for the student and the family as appropriate.</p> <p>Seek advice from the Professional Standards and Safeguarding Office regarding appropriate risk management and support.</p>

## Reminder

*Staff members must not notify the source of concern (person allegedly responsible for the alleged inappropriate behaviour) or confer with a person potentially involved in the concern*

Most importantly, a staff member is required to report identified concerns about alleged inappropriate behaviour by another staff member to a student, your responsibility is to report this to the Principal, SPC or a Professional Standards and Safeguarding Office team member by completing a SIB ROC in the SIBCMS. The concerns will be investigated in accordance with the relevant CEDC procedure.

Your responsibility is to report. See section 10 [Student Protection Guidelines](#) about why reporting is important.

### 4.1 Report from a student about alleged staff inappropriate behaviour

If a CEDC student considers the conduct of a staff member to be inappropriate, they may report their concerns to the Principal, SPC at their school, the Professional Standards and Safeguarding Office or any staff member they feel comfortable speaking with. Any staff who receives a report of alleged staff inappropriate behaviour from a student, must follow the processes set out in this document

This includes:

- identifying if a reasonable suspicion of abuse/harm or risk of abuse/harm has occurred; and
- following the reporting requirements outlined in this document, which may include a report to the Queensland Police Services, and/or the Department responsible for Child Safety; and
- informing the Principal or the Executive Manager Professional Standards and Safeguarding Office (if the Principal is involved in the allegation) about the concerns.

### 4.2 Responding to alleged staff inappropriate behaviour (SIB) towards a student

There are two intervention levels that may be considered when responding to alleged inappropriate behaviour by a staff member towards a student. Each intervention level has a different management process. A Professional Standards and Safeguarding Office team member will assess the appropriate level in responding to the concerns reported in the SIB - ROC and will consult with the Principal of the school.

Table 3: Response to alleged staff inappropriate behaviour (SIB)

Intervention for responding to concerns about alleged minor inappropriate behaviour by a staff member towards a student (Level 1 intervention)	Intervention for responding to reports of repeated, serious, or more complex inappropriate behaviour by a staff member towards a student (Level 2 intervention)
<p>Responses are coordinated and managed at the school level by the Principal with the advice and support of the Professional Standards and Safeguarding Office. Where the concerns relate to the Principal, the responses will be coordinated by the Executive Manager Professional Standards and Safeguarding Office (or delegate) who will advise the Executive Director (or delegate).</p>	<p>The management of the process and gathering of responses are coordinated and managed by the Professional Standards and Safeguarding Office, with the support of the</p>
	<p>Principal. Where the concerns relate to the Principal, the responses will be coordinated by the Executive Manager Professional Standards and Safeguarding Office who will advise the Executive Director (or delegate)</p>
	<p>Where the concerns relate to allegations or reasonable suspicion of sexual abuse or likely sexual abuse of a student, a mandatory report will also be made to the Queensland Police Service (QPS) and consideration will be given whether a State Authority Report (SAR) is required to be sent to the Department responsible for Child Safety.</p>
	<p>Where the concerns relate to allegations or reasonable suspicion of, or likely physical, psychological, or emotional abuse of a student, a mandatory report will also be made to the Department responsible for Child Safety and the QPS and Queensland College of Teachers if appropriate.</p>
	<p>Where the alleged inappropriate behaviour is by a staff member who is a cleric or member of a religious order, the Catholic Education processes for reporting will be followed by the Principal. The Principal will inform the Executive Manager Professional Standards and Safeguarding Office as soon as possible</p>

The following resource will assist you in managing allegations/complaints relating to alleged SIB matters:

- Grievance Policy (Maintaining Right Relations)
- Grievance Procedure (Maintaining Right Relations)
- Employee misconduct and investigation processes Procedure

## Important

*The involvement of any CEDC staff member or volunteer or other personnel in sexual activity with, or sexual exploitation of a student is sexual abuse. This must be immediately reported as per section 366 and 366A of the Education (General Provisions) Act 2006 and/or 229BC of the Criminal Code 1899*

## Resources

[Requirement to report to Queensland Police Service](#)  
[Student Protection Guidelines](#)

### 4.3 Responding to alleged inappropriate behaviour towards a student by a volunteer or other adult associated with the school

If alleged inappropriate behaviour by a volunteer or other personnel towards a student has been identified, the Principal will take appropriate steps, with the relevant employer, if necessary, to deal with the matter.

Principals or their delegates are encouraged to seek advice from the Professional Standards and Safeguarding Office in managing these matters.

### 4.4 Reporting to the Queensland College of Teachers

In accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005 (Qld)*, when CEDC deals with an allegation of harm caused, or likely to be caused to a child because of the conduct of a teacher from a CEDC school, CEDC must provide a report to the Queensland College of Teachers as soon as practicable after starting to deal with the allegation.

The report must include:

- the name of the employing authority and, if the name of the authority is different to the name of the prescribed school, the name of the prescribed school;
- the name of the relevant teacher;
- the day the employing authority started dealing with the allegation;
- the allegation, particulars of the allegation and any other relevant information;
- details about what actions the employing authority has taken to deal with the allegation.

A report must also be given as soon as practicable after CEDC stops dealing with the allegation for any reason, in accordance with section 77 of the *Education (Queensland College of Teachers) Act 2005 (Qld)*.



# 5 WRITING EFFECTIVE STUDENT PROTECTION RECORDS

Accurate and comprehensive student protection records help CEDC keep students safe. Ineffective records can create delays and failures in identifying and managing risks and incidents of abuse, harm and other inappropriate behaviours.

Effective records mean accurate documentation:

- about the incident, complaint, allegation or disclosure
- details of conversations and follow-up actions taken by staff
- details of reasons for decisions/outcomes
- details of communications with other persons such as state authorities and/or CEDC Professional Standards and Safeguarding Office.

Effective record keeping assists with:

- information sharing to protect students
- monitoring the safety and wellbeing of the students
- making the most appropriate decisions about safety and wellbeing for students
- assisting in the identification of risks and incidents of abuse, harm or inappropriate behaviour towards a student by a staff member, volunteer or other personnel
- recording actions taken to ensure the safety of students and demonstrate accountability and transparency

It is the responsibility of the First Person to complete a comprehensive report of student protection concerns. The First Person is encouraged to seek assistance from the Student Protection Contact and/or Principal as outlined in this document.

## Resources

[Appendix 2: Legislative references](#)

[Appendix 4: Tips for writing a comprehensive report of concerns](#)



## 6 AFTER THE REPORT IS MADE

The school's responsibility does not end with the report. The report is one step in an ongoing process that focuses on the safety and wellbeing of our students.

**Table 4 : Parallel process of safeguarding and supporting**

Following submission of the State Authority Report (SAR)	Throughout the process
Confirm receipt of the SAR and seek information from the QPS and/or Department responsible for Child Safety about their proposed response.	Provide support to address students' ongoing safety and wellbeing needs. Arrange for an appropriate staff member to follow up with the student regularly to check on the student's safety and wellbeing.  Enable the child to inform safety and support measures as age and developmentally appropriate.
Conduct, review, and record risk management strategies to address ongoing safety needs of the student/s and others in the community where required.	As appropriate, maintain a supportive relationship with parents/carers.
Where relevant prepare the student for child protection interviews by the Department responsible for Child Safety or Queensland Police Service (QPS).	Ensure all parties involved understand the importance of respecting the confidentiality and privacy of the students and families involved.

Our responsibility does not end with the report. The report is one step in an ongoing process that focuses on ensuring the safety and wellbeing of our students.

Follow up action includes:

- The Principal confirming receipt of the report and actions with Queensland Police Service and/or the department responsible for Child Safety to confirm both receipt of the report, and any action that these agencies may take. Wherever possible ask for written confirmation. All SAR's submitted from within the Engage – SP ROC pathway request receipt confirmation.
- Implementing risk management processes to address safety concerns of the student, this includes between students where harm has occurred.
- Providing or organising pastoral support to address the well-being of students. Ensure appropriate follow up is provided with the student.
- Maintaining supportive relationships with parents/carers, and families.
- Ensuring all parties involved respect the confidentiality and privacy of students and families involved.
- Where relevant, preparing for child protection interviews by assuring confidentiality, safety, and support. Seek advice from <specified child protection contact> to support the student and prepare for any interview.



## Resources

[Appendix 5: Frequently asked questions](#)

*Child Safety and/or Police interview on school premises located on Veritas (CEDC staff portal)*

## 7 ADVISING PARENTS/CARERS

When a student protection report to the Queensland Police Service and/or the Department responsible for Child Safety is required, CEDC personnel must consider when or if parents/carers are advised of the report.

It is recognised that in some situation's parents/carers should be advised immediately or just prior to the report being submitted, as the primary carers of the student. This acknowledges that we want to work with families/carers to support their children. However, in other circumstances it is recommended that parents/carers are advised after the report is made.

The following guidelines are recommended to support decision making:

- Confer with appropriate personnel as specified in this document which includes assessing the risks of when to advise the parent/carer.
- Conferral may also include seeking guidance from relevant authorities, The Queensland Police Service and/or Child Protection Regional Intake Service.
- Assessing the risk of when to advise the parent/carer involves determining what is in the student's best interests. This includes determining whether there is a reasonable belief that:
  - Someone may be charged with a criminal offence for the harm and advising the family would jeopardise the investigation. For example:
    - The alleged person responsible for the harm/abuse is one of the student's parents/carers;
    - the alleged person responsible for the harm/abuse may abscond with the student;
    - risk that the parent/carer may confront a student allegedly responsible for harming their child.
- Advising the parent/carer may expose the student to harm. For example, the parent/carer may blame the student or threaten them which can cause greater harm, impeding both the investigation and access to support.
- Advising the parent/carer may expose staff to harm.
- Where the suspected abuse or neglect is by a member of the student's family, the Principal, or a director of the Governing Body (or delegate) will only inform the parent/carer of the protection concern if appropriate and once guidance is sought from the Queensland Police Service or the Department responsible for Child Safety.

It is recommended that the Principal or the director of the Governing Body (or delegate) seek immediate guidance from the Queensland Police Service and/or the department responsible for Child Safety as to when it is appropriate to discuss the matter with the student's parent/carer.



The priority of all CEDC personnel must remain on the safety and wellbeing of the student, and ensuring they have access to appropriate support including by parents/carers.



# APPENDIX 1: Definitions

Accountable Person	<p>In accordance with the <i>Criminal Code Act 1899</i>, an 'accountable person' means an adult who is associated with an institution such as CEDC, other than a regulated volunteer.</p> <p>In accordance with s229BB of the <i>Criminal Code Act 1899</i>, an accountable person commits a crime if they fail to protect a child from a child sexual offence (see Failure to Protect definition below for details).</p>
Alleged staff inappropriate behaviour (SIB) towards a student	<p>Alleged staff inappropriate behaviour (SIB) towards a student includes but is not limited to any behaviour, including words, towards a student, that is contrary to what is required of staff members under the CEDC Code of Conduct.</p> <p>Further, any report from a person about a staff member's behaviour towards a student that the person making the report considers to be inappropriate is to be taken as an allegation of inappropriate behaviour. This must be responded to in accordance with the processes contained within this document.</p>
Child	A child is a person under 18 years of age.
Child in Need of Protection	<p>Child in Need of Protection is a child who-</p> <ul style="list-style-type: none"> <li>(a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and</li> <li>(b) does not have a parent able and willing to protect the child from the harm.</li> </ul>
Child Sexual Offence (Criminal Code 1899 Chapter 2)	<p>Child sexual offence means an offence of a sexual nature committed in relation to a child.</p> <p>S229BC identifies child sexual offence as</p> <ul style="list-style-type: none"> <li>(a) ...a child sexual offence is being or has been committed against a child by another adult; and</li> <li>(b) At the relevant time, the child is or was: <ul style="list-style-type: none"> <li>(i) Under 16 years; or</li> <li>(ii) A person with an impairment of the mind.</li> </ul> </li> </ul> <p>Sexual assault includes</p> <p>Any person who –</p> <ul style="list-style-type: none"> <li>(a) Unlawfully and indecently assaults another person; or</li> <li>(b) Procures another person, without the person's consent – <ul style="list-style-type: none"> <li>i. to commit an act of gross indecency; or</li> <li>ii. to witness an act of gross indecency by the person or any other person;</li> </ul> </li> </ul> <p>is guilty of a crime.</p> <p>The Criminal Code specifies different levels of criminal action towards a child which includes indecent treatment of a child under 16, carnal knowledge with or of children under 16, procuring of a child for carnal knowledge or sexual acts, using internet etc., to procure children under 16, grooming a child under 16</p>



Colleague	As defined by section 13H of the <i>Child Protection Act 1999</i> , colleague, of a relevant person, means a person working in or for the same entity as the relevant person
Director of the Governing Body	As defined by section 364 of the <i>Education (General Provisions) Act 2006</i> :  The Director of a non-State school's governing body, means a director of the governing body within the meaning of the Education (Accreditation of Non-State Schools) Act 2017, section 9.
Engage – Student Support System (Student Protection – Record of Concern)	The Engage – Student Support System (Student Protection – Record of Concern) is the Catholic Education Diocese of Cairns CEDC database for the collection and storage of all information relating to a reasonable suspicion of abuse or harm of a student. The Engage – Student Support System enables any staff member to record the details of any student protection concern in the form of a Record of Concern (ROC) and for mandated staff to make a Student Protection Report to a State Authority
Executive Manager Professional Standards and Safeguarding Office	The Executive Manager is the person appointed and holding the office of Executive Manager Professional Standards within CEDC: otherwise, the person who has been appointed to act in the role of the Executive Manager Professional Standards and Safeguarding Office
Failure to Protect	<p>Section 229BB of the Criminal Code defines Failure to protect a child from child sexual offence as follows.</p> <p>(1) An accountable person commits a crime if:</p> <ul style="list-style-type: none"> <li>(a) the person knows there is a significant risk that another adult (the "alleged offender") will commit a child sexual offence in relation to a child</li> <li>(b) the alleged offender <ul style="list-style-type: none"> <li>(i) is associated with an institution</li> <li>(ii) is a regulated volunteer</li> </ul> </li> <li>(c) the child is under the care, supervision or control of an institution; and</li> <li>(d) the child is either— <ul style="list-style-type: none"> <li>(i) under 16 years; or</li> <li>(ii) a person with an impairment of the mind; and</li> </ul> </li> <li>(e) the person has the power or responsibility to reduce or remove the risk</li> <li>(f) the person willfully or negligently fails to reduce or remove the risk.</li> </ul> <p><b>Maximum penalty—5 years' imprisonment.</b></p>
Failure to Report	<p>As per s229BC of the Criminal Code states a criminal offence is committed when any adult in Queensland, including students who are 18 years or older, parents/guardians and volunteers fails to report to the Queensland Police Service (QPS) a reasonable belief that a child sexual offence is being or has been committed against a child by another adult without a reasonable excuse.</p> <p>A reasonable excuse not to make a report includes that a report has already been made under:</p>



	<p>(a) the <i>Education (General Provisions) Act 2006</i> (reporting sexual abuse or likely sexual abuse)</p> <p>(a) the Child Protection Act 1999 (reporting significant harm or risk of significant harm).</p> <p>NOTE: A recent legislative amendment added a reasonable excuse for not reporting a child sexual offence in situations where an adult gains the information after the child turns 16yrs and the child has clearly articulated not wanting to report the matter to the police. This reasonable excuse does not apply to school staff who have mandatory reporting obligations, under the <i>Education (General Provisions) Act 2006</i> to report reasonable suspicion of sexual abuse of a student under 18yrs old.</p> <p><b>Maximum penalty—3 years’ imprisonment</b></p>
<p>Frist Person (<i>s366-s366A Education (General Provisions) Act 2006</i>)</p>	<p>The First Person is a staff member who becomes aware of or reasonably suspects, during the staff member’s employment at the school, that a student under 18 years attending the school has been sexually abused by another person or is likely to be sexually abused by another person.</p> <p>In addition, for the purposes of this document, the First Person is defined as any person who is part of the school community who becomes aware of or reasonably suspects that a student attending the school has experienced or is at significant risk of experiencing all harm because of abuse, including alleged staff inappropriate behaviour (SIB) towards a student.</p> <p>The First Person has responsibility for commencing the reporting processes once they become aware of or reasonably suspect significant abuse, harm or the risk of significant abuse, harm to a student and/or another child in the community. This responsibility cannot be delegated to someone else.</p>
<p>Harm</p>	<p>As defined by section 9 of the Child Protection Act 1999:</p> <p>(a) Harm, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.</p> <p>(b) It is immaterial how the harm is caused.</p> <p>(c) Harm can be caused by—</p> <ul style="list-style-type: none"> <li>(i) physical, psychological or emotional abuse or neglect; or</li> <li>(ii) sexual abuse or exploitation.</li> </ul> <p>(d) Harm can be caused by—</p> <ul style="list-style-type: none"> <li>(i) a single act, omission or circumstance; or</li> <li>(ii) a series or combination of acts, omissions or circumstances.</li> </ul>



## APPENDIX 2: Legislative references

### Child Protection Act 1999

Reporting of a child in need of protection	<p>Section 13 A states</p> <ol style="list-style-type: none"> <li>(1) Any person may inform the chief executive if the person reasonably suspects               <ol style="list-style-type: none"> <li>(a) child may be in need of protection; or</li> <li>(b) an unborn child may be in need of protection after he or she is born.</li> </ol> </li> <li>(2) The information given may include anything the person considers relevant to the person's suspicion.</li> </ol>
Forming a reasonable suspicion of significant harm	<p>Section 13C of the Child Protection Act 1999 offers some guidance around forming a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of suffering significant harm:</p> <ol style="list-style-type: none"> <li>(2) The matters that the person may consider include:               <ol style="list-style-type: none"> <li>a. whether there are detrimental effects on the child's body or the child's psychological or emotional state -                   <ol style="list-style-type: none"> <li>(i) that are evident to the person; or</li> <li>(ii) that the person considers are likely to become evident in the future; and</li> </ol> </li> <li>b. In relation to any detrimental effects mentioned in paragraph (a)-                   <ol style="list-style-type: none"> <li>(i) their nature and severity; and</li> <li>(ii) the likelihood that they will continue; and</li> </ol> </li> <li>c. the child's age.</li> </ol> </li> <li>(3) The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.</li> </ol>
Reportable Suspicions	<p>Section 13E of the <i>Child Protection Act 1999</i> includes the mandatory reporting requirement for teachers to report a reasonable suspicion to the Department responsible for Child Safety, that a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse where there may not be a parent willing and able to protect the child from the harm (a "reportable suspicion").</p> <p>Section 13G (5) states that a person does not commit an offence under the <i>Child Protection Act 1999</i> or any other act for failing to make a mandatory report under section 13E.</p>
Conferral with colleagues	<p>13H of the Child Protection Act 1999 - Conferrals with colleague and related information sharing, states that:</p> <ol style="list-style-type: none"> <li>(1) A relevant person may give information to a colleague, and a colleague may give information to a relevant person, for any of the following purposes—</li> </ol>



- (a) for the relevant person to form a suspicion about whether a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse;
- (b) in the case of a relevant person under section 13E—for the relevant person to form a suspicion about whether a child has a parent able and willing to protect the child from harm mentioned in paragraph;
- (c) for the relevant person to give a report under section 13G or keep a record about giving a report;
- (d) for the relevant person or colleague to take appropriate action to deal with suspected harm or risk of harm to a child.

#### Interviews with Children at School

Section 17 of the *Child Protection Act 1999* provides Department responsible for Child Safety and Queensland Police Service officers with the legislative authority to have contact with a child at a school prior to the parents being told of the contact with the child and the reasons for the contact, as part of an investigation and assessment.

## Child Protection Regulation 2023

The Child Protection Regulation 2023 specifies particular information which is required in mandatory reports under the *Child Protection Act 1999 (the Act)*.

Section 4 Information to be included in reports—for section 13G(2)(b) of the Act, the following information is prescribed—

- (a) the child's name, age and sex descriptor;
- (b) details of how to contact the child;

Examples of how to contact a child—

- the address at which the child usually lives
- the name and address of the school the child attends
- (c) details of the harm to which the reportable suspicion relates;
- (d) 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;
- (e) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

## Education (Accreditation of Non-State Schools) Act 2017 and Education (Accreditation of Non-State Schools) Regulation 2017

The Education (Accreditation of Non-State Schools) Act 2017 establishes an accreditation regime for the accreditation of non-state schools. The Act also establishes penalties for non-compliance with the accreditation criteria.

The Education (Accreditation of Non-State Schools) Regulation 2017 prescribes the accreditation criteria relevant for a non-state school's accreditation as mentioned in section 11 of the Act. Sections 16(1) to 16(7) of the Regulation deal with the accreditation requirements relating to the conduct of staff and students and response to harm.



## Education (General Provisions) Act 2006

The *Education (General Provisions) Act 2006* contains mandatory reporting requirements for all non-state school staff who become aware of or who reasonably suspect that a student has been sexually abused or is likely to be sexually abused by another person (sections 366 and 366A).

These requirements include sexual abuse, suspected sexual abuse and likely sexual abuse of students by another person. A staff member or Principal who fails to comply with the mandatory reporting requirements in relation to the sexual abuse or suspected sexual abuse of a student commits an offence under section 366 of the *Education (General Provisions) Act 2006* and is liable for a penalty of up to 20 penalty units. However, a person does not commit an offence for failing to report the likely sexual abuse of a student under section 366A of the *Education (General Provisions) Act 2006*.

Staff making a report in accordance with the *Education (General Provisions) Act 2006* will be protected from civil or criminal liability e.g., from defamation or breach of confidence.

However, staff making a knowingly false, malicious, or vexatious report will not be protected by this immunity and may risk action for defamation, disciplinary action by their employer or disciplinary action by the Queensland College of Teachers.

## Education (General Provisions) Regulation 2017

The *Education (General Provisions) Regulation 2017* specifies particular information which is required in mandatory reports under the *Education (General Provisions) Act 2017* (the Act).

Section 68 Report about sexual abuse—Act, ss 365 and 366

A report under section 365(3) or 366(3) of the Act must include the following particulars—

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

Section 69 Report about suspicion of likely sexual abuse—Act, ss 365A and 366A A report under section 365A(4) or 366A(5) of the Act must include the following particulars—

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





## Criminal Code Act 1899

Section 229BC of *Criminal Code Act 1899* establishes a general requirement that applies to all adults (including students 18 years or over, parents/ guardians and volunteers ) in Queensland to report to the Queensland Police Service QPS any 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.

At the time of the offending behaviour, the child victim must be under 16 years of age or a person with an impairment of the mind. A 'child sexual offence' means an offence of a sexual nature [whether or not it meets the definition of sexual abuse under the Education (General Provisions) Act 2006] committed in relation to a child, including for example, an offence against a provision of chapter 22 and 32 of the *Criminal Code Act 1899*.

### Failure to protect a child from sexual offence s229BB

- (1) An accountable person commits a crime if—
  - (a) the person knows there is a significant risk that another adult (the “alleged offender”) will commit a child sexual offence in relation to a child; and
  - (b) the alleged offender—
    - (i) is associated with an institution; or
    - (ii) is a regulated volunteer; and
  - (c) the child is under the care, supervision, or control of an institution; and
  - (d) the child is either—
    - (i) under 16 years; or
    - (ii) a person with an impairment of the mind; and
  - (e) the person has the power or responsibility to reduce or remove the risk; and
  - (f) the person willfully or negligently fails to reduce or remove the risk.

**Maximum penalty—5 years' imprisonment**

### Failure to make a report s229BC

It is a criminal offence when any adult in Queensland, including students who are 18 years or older, parents/guardians and volunteers fails to report to the Queensland Police Service a reasonable belief that a child sexual offence is being or has been committed against a child by another adult without a reasonable excuse. A reasonable excuse not to make a report includes the fact that a report has already been made under:

- (a) the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse)
- (b) the *Child Protection Act 1999* (reporting significant harm or risk of significant harm).

**Maximum penalty—3 years' imprisonment**

## Education (Queensland College of Teachers) Act 2005

The Education (Queensland College of Teachers) Act 2005 requires an employing authority to notify the Queensland College of Teachers (QCT):

- about allegations of harm to a child because of the conduct of a teacher as soon as practicable, after commencing investigating the allegations (section 76)
- about the outcome of allegations of harm because of the conduct of a teacher where the teacher has been dismissed or resigned within 14 days (section 77)



- if the teacher has been dismissed in circumstances that call into question the teacher's competence as a teacher within 14 days (section 78).

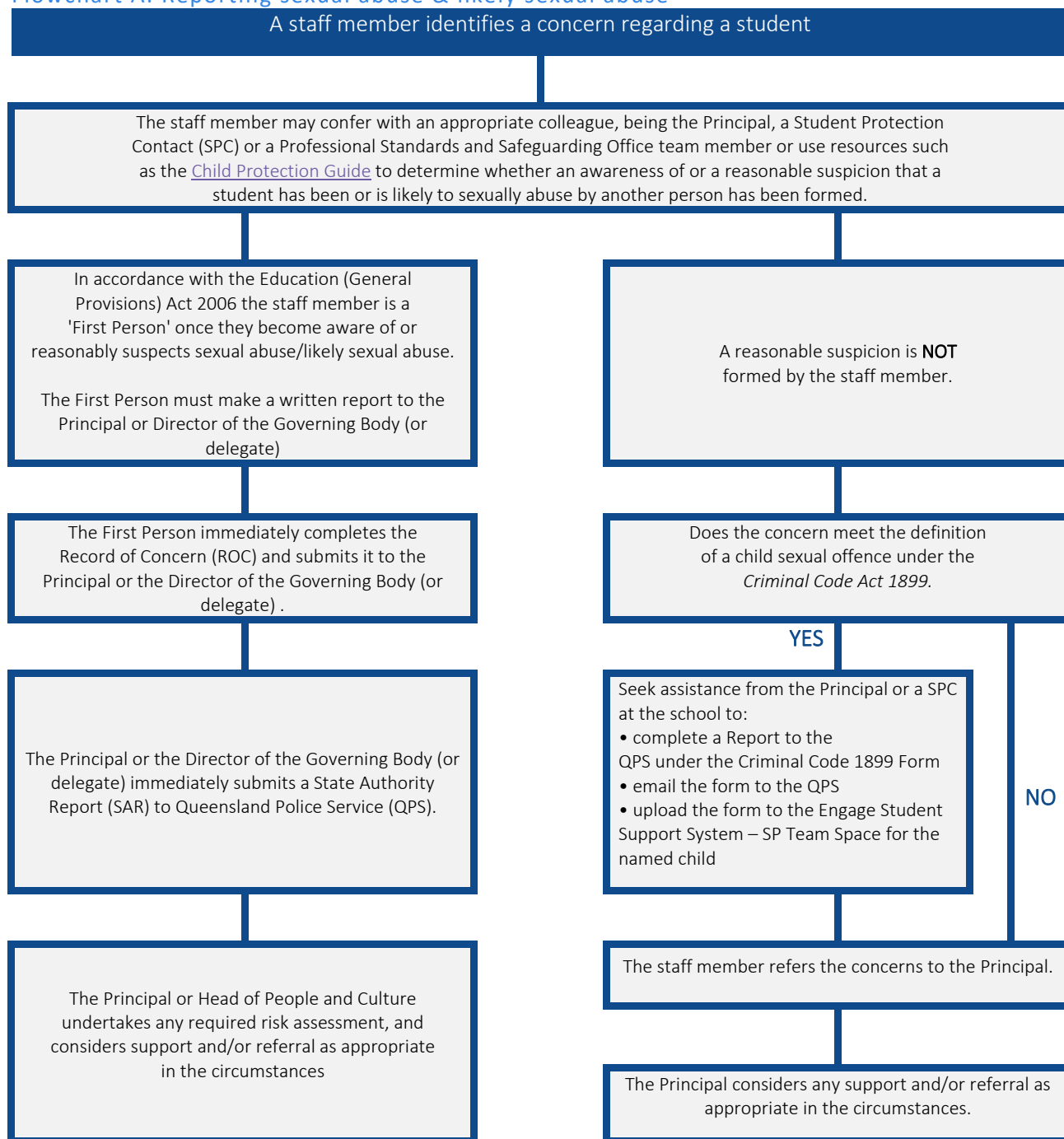
## Evidence Act 1977

Section 93A provides the legislative authority for the Queensland Police Service QPS and the Department responsible for Child Safety to conduct an interview and obtain a recorded statement from a child under 16 years, or a person who was 16 or 17 years when the statement was made and who, at the time of the proceeding, is a special witness, or an intellectually impaired person who has personal knowledge of the matters dealt with by the statement.



# APPENDIX 3: Reporting Flowcharts

## Flowchart A: Reporting sexual abuse & likely sexual abuse

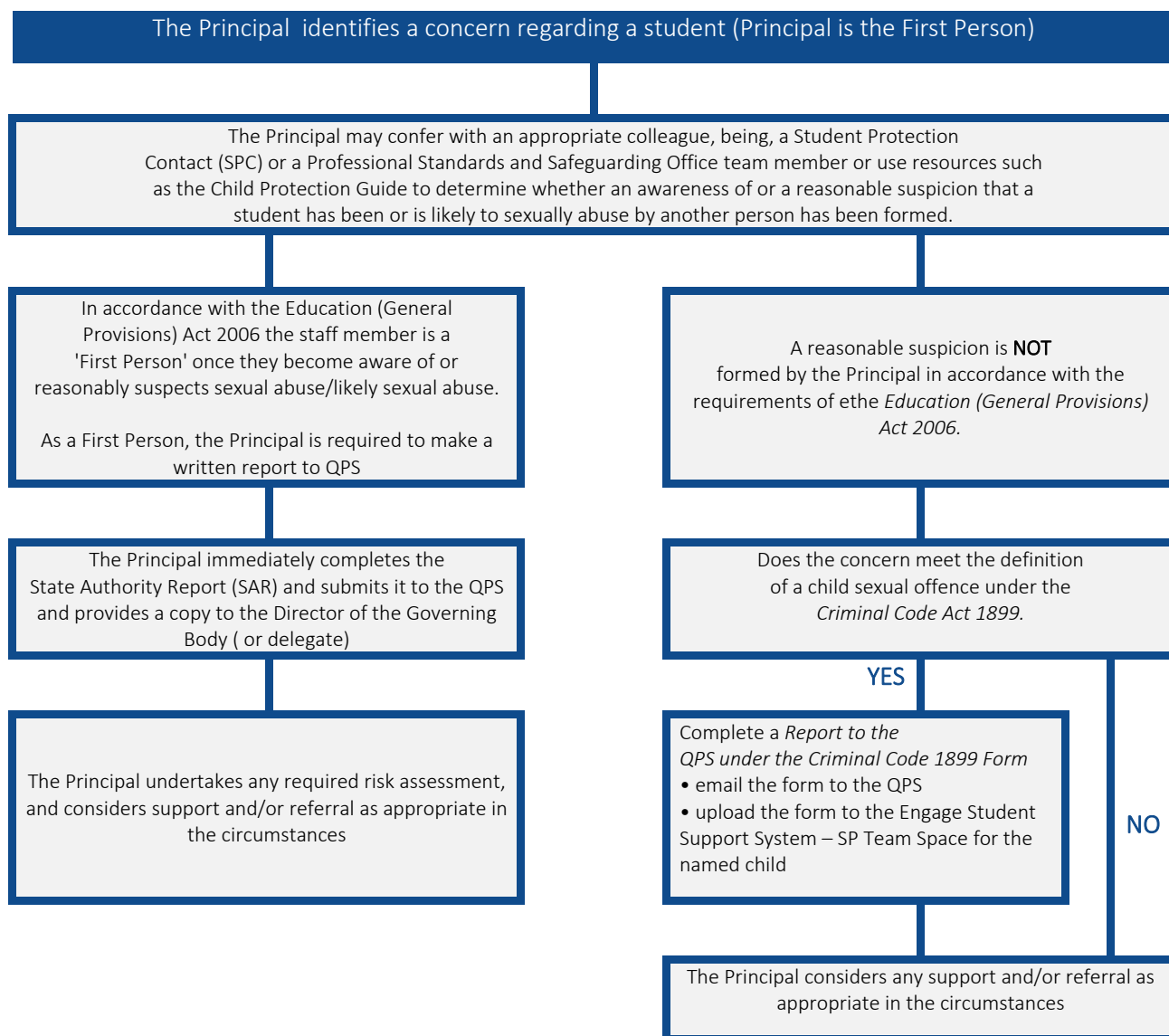


## Important

*If there is reasonable suspicion that the student has been sexually abused or is likely to be sexually abused or has been the victim of child sexual offence perpetrated by an adult and may not have a parent able and willing to protect them, reporting to the Department responsible for Child Safety must occur. See Flowchart C.*



## Flowchart B: Reporting sexual abuse & likely sexual abuse where the First Person is the Principal

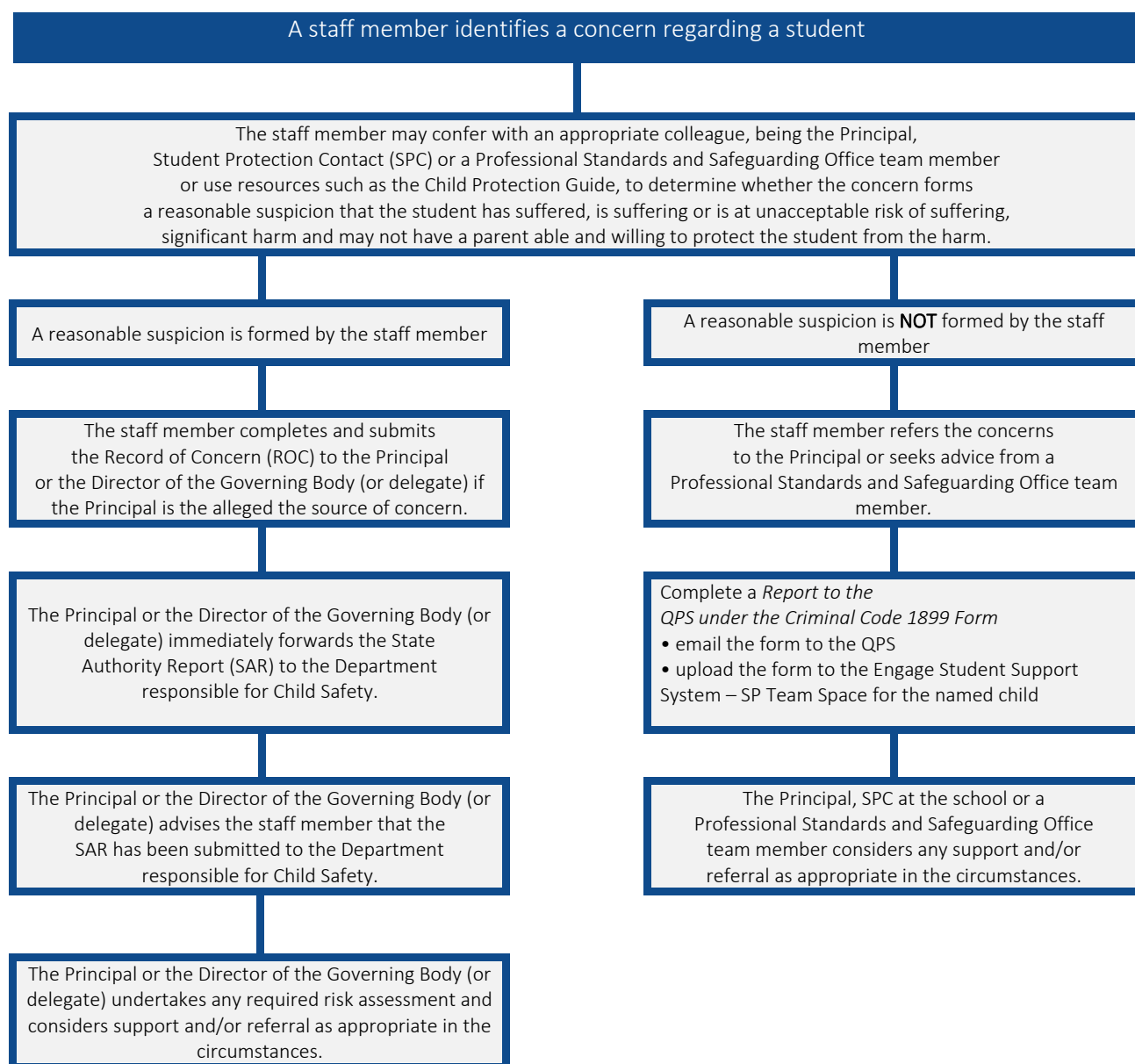


## Important Notice

*If there is reasonable suspicion that the student has been sexually abused or is likely to be sexually abused or has been the victim of child sexual offence perpetrated by an adult and may not have a parent able and willing to protect them, reporting to the Department responsible for Child Safety must occur. See Flowchart C.*



## Flowchart C: Reporting significant harm to the Department responsible for Child Safety



## Important Notice

*If there is a reasonable suspicion that the student has been sexually abused or is likely to be sexually abused by another person, then the processes as outlined in Flowchart A must also be followed, or Flowchart B if the First Person is the Principal.*



## Mandatory Responsibilities

*If the First Person is a mandatory reporter under the Child Protection Act 1999 (teachers, nurses, early childhood professionals, registered child advocates) , and the reasonable suspicion is that the student has suffered, is suffering, or is at an unacceptable risk of significant harm caused by physical or sexual abuse and may not have a parent able and willing to protect the student from the harm (a reportable suspicion under section 13E of the Child Protection Act 1999), the mandatory reporter is responsible, as a matter of urgency, to ensure that the report has been submitted to the Department responsible for Child Safety, unless they become aware, or reasonably suppose, that the matter has already been brought to the attention of the authorities.*

*If the mandatory reporter forms a reportable suspicion and is not able to progress a report through the process detailed in the Flowchart above, they are able to meet their mandatory reporting obligation through reporting directly to Department responsible for Child Safety via the online reporting form: [Make a Report to Child Safety](#) and documenting this action via a case note within the Engage – Student Support System (SP - ROC)*



# APPENDIX 4: Writing a comprehensive report of concerns

Reporting via Engage – Student Support System (SP Record of Concern)	
Report categories	Tips
First Person	Name of person making report
Cause of concern	Refer to the <a href="#">Student Protection Guidelines</a> to determine the type of harm that you suspect.
Subject children	<p>Refers to the student/s but may also include other siblings you are aware of who may have experienced harm or risk of harm.</p> <ul style="list-style-type: none"> <li>• Name of student/s</li> <li>• Age of student/s</li> <li>• Sex descriptor of the student/s</li> <li>• How to contact student/s (address where they usually live and name and address of the school)</li> <li>• Subject children details will automatically be imported from eMinerva (student data system) if they attend your school.</li> </ul>
School	Refers to the school the student attends.
Child risk factors	Be as explicit as you can about what the behaviours or risk are that have been identified (Refer to the <a href="#">Student Protection Guidelines</a> )
Parent/Carer/Household members	This information is directly imported from eMinerva (student data system). Speak with your Principal or a Student Protection Contact for the school if there is additional information or known updates to the family household not recorded in eMinerva.
Awareness or suspicion of concerns	<p>Detail how you are aware or how you formed your suspicion.</p> <ul style="list-style-type: none"> <li>• Focus on the factual information you have and be specific.</li> <li>• Avoid emotions and assumptions.</li> <li>• What do you know?</li> </ul>
Description of concerns	<p>Detail the harm to which your suspicion or awareness relates.</p> <ul style="list-style-type: none"> <li>• focus on the factual information you have and be specific.</li> <li>• avoid emotions and assumptions.</li> <li>• what do you know?</li> <li>• be specific</li> </ul>
What happened?	<ul style="list-style-type: none"> <li>• keep this factual. Use headings to break this down so it is easy to read and makes sense to you and the reader.</li> </ul>



	<ul style="list-style-type: none"> <li>• explain the concerns you have identified and categorize if more than one, for example, physical harm, neglect, psychological harm.</li> <li>• Is there a parent willing or able? This assessment should be made in consultation with the Principal or the Director of the Governing Body (or delegate) if the Principal is involved in the allegations</li> </ul>
When did it happen?	Be as explicit as you can about when things happen.
Where did it happen?	<p>Provide details about where you believe or know the harm occurred.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• The family home (bedroom, kitchen, bathroom etc.)</li> <li>• Online (at home, at school etc.)</li> <li>• At a friend / relative's house</li> </ul>
Has the concern (or similar) occurred previously?	<p>Document if you, your Principal or Student Protection Contacts are aware of any previous concerns.</p> <p>You can seek this information through conferral and working with the Principal and/or Student Protection Contact</p>
Injuries to child	<p>Be as specific as possible.</p> <p>For example 'bruising noted all along the left side of the face, around the eye, cheek, and neck. Bruising including to the right forearm, approximately the size of an adult's hand. The bruising was purple and black in colour, with a hint of yellow.'</p>
Immediate safety concerns	<p>This asks you to identify immediate safety concerns and involves identifying if the student is currently at an unacceptable risk of harm. This again draws on your professional judgement and the information you have obtained.</p> <p>For example, 'Adrian hinted that his father caused injuries to his face and neck. Adrian stated his mother had told him to say he fell when at the skate park. Adrian's father lives at the family home and will have full access to him. No medical attention was sought by Adrian's father or mother'.</p>
Observations of the child	<p>Describe the students' behaviour</p> <ul style="list-style-type: none"> <li>• how did they respond when you spoke with them?</li> <li>• have there been any patterns or concerns that you have noticed, for example, a decline in grades or the student becoming more withdrawn.</li> <li>• be specific.</li> </ul>
Unborn child	Document, if to your knowledge there is an unborn child in the home that you know of who may be at unacceptable risk of harm.





Source of Concern - Alleged person responsible for the abuse/harm	<p>From your observations or information, who is the alleged person causing the abuse/harm? Provide as many particulars as possible about their identity.</p> <p>For example, Adrian's father, unknown online person</p>
Persons with more information	<p>Include the name of any adults who may have additional information. Do <b>not</b> ask parent/carer for information if they are, or you reasonably suspect they are the alleged source of abuse or neglect.</p>
Actions taken by staff member	<p>List what actions you or other staff members have taken in response to the concerns.</p> <p>For example, <i>Consultation with Guidance Counsellor Ms Smith on 20/6/23 to provide emotional support to Adrian; Consultation with Student Protection Contact Ms Habib and Principal Ms Ying on 20/6/23. Record of Concern completed on 20/6/23 and submitted at 4.30 pm.</i></p>
Prior discussion with parent/carer(s)	<p>Document any discussions you may have had with the parent/carers about the concerns.</p> <p>Importantly do <b>not</b> ask the parent/carers for information if they are the alleged person responsible for the abuse or harm. If this is the case document this in the ROC.</p>
Parent/carer(s) risk factors	<p>Record any parental/carer risk factors you are aware of.</p> <p>Your Principal or Student Protection Contact may have additional information or provide assistance.</p> <p>Be as specific as you can.</p>



# APPENDIX 5:

## Frequently Asked Questions

### *Identifying harm or abuse*

*What is my responsibility once I have become aware of abuse, harm, or alleged staff inappropriate behaviour by a staff member towards a student?*

Your responsibility is to take every concern seriously and gather sufficient information to help you identify if there is a reasonable suspicion of abuse, harm, or alleged staff inappropriate behaviour. From there, follow the Framework set out in this document of Identify, Confer, Report and Support.

*What is the difference between gathering information and investigating?*

Gathering information is the process of seeking more information to determine if you have reasonable grounds to suspect abuse, harm, or alleged staff inappropriate behaviour towards a student (see Appendix 1: Definitions) You can do this by speaking to the student and conferring with the Principal and/or the Student Protection Contacts at your school. You do not have to determine if the concerns are true or false.

*Who has responsibility for investigating?*

Investigation may be undertaken by the appropriate authorities, the Department responsible for Child Safety and the Queensland Police Service. Where appropriate, the Principal or Governing Body may determine to investigate a matter. The Principal, Student Protection Contacts can help guide you about the boundaries of responsibilities.

If in doubt, can I talk with the alleged person responsible for the abuse or harm just to confirm?

No, the safety and wellbeing of the student is your priority, this means ensuring your focus is on safeguarding them. Talking with the alleged person responsible can place the student in greater risk and potentially obstruct the investigation by the relevant authorities.

*Conferral regarding harm or abuse or alleged staff inappropriate behaviour towards a student*

*What happens if during the conferral process, there is disagreement between the First Person and the Principal?*

Seek another point of conferral, this should include the Student Protection Contacts, Director of Governing Body or delegate.

*Does conferral involve talking to the alleged person responsible for the abuse or harm?*

No, the safety and wellbeing of the student is your priority, this means ensuring your focus is on safeguarding them. Talking with the alleged person responsible for the abuse or harm can place the student at greater risk and potentially obstruct an investigation by the relevant authorities.

*Does conferral involve talking with the student's parent/carer?*

It is always advisable to confer with the Principal, and/or Student Protection Contacts in the first instance to determine if there is a parent willing and able to safeguard the student.

*When can I advise the parents/carers?*

Parents/carers are an important support in students' lives, and we acknowledge the importance of working with and supporting them to support their children. However, an assessment must be made about the safety of the students. Therefore, confer with appropriate personnel to determine if and when to advise parents/carers.

*Reporting harm or abuse*

*As a Teacher what is my responsibility?*

Teachers are mandatory reporters and have a duty to report any concerns of abuse/harm to a student as per these processes.

### *As a Principal what is my responsibility?*

In addition to being a mandatory reporter, Principals have responsibility for ensuring the processes set out in this document are followed.

Principals are responsible for maintaining a culture of safety and have a duty to report any concerns of harm to a student as per these processes.

### *As a staff member what is my responsibility?*

All staff members are responsible for safeguarding students, this includes identifying and responding to concerns about abuse, harm or alleged staff inappropriate behaviour and ensuring the processes in this document are followed, including reporting.

### *As a volunteer/other personnel what is my responsibility?*

You are still responsible for following the process of identifying and conferral with the Student Protection Contacts. The Student Protection Contact at your school will then facilitate reporting the concerns if necessary.

### *What happens if the online form is not available?*

Where there are IT issues, you must still report without delay. This will involve:

- Making a verbal report to the relevant authority as a matter of priority
- Writing out the report using the headings specified in this document
- Following up with completing the report and submitting this.

### *What happens when the Principal is not available?*

Do not delay. Remember the safety and wellbeing of the students is of paramount importance. Every school has a designated delegate, you must confer with this person and follow the reporting procedures.

### *What happens if I don't have time to make the report because I am teaching or busy?*

Prioritising the safety and wellbeing of the student is the priority.

The First Person can seek support from the Principal and or Student Protection Contacts to ensure they have the time to Confer, Report and Support.

The First Person should be provided with support that may include having someone else take over their teaching responsibility or other duties.

Remember it is of paramount importance to not delay.

### *What happens if it is an emergency?*

- Immediate safety concerns require immediate attention, do not delay, and Call 000 and speak with the relevant authority, for example The Queensland Police Service or the department responsible for Child Safety.
- In a medical emergency contact 000 and ask for an Ambulance.

### *What happens if I am worried about a student, it is Friday afternoon, and I cannot find an appropriate person to confer with?*

- If you cannot locate any appropriate member of staff as outlined in this document, you can contact the department responsible for Child Safety Regional Intake Service or Child Safety After Hours Service, or Queensland Police Service and confer.
- In the case of any sexual abuse or other related harm where there has been a possible criminal offence, for example domestic and family violence, immediately contact the Queensland Police Service and confer with them.

## **Completing a Record of Concern**

### *What if I am not confident in writing an effective ROC?*

Your Principal or the SPC for the school can support you in completing the ROC.

You can also use the Engage SP ROC pathway user guides on Veritas

### *Can I ask my peers for advice before submitting a ROC?*

No. You must only discuss your concerns with your Principal or the SPC for the school and/or the CEDC Professional Standards and Safeguarding Office team. You may breach confidentiality by sharing private and sensitive information with other people.



Information sharing about student protection concerns should be limited to appropriate persons and to the extent necessary to respond to the safety and well-being of a student.

*What do I do if I believe my Principal has not taken action after I have completed a ROC?*

Firstly, check if your ROC has been assessed, it might still be pending or not submitted correctly. If the ROC has been correctly submitted and you believe it has not been actioned, talk to the SPC for the school. The SPC for the school can check the status of the ROC in the Engage – Student Support System.

*How do I know if my ROC has resulted in a State Authority Report (SAR) to the QPS and/or Child Department responsible for Safety?*

Once your ROC has been assessed, you will receive an email informing you whether a report to the QPS or the Department responsible for Child Safety has been made by your Principal.

*What is the difference between a Record of Concern (ROC) and a State Authority Report (SAR)?*

A ROC is a written report completed by a staff member in the Engage – Student Support System when they have a student protection concern. A SAR is created by the Principal in the Engage – Student Support System when a report to the QPS and/or the Department responsible for Child Safety is required

**Alleged staff inappropriate behaviour (SIB) towards a student**

*If a student discloses staff inappropriate behaviour (SIB) but I do not think it is inappropriate, do I still need to report it?*

Yes. You must report this behaviour without delay as per the Student Protection Processes and Guidelines.

*If a student agrees and willingly enters a sexual relationship with a staff member, do I still need to report it?*

Yes. You must report this behaviour without delay as per section 3 of these Processes and section 2.1 of the Student Protection Guidelines.

The involvement of any staff member or volunteer in sexual activity with a student is considered sexual abuse.

*What if a student crosses a professional boundary with me or if I accidentally cross a professional boundary?*

You must notify your Principal immediately. For example, if a student attempts to interact with you on social media, personal email, personal mobile phone, or home telephone, inform your Principal immediately. Similarly, if you mistakenly communicate or interact with a student on social media, personal email, personal mobile or home telephone, let your Principal know immediately.

**Disclosures of harm**

*What happens if a student starts to disclose something to me, but I am unable to have a conversation at that time?*

It is important not to dismiss a student or make them feel that what they shared is not important. Reassure the student that their safety and well-being is important to you and that you want to ensure they receive support right away.

You can for example say, 'What you're saying is important and your safety and well-being is important to me. I need to get to my next class, so let me call someone who can talk more with you now'.

Call on your Principal, the SPC for the school or the Guidance Counsellor for support.

*What if the student expects me to solve their problem but I know I cannot?*

Explain to the student that you have a responsibility to make sure that they are safe and get the support they need. To do this, you need to talk to someone who knows how best to support them.

Explain which staff members have the expertise to assist them (e.g. Guidance Counsellor, the SPC for the school or Principal) and invite the student to choose from the options provided to them.

Play an active role in linking the student to the appropriate person.



*What if the student does not want me to tell anyone?*

It is vital at the beginning of any conversation to set expectations, so students know that you have a responsibility to make sure they are safe and get the support they need.

For example, "If you tell me something that causes me to worry, I'm going to need to get some advice to make sure that you're safe".

*What do I do if I'm upset and struggling with what's been disclosed to me?*

Sometimes what we hear from students, parents/carers and other staff can be distressing. You can access support through your Principal and/or Employee Assistance Program.

*How can I support students after a disclosure?*

Principals and staff need to work together to plan the next steps for supporting the student. For example, referring the student to the Guidance Counsellor for support, considering the need for educational adjustments and/or development of support plans.

Remember to consult and include students in the development of their support plan.

To maintain the confidentiality and privacy of all students and families, only discuss the situation with appropriate persons and to the extent necessary to respond to their safety and well-being.

*What do I do if I am dealing with a complex student protection issue and do not know how to respond?*

Reach out to your Principal and/or the SPC for the school for support.

## **Supporting Students**

*What is my responsibility in supporting a student?*

The wellbeing of our students is our priority. This means making sure that we provide whatever emotional, physical, and medical support is necessary. Confer with the Student Protection Contact / Principal about the best way to do this.

*Do I need to do anything else after I have reported the harm or abuse?*

Yes, your responsibility does not end with the report. Remember we need to ensure the

wellbeing of the student; this means considering whether they need to be linked with support services such as counselling or other specialised supports. Always confer with the Student Protection Contact / Principal about the best way to do this.



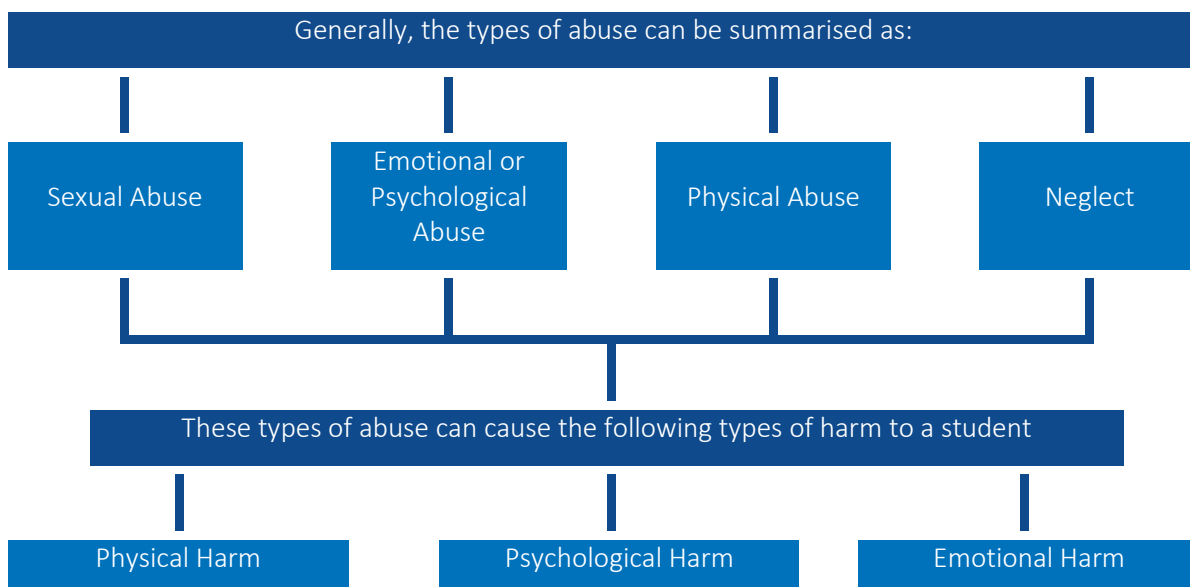
# ***Student Protection Guidelines***

These guidelines have been developed by the Queensland Catholic Education Commission (QCEC) in conjunction with Catholic School Authorities in order to provide information to support the implementation of the Student Protection Processes. These guidelines may be subject to change in line with child protection practice developments and may be subject to customisation to reflect the resources and systems in place for a particular Catholic School Authority.

# 1 UNDERSTANDING ABUSE AND HARM

All children have the right to be safe in environments free from abuse and harm. Where this is not the case, adults have a responsibility to act. This part explains the key concepts that underpin the processes for ensuring the safety of students, in order to inform the actions staff members must take if they form a reasonable suspicion of abuse, harm or staff inappropriate behaviour towards a student.

As a first step, it is important that staff members have an understanding of what is meant by the terms 'abuse' and 'harm'.



## 1.1 Sources of abuse and harm

Students can be abused, or experience harm from a number of sources. These include:



**Person associated with the school**

(staff member, volunteer/other personnel or another student at the school)



**Family member/relative of the student**

(parent/carer, sibling, grandparent, other relative)



**Other person in the community**

(family friend, neighbour, coach, tutor, stranger)



**The student themselves**

## 2 TYPES OF ABUSE

### 2.1 Sexual Abuse and Likely Sexual Abuse

Sexual abuse of a student occurs where a person engages in sexual behaviour with a student, and:

- I. the other person bribes, coerces, exploits, threatens or is violent toward the relevant person; and/or
- II. the student has less power than the other person; and/or
- III. there is a significant disparity between the student and the other person in intellectual capacity or maturity.

Characteristics of a power imbalance include significant differences in age, developmental ability, authority, influence or some kind of control over the student.

Likely sexual abuse is where it is more probable than not that a student will be sexually abused in the future. One situation where a reasonable suspicion of likely sexual abuse could be formed is where 'grooming' behaviours towards a student are identified.

### Important

*The involvement of any staff member or volunteer within a school in sexual activity with, or sexual exploitation of, a student attending that school is always to be regarded as sexual abuse.*



## 2.1.1 What does sexual abuse involve?

Sexual abuse involves an imbalance of power between a student and the other person. The imbalance of power allows force, trickery, emotional bribery, blackmail or emotional pressures to be used against the student to involve him/her in sexual activity or to sexually exploit him/her. Secrecy, the misuse of power and distortion of adult-child relationships may also be involved.

Sexual abuse involving physical contact with a student could include:

- touching, kissing, holding or fondling a student's body in a sexual manner;
- touching, kissing or fondling a student's genital area;
- engaging in or attempting to engage in vaginal or anal intercourse with a student;
- penetrating or attempting to penetrate a student's vagina or anus with a finger or other object;
- engaging or attempting to engage in oral sex with a student; or
- engaging or attempting to engage in masturbation with a student.

It does not matter whether the student is clothed or unclothed whilst sexual abuse involving physical contact takes place. Engagement of a student in sexual acts by duress or through inducements of any kind is considered sexual abuse.

Sexual abuse/likely sexual abuse of a student may not necessarily involve physical contact. It could, for example, involve behaviour that occurs in the student's direct presence or that occurs indirectly including through electronic communications. Examples include:

- exposing a sexual body part to a student;
- requesting a student to expose a sexual body part;
- making obscene or sexually explicit remarks to a student;
- sending obscene or sexually explicit material to a student;
- blatant or persistent intrusion into a student's physical privacy;
- voyeurism - covertly observing intimate behaviour that is normally private;
- exposing a student to pornographic films, photographs, magazines or other material;
- having a student pose or perform in a sexually explicit manner;
- exposing a student to a sexual act;
- forcing a student to witness a sexual act; or
- communicating with a student in a sexually intrusive way.

1 See Section 364 of the Education (General Provisions) Act 2006

## 2.1.2 What is Grooming?

Sexual offending against a child is rarely a random act by a stranger. It is commonly based on a relationship with the child that has been formed over time. The abuse is commonly well thought out and planned in advance. Offenders may often take time to 'groom' their victim, often over a lengthy period. They will also often 'groom' the child's parents, care-providers or others who might otherwise protect them from the

abuse. This occurs so that the child and his/her parents or care-providers will trust the offender and not suspect any intended wrongdoing.

The establishment of a relationship of trust which is then misused is often very confusing and damaging to the child, who may not even immediately recognise what is happening to them as abuse. Grooming behaviour is unlikely to be recognised when observed as a one-off event, but a pattern of grooming of the intended victim and/or the intended victim's parents or care-providers is likely to be recognised. Grooming will tend to develop in intensity over time. It will also tend to include elements of secrecy and concealment. It is important to be aware of the types of behaviours that can be used in the process of grooming a child or young person, while remembering that some of the behaviours might equally reflect normal interactions based on genuine motives of care and concern. This is the reason that, for staff members, the observance of clear professional boundaries and transparency in the declaration of potential conflicts of interest is a vital part of the protection of children and of the professional integrity of staff members themselves.

Recognition of the grooming process that is used as a preparation for the sexual abuse of a child is an indicator of likely sexual abuse.

Some examples of 'grooming' behaviour could include:

#### Examples of Grooming Behaviour

Showing a child/group of children pornography and/or using sexually explicit language around children

Befriending a child's family and/or visiting the family home; offering to babysit or provide transport

Engaging in repeated physical displays of affection even when child does not want it or when it is not required

Purchasing gifts or collecting items of interest for a specific child/group of children

Deliberately choosing hobbies or interests that appeal to a child

Sending personal comments to a child or children via email, SMS, social media or other means

Actively excluding a child from adults and other children; orchestrating uninterrupted time alone with a child

## 2.1.3 Student Sexual Behaviours and Sexual Relationships

### Student sexual behaviour

Children's sexual behaviour is often a natural and healthy aspect of growing up, helping them learn about their bodies and express their sexuality. Various factors influence children's sexual development and behaviour, including:

- Relationships with parents, family members, and peers
- Exposure to media such as television, the internet, and images

Sexual behaviours can range from normal and developmentally appropriate to inappropriate, harmful, or abusive (see Resource 1). How a school responds to student sexual behaviours or relationships is crucial, as it affects students' comfort in discussing these topics and the feelings they associate with them. All sexual behaviours require some level of information, support, and protective response.

## Important

*Engaging in harmful sexual behaviour can indicate that a child has experienced sexual abuse. However, not all children who are sexually abused engage in harmful sexual behaviour, and not all students who engage in harmful sexual behaviour have been sexually abused.*

### Unlawful sexual conduct

In Queensland, engaging in sexual conduct with a person under 16 years is a criminal offence (s. 215(1) of the Criminal Code).

School staff members are required to **notify** all sexual conduct involving a person under 16 years to the Queensland Police Service (QPS) and a parent/s, even if it appears consensual, is a peer relationship and sexual abuse is not reasonably suspected. Either student's parents can also report to QPS if necessary. If the school is approached by QPS officers due to a report made by parents, the school will assist as required by law.

School staff must **report** sexual conduct that meets the definition of sexual abuse, including sexual assault via the Engage – Student Support System (Student Protection reporting pathway) irrespective of the student's age.

Sexual conduct between students over the age of 16yrs that does not meet the definition of sexual abuse may be reported to parents, where appropriate.

## Parent Discussion

Where sexual abuse is reasonably suspected, no discussion with a parent/s should take place until QPS provide guidance on whether this is appropriate so as to prevent any impact on possible criminal proceedings.

However, if the sexual conduct does not meet a sexual abuse reporting threshold and relates to unlawful sexual conduct (at least one of the parties is under the age of 16yrs) or presents as a consensual peer relationship (both parties are over the age of 16 yrs), the school should inform a parent/s of the schools' information relating to the alleged sexual activity.

Things to consider whether parent/s contact is appropriate or in the best interests of the student /s include (but is not limited to):

- Is the student an independent student?
- Is the student at risk of harm as a result of notifying parents? (for example a risk of significant physical harm and if so does this meet a student protection reporting threshold)
- Has the student been informed that the school has a duty of care to inform a parent/s and work collaboratively with the student to ensure this has been actioned (either via the student with assistance from the school, or via the school directly).



## 2.2 Physical Abuse

Physical abuse refers to non-accidental use of physical force against a child by another person that results in significant harm

### 2.2.1 What does physical abuse involve?

Examples of physical abuse include but are not limited to hitting, shaking, throwing, burning, biting, poisoning and female genital mutilation. The definition of physically abusive behaviour extends to fabrication, exaggeration and inducing of illness symptoms in a child.

A person does not have to intend to physically harm a child to have physically abused them (for example, physical punishment that results in bruising or fractures would generally be considered physical abuse). Physical abuse does not always leave visible marks or injuries. Physical abuse can result in significant physical harm (for example, fractures, burns or bruises) and/or emotional/psychological harm (for example, hypervigilance, depression or persistent state of fear and anxiety) to a child.

When considering if a child is at unacceptable risk of suffering harm caused by physical abuse by a person, a range of factors are considered. Examples include:

- the person's propensity towards violence,
- the degree of control a person has over their own behaviour or the behaviour of others,
- the physical force used and
- the ability and willingness of another adult to act protectively to prevent physical abuse.
- Examples of situations which give rise to an unacceptable risk of physical abuse include, though are not limited to:
  - domestic violence involving the throwing of objects; or
  - situations in which a baby is shaken but not obviously injured.

## 2.3 Emotional/Psychological Abuse

Emotional or psychological abuse is the persistent emotional ill-treatment of a child which causes severe and persistent adverse effects on a child's emotional development.

### 2.3.1 What does emotional or psychological abuse involve?

Examples of emotional abuse include but are not limited to constant criticism, public humiliation, belittling, constant yelling, withholding praise and affection, excessive teasing, scapegoating, rejection, hostility, exposure of a child to domestic and family violence and conveying that a child is worthless or unloved, inadequate or valued only insofar as the child meets the needs of another person.

Emotional or psychological abuse may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of reasonable exploration and learning or preventing the child from participating in normal social interaction. Emotional abuse can result in significant harm to a child, for example, it can result in significant emotional / psychological harm such as depression, attachment disorders, chronic feeling of fear/anxiety or self-harm.

A child is considered to be at unacceptable risk of suffering harm caused by emotional abuse in a number of situations for example the frequent, chronic and entrenched verbal criticisms and hostility directed at the child by another person.

## 2.4 Neglect

Neglect is the persistent failure to provide for a child's basic physical and emotional necessities of life such that the child's health and development are affected

### 2.4.1 What does neglect involve?

Neglect is the persistent failure to provide for a child's basic physical and emotional necessities of life such that the child's health and development are affected. Basic needs include food, housing, adequate clothing; personal hygiene and hygienic living conditions; health care, including the timely provision of medical treatment and dental care; and adequate supervision and protection needed for the child's optimal growth and development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Neglect can result in a significant impact on a child's physical, emotional and psychological wellbeing. It can result in significant physical harm such as serious injury or death. For example, failure to supervise a child may result in a child ingesting poison or getting seriously injured or getting burnt. Neglect can also result in serious emotional/ psychological harm such as attachment disorders, failure to thrive in infants and significant developmental delays.

A child is considered to be at unacceptable risk of neglect in situations such as severe or chronic substance misuse, significant mental illness, lack of parenting skills and addiction to gambling by the child's primary parent or care- provider inhibiting their capacity to provide sufficient care.

More information about understanding child abuse and harm can be found on the Department responsible for Child Safety Services website

## 2.5 Deliberate Self-Injury (Self Harm)

Deliberate self-injury (self harm) is the deliberate hurting of one's body to alleviate distress or deal with difficult emotions

Self-harm is when someone deliberately hurts or injures their body on purpose. Self-harm in young people is usually triggered by a build up of negative, stressful life events, rather than a one-off incident. The act of self-harm can be a one-off event or become a repeated behaviour that can be difficult to change.

Children and young people report that they engage in self-harming behaviour to try and manage:

- distressing emotions
- overwhelming difficult feelings, thoughts, and memories
- their experiences of emotional, physical, or sexual abuse
- their mental health challenges.

Self-harm is different to suicidal thoughts and behaviours, as it is about hurting oneself to manage distress rather than ending their lives.

Self-harming behaviour can be used by children and young people as a way of:

- expressing difficult emotions
- feeling relief
- control or escape from their feelings

- punishing themselves
- coping with their feelings
- show they need help.

Self-harm can take on different forms and its frequency can vary from student to student and can include:

- cutting, burning, biting, or scratching the skin
- picking at wounds or scabs so they don't heal
- pulling out hair, punching or hitting the body
- taking harmful substances (such as poisons, or over the counter or prescription medications). (Source: Headspace National Youth Mental Health Foundation Ltd)

## 2.6 Suicide Ideation

Suicide ideation (suicidal thoughts) is a broad term that describes a preoccupation with death, suicide or self harm

Expressions of suicide ideation can range from considering it to creating a plan. Not everyone with suicidal thoughts will act on it, however any expression of suicidal thoughts requires the school to respond in alignment with the processes detailed in [Section 3.5.2](#) of the Student Protection Processes

People are at greater risk of suicide if they have:

- a mental illness
- poor physical health or disabilities
- attempted suicide or harmed themselves in the past
- had bad things happen recently, particularly with relationships or their health
- been physically or sexually abused as a child
- been recently exposed to suicide by someone else.

Suicide is also more common in certain groups, including males, First Nations people and people from the LGBTQIA+ community.

## Important

Staff are required to take all thoughts of suicide seriously and take action. Do not dismiss a young person's thoughts as 'attention seeking'.

Three key actions for helping someone who is expressing suicidal thoughts include:

- Asking the student directly if they are wanting to commit suicide, do they know what that means (younger children)
- Seek assistance from the school counsellor, Principal or Student Protection Contact in keeping the student safe
- Notify parent/s

If there are urgent concerns regarding the safety and wellbeing of the student, then an ambulance should be called.

## 3 SIGNIFICANT HARM

Harm can be caused by physical, psychological, or emotional abuse, sexual abuse, or neglect. Harm refers to the detrimental effect or impact of abuse/neglect on a child. For statutory intervention to occur, there must be information to suggest:

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

Harm can be caused by a single act, omission or circumstance or a series or combination of acts, omissions, or circumstances. This series or combination of acts, omissions or circumstances is often referred to as "cumulative harm".

### 3.1 What is 'unacceptable risk' of harm

A child is considered to be at unacceptable risk of suffering harm if there are grounds to suspect that unless someone intervenes to prevent it, the actions of a person will result in, or is likely to result, in a detrimental effect of a significant nature on the child's physical, emotional and/or psychological well-being.

## 3.2 Relationship between abuse and harm

In essence, abuse is the action towards a student, and harm is the impact of that action on the child. Children can experience multiple types of abuse, which in turn can cause multiple types of harm.

TYPES OF ABUSE			
Physical abuse	Emotional abuse	Sexual abuse	Neglect
Hitting Punching	Rejection Persistent hostility	Sexual exploitation Penetration Exposure to pornography	Inadequate supervision Poor hygiene / nutrition

TYPES OF HARM		
Physical (refers to body)	Emotional (ability to express emotions)	Psychological (mind & cognitive processes)
Bruising Fractures Internal injuries	Depression Hypervigilance Self-harm	Learning and developmental delays Impaired self-image

## 4 RECOGNISING ABUSE AND HARM

### 4.1 Recognising the signs of abuse and harm

There are many signs that might lead staff members to have concerns about a student. It is important to keep an open mind when encountering these signs, as their presence does not necessarily mean that the student is experiencing harm caused by abuse and/or neglect. However, they may identify concerns for a student and indicate that further consideration and monitoring is the appropriate response.

It is important to remember:

- The signs are generally more significant if they are severe, form a pattern, and/or show frequency;
- The younger the child involved, the greater the risk;
- All factors need to be considered including the child's circumstances and family context.

### 4.2 Identifying the signs of abuse and harm

#### Observations of student behaviour

In general terms. Something may be wrong if you observe student behaviour such as:



- nervousness/withdrawal
- passivity/excessive compliance
- evidence of deterioration in peer relationships and/or generally poor peer relationships
- trouble concentrating at school/unexpected drop in school academic performance
- frequent absences from school without substantiated or acceptable explanations
- being extremely aggressive, stealing or running away
- evidence of extreme or continually aroused emotional states out of character behaviour
- behaviour that is not age appropriate or typical of peer behaviour in younger students: separation anxiety, changed eating patterns
- in older students: drug/alcohol use, sexual promiscuity, self-harm, or reckless and risk-taking behaviour.
- In relation to possible harm or risk of harm to a student that may be a result of sexual. Physical, or emotional abuse and/or neglect you may observe the following

**Table 5: Signs of possible abuse and harm**

Physical	<ul style="list-style-type: none"> <li>• bruises or lacerations, especially on face, head, and neck</li> <li>• burns/scalds</li> <li>• multiple injuries or bruises, especially overtime</li> <li>• fractures, dislocations, twisting injuries</li> <li>• explanations offered by the child not consistent with the injury or the injury is unable to be explained by the child</li> <li>• a child hiding injuries</li> <li>• repeated injuries with a recurring or similar explanation.</li> </ul>
Neglect	<ul style="list-style-type: none"> <li>• delay in achieving developmental milestones</li> <li>• medical or therapeutic needs not attended to</li> <li>• poor personal hygiene leading to social isolation</li> <li>• scavenging for/stealing food; lack of adequate school lunches</li> <li>• extreme seeking of adult affection</li> <li>• flat and superficial way of relating.</li> </ul>
Domestic and Family Violence	<ul style="list-style-type: none"> <li>• difficulties in eating and sleeping</li> <li>• hyper vigilance</li> <li>• regression to age-inappropriate behaviours</li> <li>• developmental delays</li> <li>• child is over-protective of a parent/carer</li> <li>• excessively controlling or aggressive/violent behaviour</li> <li>• abuse of siblings/parent/carer</li> </ul>
Emotional and Psychological	<ul style="list-style-type: none"> <li>• inability to value self and others</li> <li>• lack of trust in people</li> <li>• statements from the child e.g. "I'm bad; I was born bad"</li> <li>• extreme attention-seeking behaviours.</li> </ul>

- direct or indirect disclosures of abuse
- concerning sexual behaviour and/or age-inappropriate sexual knowledge
- use of threats, coercion, or bribery to force other children into sexual acts
- sexual themes/fears expressed in artwork, written work or play
- repeated urinary tract infections, especially in younger girls
- physical trauma to buttocks, breasts, genitals, lower abdomen, thighs
- unexplained accumulation of money/gifts
- presence of sexually transmitted infections, especially in younger children
- risk taking behaviours such as self-harm, disordered eating, or suicidal behaviour.

## 5 FORMING A REASONABLE SUSPICION

A reasonable suspicion of abuse or harm is a suspicion that would be formed by a reasonable person based on a reasonable view of the evidence available to them. In other words, a reasonable suspicion is an objectively justifiable suspicion that is based on specific facts or circumstances. When a reasonable suspicion is formed, a staff member must act in accordance with the processes outlined in this document.

Generally, the ways in which a staff member may form a reasonable suspicion are as follows:



A student makes a direct disclosure about another person's behaviour (see section 5.1)



A parent/carer or any person reports information of concern about a student and/or another person's behaviour (this information may come from another student, relative, friend, acquaintance of the student, or sometimes could be anonymous)



Direct observation of abusive or inappropriate behaviour towards a student



Relevant observations (appearance, behaviours, and situations) are witnessed, or other relevant firsthand knowledge is gained

Additionally, section 13C of the Child Protection Act 1999 offers some guidance around forming a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of suffering significant harm:

- whether there are detrimental effects on a child's body or psychological/emotional state, or are likely to become so in the future
- the nature and severity of the detrimental effects and the likelihood that they will continue
- the age of the child.

A staff member may confer with an appropriate colleague, being the Principal, a Student Protection Contact (SPC), or a Professional Standards and Safeguarding Office staff member as part of the decision-making process as to whether they have formed a reasonable suspicion – further details around conferral processes can be found in section 2.4 of the Student Protection Processes (SPP). The staff member must never confer with the person who is or potentially is the source of the concern (person allegedly responsible for abuse, harm, or inappropriate behaviour).

It should be noted that at times information may come to a staff member's attention indirectly (e.g. perhaps third hand). In these cases, the following should be considered:

- it is not the role of the staff member or of the school to investigate, confirm or substantiate the validity of the information.
- in some cases, it may be appropriate to seek additional information to clarify the situation, to the extent necessary to determine any action that may be required under the Student Protection Processes.
- if the information received gives rise to a staff member forming a reasonable suspicion of harm to a student resulting from abuse or neglect, from any source, the staff member must follow the relevant reporting requirements described in section 3 of the SPP.
- if the information received by the staff member suggests inappropriate behaviour by a staff member towards a student, then the staff member must follow the relevant reporting requirements described in section 4 of the SPP.

## Important

*Staff members must not photograph student injuries or audio/video record the discussion with the student – this is the role of the Queensland Police Service (QPS).*

Details about how the information came to the staff members' attention should be included in any report made under these processes.

## 5.1 Responding to a disclosure

Staff members in schools are often the first people a student may talk when they are feeling unsafe, therefore it is important for staff members to be aware of how children/young people disclose and how to respond in the most appropriate manner. A student's disclosure provides a crucial opportunity for staff to provide support and comfort and to protect the child from abuse. It also can have a significant impact on the child or young person's ability to seek further help and recover from the trauma.

If a student tells a staff member about being abused or harmed:

## LISTEN

- move to a suitable environment, free of distractions be calm and patient - allow for the child to be heard
- let the child use their own words - avoid asking leading questions avoid “quizzing” the child about details of the abuse
- don’t be afraid of saying the ‘wrong’ thing. Listening supportively is more important than what you say

## REASSURE

- reassure the child that it is Okay to tell you what’s been happening address any concerns about the child’s safety
- reassure the child s/he is not at fault and is not the cause of any distress you may feel.

## RESPECT

- respect that the child may only reveal some details acknowledge the child’s bravery and strength
- avoid making promises you can’t keep – manage the child or young person’s expectations
- explain to the child that for them to be safe you will need to report their experience to someone else.

The ART framework is also useful when receiving disclosures.

### Actively listen:

- move to a space which is private and free of distractions but within eyesight of others
- speak to them on their level (if they are sitting on the ground, sit down next to them)
- be calm and patient
- use open-ended questions to gather more information, for example, ‘You said X, tell me more about that’
- be empathetic.

### Reassure/respond:

- let them know it is safe for them to tell you what has been happening and acknowledge how hard it may be for them to make the disclosure
- be curious and do not judge their responses or react emotionally
- say, I’m very interested in what you’re saying because your safety and well-being is important to me’
- maintain eye contact with them to show that you are interested.

### Take action:

- Follow CEDC reporting processes

Only ask enough questions to help you decide whether you have honest and reasonable grounds to form a suspicion of harm/abuse or an unacceptable risk of harm/abuse. Be aware that any questioning beyond this could cause distress and confusion and could interfere with the integrity of any subsequent investigation undertaken by relevant authorities.

## Important

*Reminder: it is not a school staff member's role to investigate a suspicion of an unacceptable risk of abuse/harm from any source, rather to report a reasonable suspicion of abuse or harm in accordance with the Student Protection Processes.*

*It is the role of officers of the QPS and qualified officers of the Department responsible for Child Safety to investigate and collect evidence in the required circumstances, such as conducting interviews with students*

As soon as possible after the disclosure, make detailed relevant notes about any signs, disclosures, injuries, and behaviours that caused you to be concerned for the student's safety or wellbeing

Any response must be focused on the best interests of the student. As such, the immediate support needs of a student are the priority and staff members must act promptly to raise concerns with the Principal.

## 5.2 Where a student makes a disclosure in front of other students

It is unpredictable when and to whom a student may make a disclosure. Engaging students in discussions about safety may lead to an increased rate of disclosures. It is important to recognise and respect the significance of disclosures, however, it is not safe or appropriate in a class group to allow a student to disclose harm due to child abuse or neglect or to discuss alleged staff inappropriate behaviour (SIB) because of the possible effect the student's disclosure could have on the student themselves as well as any other students present.

'Protective interrupting' is a useful strategy to prevent a student from disclosing confidential or distressing information in front of other students. This requires careful handling to ensure that the student does not think you are not interested or will not believe them. If a student begins to disclose in a class or group, you should say something like, what you're about to talk about sounds important and I'm very interested to hear what you have to say. Can we talk about this at the end of class?'. Ensure you arrange to speak with the student as soon as possible.

## 5.3 Barriers to disclosing

There are multiple barriers to when, how and if students disclose that they have experienced abuse. Disclosure can occur while the abuse is occurring, immediately after the abuse has ended or years later. The delays in disclosing include:

1	Children and young people believe that disclosing would result in negative consequences for themselves and/or another person they love.
2	Feelings of shame or embarrassment
3	Uncertainty about what is abusive, the child or young person does not have a reference point for what is normal and what is abuse.
4	For students with disabilities, the ability to communicate their concerns and experiences.
5	Fear of not being believed
6	Fear of retribution
7	Cultural considerations impact on a child's disclosure
8	Pressure or threats from the perpetrator
9	For males there can be fear of being stigmatized, being labelled a victim or homosexual, or the myth that victim survivors become perpetrators themselves.
10	Uncertainty about who to talk to and how to disclose.

In addition, staff can experience the following barriers to disclosing information about alleged staff inappropriate behaviour (SIB) or abuse<sup>2</sup>:

- a culture in a school where policies and codes of conduct are ignored, not implemented, or not seen as important
- inadequate avenues for disclosure or poor responses in the past to abuse related behaviours, including bullying
- inadequate recordkeeping and information sharing
- a culture that prioritises reputation, prestige, or loyalty to the school above the individual

- strong personal relationships between adults within the school, or conflicts of interest for individuals in schools.

## 6 TRAUMA INFORMED CARE

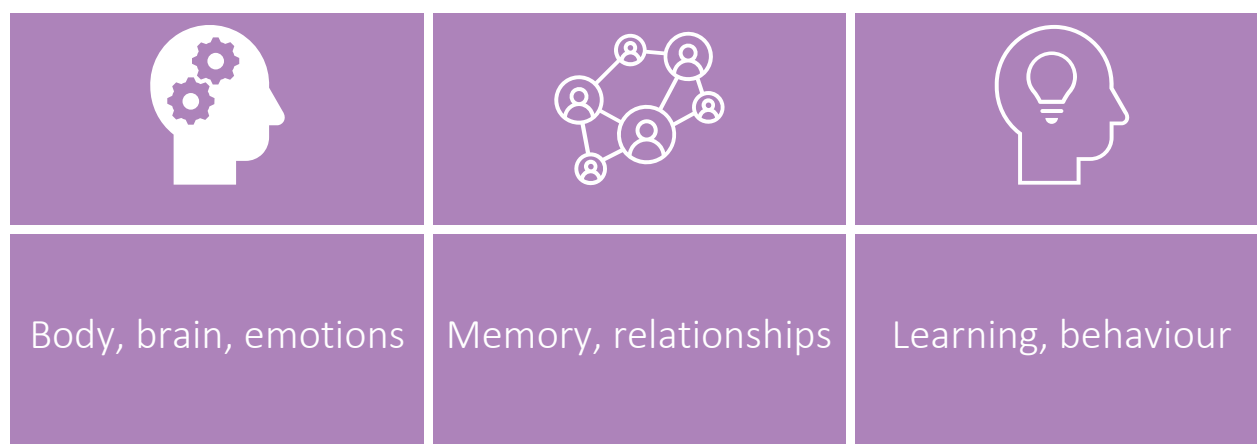
Trauma can result from one off events, or a series or set of circumstances experienced by the person as physically or emotionally harmful or life threatening, that has lasting adverse effects on the person's functioning and mental, physical, social, emotional, or spiritual wellbeing. Students who have experienced abuse and harm, irrespective of the cause can experience trauma. This can manifest in trauma-based behaviour, which is behaviour that has enabled the student to survive the threat and danger that they experienced. However, in the context of the school this behaviour may come across as inappropriate. This behaviour can also be called pain-based behaviour.

- Children and young people who have experienced trauma often have little space left for learning as they struggle with concentration, attention, retention, and recollection of new information (The Australian Childhood Foundation, 2010).
- There are different types of trauma, simple trauma, complex and developmental trauma.
- Trauma can impact every aspect of the child's development and wellbeing; these are all interconnected, and one element impacts the rest.

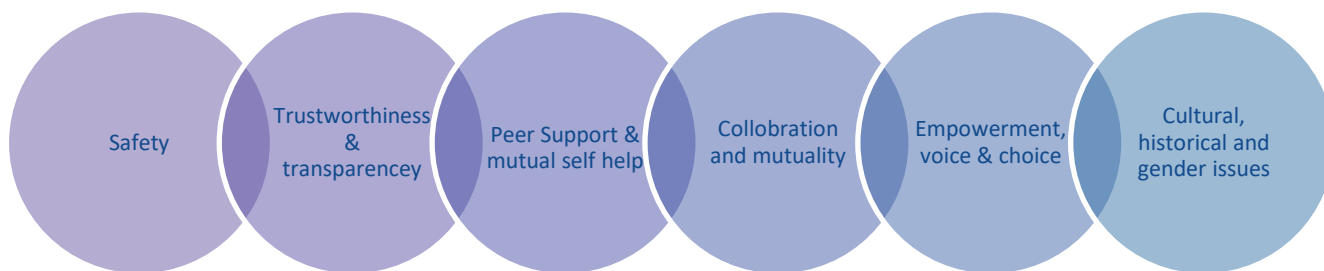
Trauma aware education is a way of thinking, understanding, believing, and acting so that the harm that complex trauma exerts on the functioning of students is minimised or alleviated, leading to improved (education and life) outcomes not only for these students, but also for their classmates and those adults working hard to deliver inclusive education programs (Howard, 2021).

Research demonstrates that students who have lived through trauma can develop resilience when they have access to one or more safe and positive relationships with adults who are available and caring. This then impacts on their resilience and therefore their capacity to learn (Howard, 2018).

Impacts of trauma on a child and young person:



Trauma informed care is underpinned by six key principles:



Wall, L., Higgins, D. & Hunter, C. (2016). Trauma-informed care in child/family welfare services. Child Family Community Australia, Paper 37. Howard, J. A. (2018). A systemic framework for trauma-aware schooling in Queensland. Research report for the Queensland Department of Education. Unpublished report. QUT. Howard, J. A. (2021). National guidelines for trauma-aware education. QUT and Australian Childhood Foundation. <https://eprints.qut.edu.au/207800>

## 7 CONSIDERING WHETHER THERE MAY BE A PARENT ABLE AND WILLING TO PROTECT A CHILD

Where there is no parent able and willing to protect a child from significant harm, then the Department responsible for Child Safety intervenes to ensure the safety of the child. This is therefore an important consideration when determining if a matter should be reported to the Department responsible for Child Safety.

A parent must be able AND willing to protect the child from significant harm.

UNABLE

In some cases, **a parent may be willing to protect their child from significant harm, but they may not be able to do so**, for example, the parent may be suffering from a severe mental health condition, physical illness, or injury; or where existing court orders precludes the parent from taking protective action.

UNWILLING

A parent **may be able but not willing to protect their child**, for example, where the parent continues in a relationship with a person who is sexually abusing their child and does not cease contact with the abusive person.

UNABLE



UNWILLING

In some circumstances, **a parent may be both unable AND unwilling to protect their child from significant harm**. An example of this is a parent who has significant substance misuse issues and continues a relationship with someone who sexually abuses or is violent to their child.



In some cases, parents will seek to minimise or reduce the significance of harm suffered by a child (or that the child is at risk of suffering), and this may indicate the parent may not be able and willing to protect the child from harm. For example, this includes a parent minimising serious self-harming behaviours exhibited by their child or failing to recognise the serious and/or long-term impacts of a child's medical needs or significant developmental delays

Forming a reasonable suspicion around whether a parent may be able and willing is based on several factors, including:

- the observations and knowledge the Principal and staff members may have of the family circumstances
- disclosures made by a child
- information provided by another person.

A staff member is not expected to investigate to ascertain if a parent is able and willing to act protectively, rather must act on the information available to them. Staff members may confer with colleagues to assist in their decision making.

## Important

*If a reasonable suspicion of sexual abuse or likely sexual abuse is formed a report to the Queensland Police Service (QPS) is to be made even if there is a parent able and willing to protect the child from harm*

## 8 CONFIDENTIALITY, RECORDKEEPING, AND INFORMATION SHARING

It is essential that student protection processes are managed in a confidential manner that both preserves the dignity and privacy of all affected parties and ensures that any investigative process is not impaired.

The management of any student protection concern should be well-documented, with clear records of any disclosures made by a student and any actions taken by the school. All information relating to a student protection concern, including notes, reports and other documents must be stored securely and confidentially in the Engage - Student Support System via an Engage – SP ROC.

### 8.1 Will a student's family know I have made a report?

A person who notifies the Department responsible for Child Safety around a suspicion that a child has been or is likely to be harmed (known as the "notifier") cannot be identified unless certain exceptions apply.

Where a State Authority Report results in a criminal court proceeding, the report may form part of the prosecution's evidence, therefore the staff member who made the report may be required to give evidence. Consequently, State Authority Reports must be completed in an impartial, accurate and factual manner.

## 8.2 Information sharing

Within the school, information should not be shared around student protection matters with other staff members unless for a specific purpose under these processes, for example conferring with the Principal to determine whether a matter constitutes a reasonable suspicion of abuse or harm. Information may also be provided to staff members as part of ongoing support or risk management processes for a student

There are a number of circumstances where a school Principal may be asked to share information, or be required to do so in order to support a student and their family:

- under Part 4 of the Child Protection Act 1999, the Department of Child Safety may request information around a student who may be in need of protection. Such requests should be in writing, and clearly specify what information is requested. The Principal should keep clear records around what information was provided in response and ensure that any information is accurate and factual
- a Principal, as a 'particular prescribed entity' under the Child Protection Act 1999 may share information with certain service providers in order to obtain support for a student and their family. As best practice, any referral for support should be with the knowledge and consent of a student's parents or carers, however, a Principal may refer to service providers such as Family and Child Connect or Intensive Family Support Services without the prior consent of a parent or carer. These services will then seek the consent of the parent to engage them in providing support
- police may seek information from a Principal in relation to a law enforcement activity, for example in the investigation of a criminal offence, or in attempting to locate a missing child. Again, the Principal should keep clear records around what information was provided in response and ensure that any information is accurate and factual.

## 9 SUPPORT AND REFERRAL SERVICES

When students and families receive support services early, it can avoid the escalation of concerns towards statutory intervention by the Department responsible for Child Safety or the Queensland Police Service (QPS).

Where a concern is identified that does not meet the threshold for a report to the Department of Child Safety or the QPS, or indeed where the outcome of a report is that no intervention by the authorities will occur, the Principal should consider any referral to appropriate support services.

Information around making a referral to these services can be found via the Department responsible for Child Safety website. Particular information around information sharing provisions for Principals is detailed in section 7 of these guidelines. The Queensland Family and Child Commission's One Place website provides useful information about local services.

There are a number of options to support students at risk within the school environment in addition to any external referral. This may be facilitated through the SPC at the school.

## 10 UNDERSTANDING STAFF INAPPROPRIATE BEHAVIOUR (SIB)

## 10.1 Professional Boundaries

For the purposes of these processes, staff inappropriate behaviour (SIB) includes (though it is not limited to) any behaviour, including words, towards a student that is contrary to what is required of staff members under the CEDC Code of Conduct. -Staff.

Inappropriate behaviour by a staff member towards a student can be described in terms of violations of professional boundaries. These boundaries can be described as follows:

Physical Boundaries	Exist to protect the body. Physical boundaries define appropriate physical contact between staff members and students in appropriate circumstances whilst respecting and responding to the physical needs of students
Emotional Boundaries	Exist to protect feelings. Emotional boundaries determine the nature of appropriate professional relationships between staff members and students in the context of respecting the emotional needs and wellbeing of students.
Behavioural Boundaries	Exist to protect actions. Behavioural boundaries determine the appropriate behaviours expected of a staff member towards students, including respecting the rules of Cairns Catholic Education or the School

## 10.2 Examples of boundary violations

Physical Boundary Violations	<p>Using force to manage or direct a student's behaviour:</p> <ul style="list-style-type: none"> <li>• Pushing</li> <li>• Pulling</li> <li>• Grabbing</li> <li>• Poking</li> <li>• Shoving</li> <li>• throwing.</li> </ul> <p>Using force to correct or punish a student:</p> <ul style="list-style-type: none"> <li>• hitting/hitting with an object</li> <li>• punching</li> <li>• kicking</li> <li>• pinching</li> <li>• shaking</li> </ul> <p>Using physical force to ensure a child cooperates.</p> <p>Holding or restraining a child (unless in imminent danger of harm).</p> <p>Refusing biological necessities (disregarding or refusing a student's reasonable request to access food, drink or use a toilet).</p> <p>Inappropriately touching or massaging a student (patting a student on his/her bottom, stroking a student's hair).</p>
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	<p>Applying painful or noxious conditions to a student (exposing a student to protracted physical management techniques such as standing still for an unreasonable length of time, making a student pick up rubbish or reach into a bin without protective gear e.g. gloves.</p> <p>Unnecessary or unwanted physical contact.</p>
Emotional Boundary Violations	<p>Shaming, embarrassing, or humiliating a student:</p> <ul style="list-style-type: none"> <li>• teasing</li> <li>• using sarcasm</li> <li>• belittling</li> <li>• making derogatory remarks.</li> </ul> <p>Using unprofessional criticism:</p> <ul style="list-style-type: none"> <li>• comments that target the student rather than the behaviour.</li> </ul> <p>Making overly familiar or personal commentary about a student's:</p> <ul style="list-style-type: none"> <li>• physical appearance</li> <li>• family.</li> </ul> <p>Using intimidating behaviours:</p> <ul style="list-style-type: none"> <li>• shouting at or in the presence of a student</li> <li>• use of threats or fear.</li> </ul>
Behavioural Boundary Violations	<p>Having inappropriate interactions with a student through:</p> <ul style="list-style-type: none"> <li>• inappropriate use of social media in relation to a student</li> <li>• personal email, texts, phone calls or other forms of personal communication with a student</li> <li>• gift giving or showing special favours</li> <li>• sharing secrets with a student</li> <li>• disclosing inappropriate personal information to a student</li> <li>• inappropriate questioning of a student about personal and private matters</li> <li>• overly familiar social interactions with students including in staff offices or classrooms</li> <li>• providing personal mobile or home telephone numbers to students</li> <li>• engaging in social activities with students (where there is no declared personal relationship) outside school</li> <li>• driving students without appropriate authority</li> <li>• visiting students at home without appropriate authority.</li> </ul> <p>Using unprofessional language:</p>

- swearing at or in the presence of a student
- making inappropriate comments to or in the presence of a student.

Failing to follow a school's student behaviour support policy and procedures:

- using unreasonable, unfair and/or unjust disciplinary measures
- imposing manifestly unreasonable expectations or excessive demands on a student
- using inappropriate locations or social isolation outside of the school's behaviour support guidelines as punishment.

Using a personal device or private email address to contact a student (unless there is an appropriate authority).

Photographing a student other than for an appropriate professional reason.

Supplying substances to a student (e.g. unauthorised medication, tobacco, alcohol, illicit drugs).

Exposing students to material that contains adult content or themes that are offensive or inappropriate.

## 10.3 The importance of reporting alleged staff inappropriate behaviour (SIB)

Students see staff as role models and learn what is acceptable and not acceptable behaviour by watching how staff interact with them and other adults. To assist in being a positive role model for students, the Code of Conduct sets out the expected standards of professional behaviours by staff and identifies boundaries that must be maintained between staff and students.

Reporting alleged inappropriate behaviour by a staff member:

- fulfills CEDC's commitment to a safeguarding culture that promotes the wellbeing of students, placing their interests and wellbeing at the center to create child safe school environments
- allows for early intervention and provides support and guidance to staff about professional boundaries and expectations
- reduces the vulnerability of the student by empowering them to identify and/or express behaviour that makes them feel uncomfortable
- sends a clear message to students that their concerns have been heard, and staff are prioritising their safety and wellbeing.

# 11 NATIONAL RESPONSE PROTOCOL

The Catholic Church has established a National Response Protocol to provide a framework for Church entities to offer a consistent response to children and adults who have been subjected to child abuse by

Church personnel. Church personnel include clerics and religious, employees and volunteer currently or previously associated with a Church Authority or entity

Queensland specific mandatory reporting requirements, as set out in the Student Protection Processes for Queensland Catholic School Authorities, will apply to Catholic School Authorities prior to the National Response Protocol.

If an individual seeks information concerning the National Response Protocol, a referral should be made to the Queensland Catholic Church Professional Standards Office at

Phone	(07) 3324 3070
Toll Free	1800 337 928
Email	psoqld@catholic.net.au
Post	PO Box 3264, Brisbane QLD 4001

## 12 HISTORICAL ALLEGATIONS

### 12.1 Allegation of historical sexual abuse

When a staff member forms a reasonable belief that a former student has been sexually abused by a current staff member, then the relevant reporting processes as detailed in the Student Protection Processes must be followed (Section 3)

When a staff member receives information that a former student, when attending a CEDC school had been sexually abused, or had suffered significant harm, by a former staff member, then a Historical Abuse Report (HAR) must be completed and forwarded to the Executive Manager PSSO via the Principal. If the Principal is the source of the harm, then the report will be submitted directly to the Executive Manager PSSO. The report will be submitted to the QLD Police Service in addition to other relevant applicable bodies as detailed in the Student Protection Processes. (Section 3)

When an adult who is a staff member gains information that causes them to believe on reasonable grounds that a child sexual offence has been committed against a former student the staff member must report the information to their CEDC line manager, who in turn must report the information to the PSSO.

In addition, the staff member must disclose the information to a police officer as soon as reasonably practicable after forming the belief unless they have a reasonable excuse. For the purposes of reporting, staff can access a Report to Queensland Police Service under the Criminal Code Act located on Veritas. (Section 3.3)

A reasonable excuse may include:

- that the person believes on reasonable grounds that the information has already been disclosed to a police officer

- the person gains the information after the child (alleged victim) becomes an adult and they reasonably believe the alleged victim does not want the information to be disclosed to police
- the person reasonably believes that disclosing the information to a police officer would endanger the safety of them or another person and failing to disclose is a reasonable response in the circumstances.

NOTE: A reasonable excuse does not apply to the mandatory reporting obligations under Section 366 and 366A of the Education (General Provisions) Act 2006

Where the person against whom an allegation is made is a current employee of CEDC the Executive Manager PSSO (or their delegate) will carry out a risk assessment, and a recommendation will be made to the Executive Director in relation to the staff member's employment status. CEDC will work closely with the QPS and if and when their investigation is concluded, conduct any required investigation in accordance with The National Response Protocol and relevant CEDC processes.

Where the person against whom the allegation is made is no longer an employee of CEDC, Executive Manager PSSO (or delegate) will seek legal advice to determine the appropriate process.

## 12.2 Allegation of non-sexual historical abuse

In relation to historical complaints of physical or psychological abuse, where the person against whom the allegation has been made is a current employee of CEDC, the matter will be addressed by CEDC as per existing processes. If the person is no longer an employee of CEDC, the matter will be referred to the Executive Manager Professional Standards and Safeguarding Office.

Where the person against whom the allegation is made is at the time the allegation is made, or was at the time of the alleged behaviour, a cleric or member of a religious order, the Executive

Manager Professional Standards and Safeguarding Office will inform the CEDC Executive Director and the Catholic Diocese of Cairns of the allegation. The Executive Manager, Professional Standards and Safeguarding Office will also ensure that the relevant church authority is informed of the allegation without delay.

# 13 SELECTION OF STUDENT PROTECTION CONTACTS

Principals must give serious consideration to who is selected as a Student Protection Contact (SPC)

in the school. While there is a requirement to have at least two SPCs, it may be appropriate to nominate more than two in larger schools such as P–12 Colleges, considering the age and diversity of students.

In the general selection of a staff member for this role some other considerations to be taken into account include:

- the staff member's personal attitudes, experiences, and beliefs, for example:
  - someone who is non-judgmental and with the capacity to be objective when managing sensitive issues
  - someone who is calm and resilient
  - someone who demonstrates a high degree of integrity, discretion, and respect for confidentiality.
- the staff member's role within the school, for example:



- someone whose role reflects professional standing, seniority, and experience in working with complex student and family issues
- the person's preparedness to assume the responsibilities of the role in addition to their other duties
- someone whose role enables them to be readily available and accessible.
- the staff member's personal profile within the school, for example:
  - approachability
  - someone whom students trust
  - someone whom staff trust
  - someone willing and able to respond personally and sensitively.



## Reminder

*It is important to note that unfortunately many of the positive characteristics mentioned above are also evident in the 'grooming' behaviours used by child sex offenders towards children, families, colleagues, and an organisation. The potential for this dynamic to exist necessitates caution when assessing an employee's profile within the school community and makes it important not to rely solely on one measure of suitability.*

## 14 LEGAL GUIDELINES

The following are general guidelines only. Should other issues arise in relation to specific cases it is recommended that you consult with the Professional Standards and Safeguarding Office.

- In reporting cases of abuse/neglect or an unacceptable risk of abuse/neglect to a student, school staff reporting to a relevant State Authority are not required to prove the case; they need only report on their reasonable suspicion and their reasons for it.
- School staff should be very careful to report only to the people or authorities that are mentioned within this document.
- The matter must remain highly confidential and should never become a topic of gossip and should never be spoken about freely with others.
- If a restricted and confidential Record of Concern (ROC) or State Authority Report is inappropriately communicated to others, an action for damages for defamation could be taken or a complaint may be made to the Office of the Australian Information Commissioner in relation to a breach of the student's privacy.



- Staff are permitted under privacy legislation to disclose personal information about a student when making State Authority Reports to the Queensland Police Service (QPS) or the Department responsible for Child Safety, or where the staff member reasonably believes that the disclosure is necessary to prevent threats to life or health
- The identity of individuals who report their concerns about a child to the Department responsible for Child Safety is confidential. Persons are protected from civil liability (meaning that the person is protected from legal action taken against him/her) where the person has acted honestly and reasonably in giving information about alleged harm or risk of harm under the Child Protection Act 1999 (s197A) and s 366 (5) & (6) and s366A (7) & (8) of the Education (General Provisions) Act 2006. However, in some cases staff members may be subpoenaed to attend court as a witness. In this instance, the identity of the individual cannot be kept confidential. The Professional Standards and Safeguarding Office can be of assistance to a staff member who is subpoenaed to attend court.
- In the unlikely event of civil action being brought against a staff member as a consequence of reporting, CEDC, through the terms and conditions of its insurer's policy, will indemnify (i.e., accept responsibility to defend or settle claims) those staff who have acted conscientiously within the scope of their professional duties

## 15 CHILD SAFE ORGANISATIONS

The Child Safe Organisations Act 2024 establishes the child safe standards and a Reportable Conduct Scheme to promote and protect the rights, interests and wellbeing of children in Queensland.

A child is anyone under the age of 18 years. The main purpose of the Act is to:

- protect children from harm
- promote the safety, wellbeing and best interests of children.

The Act achieves three main outcomes.

- I. establishes that all Queensland 'child safe entities must comply with 10 Child Safe Standards, based on the National Principles and a Universal Principle for cultural safety for Aboriginal and Torres Strait Islander children
- II. establishes a reportable conduct scheme for the oversight of reporting and investigations into allegations of child abuse by organisations within scope
- III. establishes the Queensland Family and Child Commission as the independent oversight body responsible for administration of Child Safe Standards and a Reportable Conduct Scheme.

Organisations that are deemed to be child safe organisations, which are based and operating in Queensland, will be required to uphold 10 Child Safe Standards.

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.

5. People working with children are suitable and supported to reflect child safety and wellbeing in practice.
6. Processes to respond to complaints of child abuse are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing and minimise the opportunity for children to be harmed.
9. Implementation of the Child Safe Standards is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children.

The Queensland Family and Child Commission (QFCC) is responsible for ensuring the Child Safe Organisations system is implemented across Queensland and monitored.

Implementation commenced from January 2025, with full operation expected by July 2027.





**Catholic  
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*Learning with Faith and Vision*